

**EXPLORING THE FRAGMENTS OF SPATIAL JUSTICE IN AN ATTEMPT TO
PROMOTE SPATIALLY JUST DEVELOPMENT IN SOUTH AFRICAN URBAN
REGIONS**

By

ADEFEMI OLAYIDE ADEGEYE

September 2018

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**Thesis submitted in fulfilment of the requirements for the degree of
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In the Faculty of Engineering, Built environment and Information Technology,
University of Pretoria**

Supervisor: Dr P. J. van V. Coetzee

September 2018

Overall, the commentary here on the twilight concept of spatial justice gives a view of justice concerns in applied and theoretical geography that raises more ashes than it settles. In a corner of human geography that is otherwise rather stagnant, this is not wholly untoward. It would be a pity indeed if the busyness of political philosophers was to go completely unnoticed by spatial theorists and applied researchers. Equally, it would be a pity, dare one say unjust, if this essay were to stand alone as a review of implications of that busyness. (On Spatial Justice, G.H. Pirie, 1983)

Prologue

My spatial justice journey began in 2010 when I arrived at the border of South Africa from Nigeria with the intention to study for a Masters' degree in Urban Planning at the University of Pretoria. As most other foreigners, I was aware of apartheid in South Africa, but was oblivious to the effects it had exerted on the spatial landscape. On my trip from the airport to Pretoria, I saw mainly beautiful landscapes, which did not do it any justice either. Further studies regarding South Africa, my travels around the country and my exposure to the Masters programme, assisted me in grasping the injustices embedded in the geographies of South Africa. From this moment on, I became obsessed with exploring the progress made in South Africa since 1994 in order to undo previous injustices, why these injustices are still prevalent and what to do to undo the inequalities.

During the course of my studies, I was also introduced and exposed to the draft versions of the Spatial Planning and Land Use Management Act (hereafter referred to as SPLUMA), which was later promulgated in 2013. The concept of spatial justice was presented as one of the main national planning principles for this planning act and it intrigued me and further inspired me to explore and study this concept, specifically in view of my "injustice curiosity" within the South African context.

After I completed my Masters' Degree in 2012, I enrolled for my PhD study in the same department. I braided my study theme and problem statement for my PhD research around the concept of spatial justice, my initial understanding of this concept and my perception of this seemingly strange construct.

My journey to understand spatial justice allowed me to transcend into a different spatial dimension and I ultimately became more entangled in the somewhat blurry relationship between justice (as we understand it), and space.

Upon starting the study, in trying to understand space and justice, I turned to Lefebvre's production of space and Plato's republic as a starting point. These readings; however, remained confusing, and opened up an array of new challenges.

In 2013, at the time when my research on spatial justice started gaining momentum, I started working in the Department of Rural Development and Land Reform (DRDLR), which was incidentally the original department responsible for SPLUMA. Part of my work at this department also related to the implementation of the act and its principles, including the principle of spatial justice.

SPLUMA started gaining further momentum in 2015 and my initial fears became a reality when I noted that there was much confusion and a lack of understanding on how to interpret and implement the developmental principles of the act, and more specifically the principle of spatial justice. In 2017, I learned that the DRDLR also raised the concern that there was a lack of understanding of the development principles, which came as no surprise to me at the time. These concerns in some way underscored the rationale for my PhD study and further inspired me to study and explore this construct, and specifically the relevance of it for spatial planning in South Africa.

During the rest of 2017, when I started to conclude my PhD study, I was able to share much of my research with the National Department that was focusing much attention on the implementation of SPLUMA and its principles at the time. Although the concept of spatial justice in SPLUMA primarily relates to spatial planning, land development and land use management, I increasingly began to realise the need to expand this concept to other related sectors involved in planning and development.

For me, this PhD study, coincided well with the “spatial justice turn” in planning, which began to unfold during the first two decades of the year 2000. The study has in many ways already succeeded to set the platform for further debate and research. It is my wish that other scholars, especially those in particular government sectors, will further build on this platform to refine and implement this important construct in an attempt to create just and quality urban regions and spaces in the fragmented South African landscape.

DECLARATION OF ORIGINALITY

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Declaration

1. I understand what plagiarism is and I am aware of the University's policy in this regard.
2. I declare that this dissertation is my own original work. Where other people's work has been used (either from a printed source, Internet or any other source), this has been properly acknowledged and referenced in accordance with departmental requirements.
3. I have not used work previously produced by another student or any other person to hand in as my own.
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Date

SUMMARY

For the past two decades in South Africa, there have been various efforts aimed at restructuring the distorted and fragmented spatial form, re-integrating the fragmented spaces and communities and creating sustainable development in general. These aspiring goals were not realised as expected, mainly due to an (un)just government and planning system. A major milestone was however achieved in 2013, after more than a decade's efforts and struggles to develop the first real planning act for South Africa, namely the Spatial Planning and Land Use Management Act, 2013 (SPLUMA). It is enlightening to note that one of the five main planning principles on which the act is based, emphasises the notion of "spatial justice" which constitutes a policy of inclusion with regard to previously disadvantaged people as well as certain planning and development areas. The National Development Plan (NDP) 2030 also proposed normative principles for spatial development in South Africa of which spatial justice is one of these principles. The NDP 2030 requires an explicit indication of the ways in which to achieve the requirements of spatial justice. The term "spatial justice" had been missing from literature for more than 30 years, only to resurface in 2010 as a concept that was under-theorised at best. The question to be asked is "What is spatial justice and how can it change any landscape, most importantly the South African apartheid landscape?" The research at hand will investigate the concept of spatial justice by carrying out a meta-synthesis of theories, discourses and concepts related to space, justice and the right to the city. The result of the meta-synthesis will assist in developing a working definition of spatial justice and the requirements needed to achieve it namely equity, democracy, diversity as well as just distribution based on need or merit. The study goes further in mapping and assessing spatial justice in certain key areas that were identified as critical nodes in an attempt to achieve spatial justice in a city using the City of Tshwane as a reference city. This revealed possible gaps and future opportunities in support of spatial justice e.g. how to integrate communities and where to provide additional public transport. Mapping and assessing spatial justice allow municipalities to plan better because of the fact that assessment provides important information for future planning and development, identification of priority projects and infrastructure as well as ultimately enhancing the budgeting process in the Integrated Development Plan.

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LIST OF ABBREVIATIONS

ANC	African National Congress
BRT	Bus Rapid Transit
BRU	Bus Riders Union
CBD	Central Business District
COHRE	Centre on Housing Rights and Evictions
CoT	City of Tshwane
CSIR	Council for Scientific and Industrial Research
CTMM	City of Tshwane Metropolitan Municipality
DoHS	Department of Human Settlement
IDP	Integrated Development Plan
MDG	Millennium Development Goal
MSA	Municipal Systems Act
MSDF	Municipal Spatial Development Framework
MTA	Metropolitan Transport Authority
MTSF	Medium Term Strategic Framework
NDP	National Development Plan
NPC	National Planning Commission
NSDP	National Spatial Development Perspective
NTPF	National Transport Policy Forum
PAP	Poverty Alleviation Programme
PIE	Prevention of Illegal Eviction from and Unlawful Occupation of Land
PP	Public Participation
PUTCO	Public Utility Transport Corporation
RDP	Reconstruction and Redevelopment Programme
RIDP	Regional Integrated Development Plan
RSA	Republic of South Africa
RSDF	Regional Spatial Development Framework
SANRAL	South African National Roads Agency
SDF	Spatial Development Framework
SERI	Socio Economic Right Institute
SPLUMA	Spatial Planning and Land Use Management Act 2013
STATS SA	Statistic South Africa
TRT	Tshwane Rapid Transport
UNDP	United Nations Development Programme

UNHabitat United Nations Human Settlement Programme
UNICEF United Nations International Children's Emergency Fund
WHO World Health Organisation

CHAPTER 1: INTRODUCTION

1.1 BACKGROUND AND SCOPE OF STUDY

A renewed interest in the values, ethical and moral issues of geographies have arisen due to the radical change in our intellectual environment. No matter how we define justice, it is important to know that it possesses a consequential geography and a spatial expression that involves more than descriptive mapping. The spatiality of justice is an essential and influential element of justice and forms a crucial part of the social formation and evolution of (in) justice over a period of time (Soja, 2010). Viewing justice from this angle necessitates the quest for spatial justice, which essentially and almost certainly arise from a struggle over geography (Soja, 2010). An assertive spatial perspective would provide better knowledge about the definitive struggle of geography; one that can be referred to as the explanatory geographies of justice. Political and social processes not only have an effect on our consequential geographies, but they are also vital forces that move these processes forward in meaningful ways (Soja, 2010). Thinking spatially does not only increase our knowledge of almost any subject, but also provides the additional possibility of broadening our practical understanding into more productive actions that, in turn, could transform the world into a better place. Spatial (in) justice is continually embedded in the physical and social infrastructures that have been created through years of uneven (re) development (Bassett, 2013:4). For many years, there has existed a particular bias over the specific use of the term “spatial justice” (Soja, 2010). The concept’s most evident proponent, Soja (2010:5), argues that up until the twentieth century, there was only one publication by G H Pirie titled *On Spatial Justice* in 1983, as well as a single pamphlet, but that there was no published book with the words “spatial justice” in the title by that time. Pirie’s (1983) article was the first attempt by someone to create a concept of spatial justice using the concepts of both territorial and social justice. In the present day, finding the phrase “spatial justice” in texts has proven to be very difficult, even in instances where the subject is about the connection between social justice and the city or the corresponding link between justice and geography. Other terms such as “urbanisation of justice”, “environmental justice”, “geography of justice” or “territorial justice” are often favoured above the use of the term “spatial justice” in texts (Soja, 2010). The term “spatial justice” does not mean that justice is solely determined by its spatiality and should furthermore not be regarded as one of the various elements or features of social justice. The socio-spatial dialectic argues that everything that is social, including justice, is spatial and everything that is spatial, especially regarding the human world, is necessarily social (Soja, 1989). According to Soja (2010:6), “the exploring of the spatiality of justice and its expressions in struggles over geography is not just an academic exercise but it

has more ambitious political and practical objectives". The overall aim of seeking justice spatially is to improve our broad knowledge of justice as an important characteristic and aspiration in all communities. Spatial justice advocates an advanced and participatory type of democratic politics and social activism. It also suggests contemporary mobilization and management of cohesive coalitions, regional confederations of grassroots and justice-oriented social movements.

The South African context, and the creation of its geographies over time, makes the exploration of the spatiality of justice in this context interesting. Attempts to undo the unjust apartheid geography that exists in the country has been going on for more than 20 years, but little success has been achieved in this regard. Recently, the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) was signed into law by the South African President. With regard to the act, the main concern of this study is the development principles it contains. In the early stages of the drafting process of the act, spatial justice was not one of the development principles of the white paper that lead to development of the act. The recent spatial turn and the potential of opening new insights in undoing our unjust geographies led to the inclusion of the term spatial justice as the first development planning principle to guide future planning endeavours in South Africa. The NDP vision 2030 (South Africa: The Presidency, 2012), which is the national plan to guide development in South Africa, also stressed the importance of these principles by including spatial justice in the eighth chapter of the document. Even though this is a welcome development and a positive step in undoing the injustices embedded in our geographies, one can argue that the concept is still new in South African literature and that it still requires extensive examination. This new principle has the potential of revealing new ideas and ways of undoing the injustices embedded in our geographies. There exists potential in the concept of spatial justice, but the concept is still largely under-theorised (Soja, 2010). This dissertation would above all things propose a working definition of spatial justice and its requirements in an attempt to use this definition to open up new ways of thinking about, and working toward, a spatially "just" and ethical city. The concept of spatial justice was quite new to town planners and human geographers at the time of the inception of this research project and a search for spatial justice on the internet only returned a few results on the topic; however, in recent times, the concept has begun to receive more recognition. The unrecognised bias that exists in exploring spatial justice as a way of undoing the injustices in our geography is not understood at this moment but this research endeavour and its potential will hopefully fuel interest in the spatiality of justice in the future. The exploration of spatial justice raises concerns over the issues of sustainability,

resilience, leadership, community, connectivity, poverty, housing, and health amongst others things. Through this study, I hope spatial justice will become an avenue for exploring the ways in which we can finally undo the injustices existing in the geographies of South Africa.

1.1.1 **MOVING THE DEBATES FROM INJUSTICE TO JUSTICE**

Although the content of the subject matter, which deals with exploring spatial justice, is relevant to any country in the world, the focus of this particular study is on South Africa, specifically in view of the historical past and perceptions associated with injustice in the country. It is obvious that there is an emerging new culture to create just planning practices, just governments and just cities. My study will take a positive and optimistic approach in defining and exploring spatial justice in an attempt to reach some conclusion or set of guidelines that can assist us in promoting spatial justice in South Africa. Unfortunately, it is difficult, or rather impossible, to jump to an exploration of spatial justice without discussing injustice. This will include references to the study of injustice and the things that create unjust practices or are associated with unjust practices. Van Wyk (2015:29) states, "*apartheid is par excellence one of the most blatant forms of spatial injustice and since our country still bears the physical scars it is imperative that, in order to properly deal with spatial justice and more particularly spatial injustice, the root causes must be investigated – the history*". From this statement, it is clear that to understand spatial justice, it is important to discuss spatial injustice.

This study will attempt to move the thinking away from negative critique in favour of a focus on creating spatial justice and just practices.

1.2 **RESEARCH PROBLEM**

The South African government has in the past few years made efforts to transform the distorted spatial landscape that came about as a result of the past apartheid planning, policies and legislation. The development of various policies and legislations after 1994 failed to achieve the transformation that was expected. In 2013, a new era of spatial planning and land use management came about with the signing into the law of SPLUMA. The act emphasised development principles, which included spatial justice, in order to guide planning at all levels and included further directives on how to achieve spatial justice. The South African NDP vision 2030 also emphasised that spatial justice is one of its overarching principles for spatial development and stated that "*all spatial development should conform to the following normative principles and should explicitly indicate how they will meet the requirements of these principles*" (South Africa: The Presidency 2012:277). While the inclusion of spatial justice is a welcome approach, it has raised questions as to what exactly

spatial justice means and how these requirements can be developed to achieve a spatially just city. These questions bring the dialectic back to the agenda because their answers will assist in the correct application of spatial justice in our cities. Various attempts to conceptualise spatial justice include Pirie (1983), who was the first to use concepts from territorial and social justice, but did not achieve much. Soja (2010) took the concept of spatial justice further and provided empirical examples of spatial justice in action, but still did not provide a definition of what spatial justice is. Presently, it is easier to pinpoint or identify instances of spatial (in) justice, but defining it is not always straight forward. Furthermore, there is no single policy on spatial justice in South Africa. The socio-economic right institute (2016) also confirms that the concept has the potential to be politically powerful but practical definitions are lacking. This research will attempt to seek, or move towards, a practical definition of spatial justice by carrying out a meta-synthesis. In short, the research will present a synthesis on discourses and theories relating to justice; propose a working definition in an attempt to unravel the properties and nuances of spatial justice all the while exploring possible criteria and requirements for ultimately achieving spatial justice.

1.3 RESEARCH AIM AND OBJECTIVES

The aim of this research is to broaden the knowledge of planners and others who might contribute to the spatial formation of South African cities on the concept of spatial justice by proposing a working definition and explicitly indicating how to meet the requirements of spatial justice and how to apply it. This can address developmental challenges facing South African cities and regions as well as cities and regions in other developing countries.

The following steps assisted in achieving the aforementioned aim:

- An analysis of various theories and discourses on justice, space, right to the city and related concepts
- An exploration of processes that lead to unjust geographies
- An exploration of cases and the incidence of spatial (in) justice, both internationally and locally.
- An exploration of court cases related to spatial (in) justice in South Africa
- A meta-synthesis of the literature, reviewed through framing a working definition and the requirements for achieving spatial justice.
- Content analysis of relevant legislation and policies in South Africa in order to assess the ways in which spatial justice is addressed in these documents and whether this is done sufficiently.

- A socio-spatial analysis of the City of Tshwane that can determine whether the result from such an analysis can actually indicate or flag possible gaps and future opportunities to support spatial justice e.g. how to integrate communities, and where to provide additional public transport etc.

CHAPTER 2: METHODOLOGY

2.1 RESEARCH STRATEGY AND DESIGN

This research endeavour attempts to define spatial justice and identify the necessary requirements for its achievement. The study relied on a meta-synthesis of similar studies in the field by using the seminal publication of Noblit and Hare's (1988) meta-ethnographic approach to executing a meta-synthesis. Downe's (2005) statement that alludes to the fact that the continuous production of irresponsible islands of knowledge around the same phenomena can result to unnecessary speculation about reinventing the wheel calls for a meta-synthesis in moving towards an attempt to define and develop requirements for spatial justice. The position assumed by Miller *et al.* (1988), regarding the inability of qualitative researchers to go a step further in their work in an attempt to uncover the subtle and sometimes opaque similarities and differences among findings, further supports this notion. Miller (1976:342) stated, "No single conception of justice can be favoured over another, and that subsequently no certain prescriptions can be made about the justice or injustice of a policy (except perhaps where a policy satisfies all the relevant principles or none of them)". Additionally, Pirie's (1983:5) statement about the abundant theories of justice and the criticism of justice as a planning target, intellectual toy and a benchmark for evaluation that inevitably make the acceptance of one approach for application difficult, necessitates a meta-synthesis of these concepts in a bid to reach a final definition of spatial justice. The statements by Miller (1976) and Pirie (1983) support both Downe's (2005) claims with respect to the speculation about reinventing the wheel and the statement by Miller *et al.* (1988) about qualitative researchers' failure to expose the subtleties in similarities and differences.

In a quest to understand the concept of spatial justice, my strategy was to carry out a meta-synthesis of similar theoretical- and scholarly justice-related studies using reciprocal translations. I had to read various theories and discourses related to justice in order to determine the topic similarity adequately. Upon further investigation into the similarity of justice-related topics, I determined that Rawls' theory of justice, social justice and the city, the right to the city and the just city theory all contained overlapping ideas regarding justice. Rawls' theory on justice is one of the most important works in political philosophy related to justice. Most of the work on justice published post-Rawls built on his theory and attempted to provide a preferable alternative to Rawls theory of justice. Harvey's "Social Justice and the City" (1973) is an important work and can largely be related to spatial justice as it focuses on

justice in city. Though Harvey's work relates to justice in the city, it is believed that the same can be applied to rural areas, towns and small cities. The right to the city is also an important discourse related to spatial justice because a discussion of the right to the city is dependent on issues of justice that are equally relevant to the concept of spatial justice. The study on the just city theory is very critical to the study because Fainstein (2010) developed a just theory using work from other scholars including Rawls (1971), Young (1990), Sen (1999) and Nussbaum (2006). The importance of addressing the concerns of other relevant theories of justice in the discussion of the just city is thus evident. This selection of studies is sufficient and most relevant for the development of a definition of spatial justice in addition to the fact that it can be readily applied to spatial situations. Readings from the justice theories and justice related constructs, which assisted me in understanding how injustice is manifested in space, determined the selection of additional scholarly studies.

A meta-synthesis of these studies are essential because of the topical similarity, which I believe would be able to advance our knowledge on the concept of spatial justice.

After conducting the meta-synthesis, the focus was shifted to the City of Tshwane, which is the reference city for the study. A content analysis was carried out on the City of Tshwane's Integrated Development Plan¹ (IDP), Spatial Development Framework² (SDF) and the legislation, policies and plans related to the development of the City of Tshwane's IDP. The analysis assessed the ways in which spatial justice is addressed in these policies and whether this is done sufficiently or not. A socio-spatial analysis of the City of Tshwane was also conducted. The analysis of the City of Tshwane was conducted using the regions of the city.

In a bid to move service delivery closer to the people of Tshwane, the municipality divided the city into regions. A socio-spatial analysis was conducted to assist in the process of mapping and assessing future opportunities, concerning e.g. integration and public transport, which adhere to the principles of spatial justice.

¹ The Integrated Development Plan (IDP) is a five-year plan which local government is required to compile to determine the development needs of the municipality. The projects within the IDP is also linked to the municipality's budget

² A spatial development framework assists in integrating, coordinating, aligning and expressing development policies and plans emanating from the various sectors of the spheres of government as they apply within the municipal area.

The seven regions of the city were analysed because each region, though in the same city, have different socio-spatial characteristics. The analysis of the regions enhanced the credibility of the analysis because different socio-spatial characteristics are examined which, in turn, revealed the possibility of analysing different cities with various types of socio-spatial characteristics.

The sector areas analysed in the City of Tshwane are housing, health, transport, employment and education. While there are other sector areas that could be analysed in understanding spatial justice, this study will focus mainly on the above five areas. These areas represent some of the most socially valued resources of any society as indicated from the findings in the literature review of the study that also describes instances of, and processes that lead to, spatial (in) justice.

This application of spatial justice in the City of Tshwane, using the requirements, can assist municipal officials and decision makers in applying the concept in the development of policies and plans correctly. Officials can furthermore utilise the principles in the budgeting process of the IDP as well as in the corresponding implementation of these policies and plans.

2.2 METHODS IN RESEARCH

2.2.1 QUALITATIVE RESEARCH METHOD

Qualitative research is often used in distinctive ways as an alternative to quantitative research (Hick, 2007). Qualitative research is based on the use of words as sample material in research, which is based on human and social factors. Qualitative research is more concerned with what participants think with regards to the day-to-day practices that permeate their existence and the everyday knowledge concerning the issue being studied. The major aim of this type of research is to define, discover and determine the human responses of a select sample of people in real life situations and their emotions and beliefs. Information gathering methods and processes are usually flexible and most qualitative designs are not usually as structured and sequential as quantitative ones. Leedy and Ormrod (2010:136) pointed out the purposes of qualitative research studies namely:

Description: Qualitative research can be used to understand the characteristics of people and their social interactions, system of rules, operations and circumstances.

Interpretation: This type of research allows for the development of new perspectives and theories about various phenomena or events and it helps in identifying possible defaults in them.

Verification: Many theories and hypotheses can be validated using real human or social situations or conditions.

Evaluation: It can also be used to determine the success of various practices, policies or innovations.

2.2.2 QUANTITATIVE RESEARCH METHOD

Quantitative study designs are specific, structured and tested in terms of their validity and reliability. These studies are also explicitly defined and are easily recognisable (Kumar, 2011). Study designs in quantitative research can be viewed from three perspectives:

- The number of contacts with the study population
- The reference period of the study
- The nature of the investigation (Kumar, 2011)

Although the quantitative method is discussed here, this research does not utilize it.

2.2.3 MIXED METHOD

Debates about universal beliefs, viewing the world against the background of multiple and relative truths and the need for balance between binary viewpoints date back as far as ancient Western philosophy. More importantly, these debates still affect the way in which we seek knowledge in the present day. The spirits of these debates still exist in the various views of the three major approaches to social research (Johnson *et al*, 2007: 113). Mixed research can be placed between the extremes of Plato (quantitative research) and the Sophists (qualitative research), with mixed research trying to combine the wisdom from both viewpoints. The mixed method research is an approach to knowledge that tries to put into consideration multiple points of view and positions, which include those from qualitative- and quantitative research principles. The discourse of mixed method research, though not in its infancy, is a new research paradigm that arose as a reply to the binary position of both quantitative- and qualitative research. Mixed research is therefore a combination of the two main approaches that incorporates notions from both ends of the spectrum.

Multiple operationalism was described by Campbell and Fiske (1959) as a way in which multiple methods are used in the process of validation which ensures that the findings in a research is a consequence of the underlying phenomenon and not of the method used. Bourchard (1976: 268) argued that the merging of results from two or more methods makes

findings of the research more accurate and less easily attributable to some methodological fabrication. Webb et al (1966), who was credited with being the first proponents of the term triangulation, expanded the concept of multi-operationalism by stating, “*once a proposition has been confirmed by two or more independent measurement processes, the uncertainty of its interpretation is greatly reduced*”. The most convincing confirmation therefore occurs through the process of a triangulation of measurement techniques. There exists more confidence in a proposition if it can survive the incursion of a series of imperfect measures with all their irrelevant error. The minimization of error in each instrument and a reasonable belief in the different and divergent effects of the sources of error can furthermore increase this sense of confidence (Webb *et al*, 1966:3).

Denzin (1978:291) defines triangulation as “the synthesis of methodologies in the study of the same phenomenon”. Cohen and Manion (1986) define it as an effort to arrange or analyse completely, the richness and intricacy of human behaviour by analysing it from various viewpoints. O’Donoghue and Punch (2003) gave another definition of triangulation whereby they viewed triangulation as a method of crosschecking data from different sources in order to find consistency in the research data. The term “triangulation” evolved from a figure of speech, obtained from military and navigation strategy, which involved the use of different reference points to locate the exact position of an object (Smith, 1975: 273). With triangulation, researchers can increase the preciseness of their judgments by gathering various kinds of data based on the same phenomenon. Smith and Kleine (1986) proposed the use of multiple methods resulting in contrasting images of understanding that increases the efficiency of evaluation finding. Denzin (1978) outlines four types of triangulation namely: data triangulation (includes time, person and space); investigator triangulation (involves various researchers in a finding); theory triangulation (referring to the use of a different theoretical plan in the understanding of the phenomenon) and methodological triangulation which involves the use of various methods to acquire data, such as questionnaires, observations, documents and interviews. Jick (1979) carried out research using triangulation and confirmed the efficacy of using this method in research. Olsen (2004), on the other hand, argued that triangulation is not designed exclusively for validation but also aimed at expanding and broadening one’s understanding. Denzin distinguishes between two types of triangulation namely within-method- and between-method triangulation. Within-method triangulation involves the use of either multiple qualitative- or quantitative approaches to research while the between-method approach refers to the use of both the qualitative- and quantitative method. The between-method of triangulation emphasises the use of the mixed

method approach. Denzin (1978:14) advocates this approach as is evidenced by the statement: “the bias inherent in any particular data source, investigators, and particularly method will be cancelled out when used in conjunction with other data sources, investigators, and methods and the result will be a convergence upon the truth about some social phenomenon”. Jick (1979) explained that triangulation helps a researcher in becoming more certain about their research outputs and can assist in getting richer data; lead to the synthesis or integration of theories, reveal discrepancies in one’s work and it may serve as litmus test for contending theories. Rossman and Wilson (1985) provided three reasons for combining research methods. The first reason is that combinations ensure validation of each other using triangulation. Secondly, combinations that are developed provide analyses that are more accurate and lastly, that mixed-methods enable contemporary ways of thinking by giving attention to paradoxes that emanate from the data that was obtained from both sources. This research utilized the within-method approach in obtaining data.

2.3 META-SYNTHESIS

Meta-synthesis is a qualitative type of analysis that attempts to bring together results from various but similar studies. This method of inquiry has an interpretive intent rather than an aggregative one. Stern and Harris (1985) first developed the term qualitative meta-synthesis with reference to the consolidation of a group of qualitative studies. The goal of their study was to develop an explanatory model or theory that could interpret the findings of a body of similar qualitative studies (Downe, 2005). Zimmer (2006) describes meta-synthesis as the combination of individual qualitative studies at a higher and more abstract level, using a translation and synthesis process. A qualitative meta-synthesis is a type of qualitative study that uses data from findings of other qualitative studies linked together by similarity in topic. The process of identification by consensus, the development of a hypothesis and the investigation of contradictions in patterns of experience across studies make theorisation possible. This assists in qualitative findings’ contribution to the production of a better knowledge that is more useful to a discipline or field of study (Zimmer, 2006). Noblit and Hare’s (1988) seminal publication on a synthesis of linked ethnographies described the method as meta-ethnography, and their work has become more or less a guide for researchers attempting to carry out meta-synthesis.

2.3.1 OBJECTIVES OF QUALITATIVE META-SYNTHESIS

The objectives of qualitative meta-synthesis are theory development and generalizability, which can make qualitative findings available for application in practice and higher-level

abstraction (Estabrooks *et al.*, 1994, Jensen & Allen 1996 Sandelowski *et al.*, 1997). Schreiber *et al.* (1997:315) identified three theory related intentions for meta-synthesis. The first one is theory building, whereby findings from various sources are used in order to advance the level of theory above the level that is obtained from single-source data. The second intention of meta-synthesis is theory explication where an abstract concept in a study is expanded through a synthesis of the findings that is obtained from other studies through a lateral and deductive analytic process. In the last instance, there is theory development, which can be described as the synthesis of findings into an output that is heavily descriptive and comprehensive and, as a result, more complete than any of the principal studies alone. It is also stated by the authors that any of the three purposes could be complementary or overlapping in a given research project (315). The main aim of qualitative meta-synthesis according to Paterson *et al* (2001) is mid-range theory and theoretical framework development. They also state that results produced by this method can form the basis and justification for health- and social policies.

2.3.2 APPROACHES TO META-SYNTHESIS

Sandelowski *et al.* (1997:367) proposed three approaches to meta-synthesis. In the first instance, the approach relies on the combinations of findings by one researcher's different studies in a similar field. This approach recognises the central belief of constructed knowledge and is argued to be the most transparent. The main setback of this approach is that it does not allow for the investigation of multiple points of view. The second approach is the synthesis of studies by different investigators in a related field and is the most commonly used approach to date. The third approach, which is the quantitative summary of key elements across qualitative studies, is more of a methodological rather than a heuristic approach and can be applied in any meta-synthesis process albeit resulting in a more superficial analysis. For the purpose of this research project, I used the second approach to meta-synthesis, which involves the synthesis of studies by different investigators in a related field.

2.3.3 CONSTRUCTING A META-SYNTHESIS STUDY

Synthesis is usually a process of linking studies that are similar in terms of their contents and findings. Researchers who want to learn more about a specific issue or topic usually collect various studies about their chosen topic. After collecting the data, the integration of these studies becomes pertinent. The synthesis of various studies; however, is dependent of the meaning or consequence of each individual study. The areas of likeness, overlap and connection are determined through an in-depth analysis. Studies are also related to one

another based on many factors. Firstly, studies can be about dissimilar things or about roughly similar things, which inevitably forms the foundation for their relation. Studies can also stand in opposition to each other or refute each other or, alternatively, studies can build upon one another to build a line of argument (Noblit and Hare, 1988). There should be little reason to synthesize studies that are different so the studies used in constructing this meta-synthesis were about roughly similar things.

2.3.3.1 Reciprocal translation

Reciprocal translations take place in instances where studies with similar topics are translated into one another. The focus in this type of translation is on metaphors, themes, organisers and concepts that the author uses to explain what is going on and constitute the means for reciprocal translation across studies. The process of translation requires cautious reading as well as a focus on the concepts used in the studies in order to express the interpretation in a reduced form (Noblit and Hare, 1988). This research relied on a reciprocal translation because the studies showed similarity in their respective topics.

2.3.3.2 Refutational translation

According to Kuhn (1970), science is not a simple aggregation of knowledge, but involves disagreements over paradigm revolutions. While social science might not tread the same path as the physical- and natural sciences, it is obvious that most research does not merely promote a single perspective, but also refutes other perspectives. In refutational translation, studies reflect a relationship between different concepts and the implied refutation is then analysed and incorporated into the synthesis.

2.3.3.3 Line of argument

The line of argument approach to synthesis deals with inference and it argues what can be said about the whole based on the selective parts of the studies. It is similar to basic theorising in qualitative research and is usually referred to as ground theorising or clinical inference.

2.3.4 ANALYTIC APPROACH: META-ETHNOGRAPHY

In the process of meta-synthesis, one has to decide how studies are related or different by comparing and contrasting them. It entails identification and tabulation of the original author's knowledge of ideas, concepts, key phrases and metaphors in each of the studies. Downe (2005) argues that while this process might seem uncomplicated, it is at this stage that the researcher must question the sufficiency of the accounts given in the papers. The process of analysis must ensure the preservation of the original meaning of the text while considering the author's interpretation. An attempt to fit studies together in a forcible manner should be

avoided as studies can be either complementary, reciprocal or conflicting at any given time (Noblit and Hare, 1988).

It is important to follow certain steps in the process of executing a meta-synthesis such as determining topical similarity in the selection of the research as well as setting the standard for inclusion with definitive criteria. The hermeneutic intent must be maintained so that the richness and complexities of meanings are revealed. Connections between the different studies may then open up new knowledge and perspectives which would make the whole greater than the sum of its part. The reading of various studies initiates the process, which is later finalised by the creation of a grid of the key concepts. An analysis of the findings includes placing them side by side in order to pinpoint the similarity of codes, themes, categories as well as conflicts and disparities. Noblit and Hare (1988) proposed seven steps in completing a meta-synthesis using what they called the meta-ethnographic approach. These steps, listed and discussed below, were utilised in this meta-synthesis on spatial justice:

Step 1: The first step in conducting a meta-synthesis involves identifying an area of interest, possibly informed by qualitative research (Noblit and Hare, 1988). Yin (1984:13) highlights that qualitative approaches “are the favoured strategy when questions of how and why are being asked [and] when an investigator has minimal control over activities and when the attention is on a contemporary phenomenon with some real life concept”. This stage involves the researcher asking questions on how a set of studies might be able to inform intellectual interest. For an interpretivist approach, deciding what is relevant to a synthesis study needs to be justifiable. If the intent is to synthesize the ethnographies of a group of people, there should be a reason to justify the intent of the synthesis by asking what there is to learn from the synthesis. Noblit and Hare (1988) argue that the answer to this can lead to a gross generalisation, which stands in contrast to the interpretive meta-ethnographic approach.

Step 2: Deciding what is relevant to the initial interest. Choosing the relevant studies depends on what the research is about, its purpose, the audience and the interest of the audience reading the research as well as the researcher’s personal interests in the effort. Carrying out an exhaustive search for relevant accounts of a study could be accepted when the interest is not in the synthesis of that study. Cooper (1984), Hunter *et al.* (1982), and Light (1980) explain that it becomes difficult for an investigator to know when he/she is being exhaustive because not all studies are published or available publicly. Noblit and Hare (1988) state that meta-ethnography is driven by some substantive interest derived from the

comparison of any given set of studies. Furthermore, studies of particular settings are particular in their nature and should be regarded as such. Unless there is some substantive reason for an exhaustive search, generalizing from all studies of a particular setting yields trite conclusions.

Step 3: Reading the studies. According to Noblit and Hare (1988), this phase is comprised of the repeated reading of the accounts and the identification of similarities and interpretive metaphors. This stage requires careful attention because it reflects the main concerns of the study.

Step 4: Determining how the studies are related. Different studies need to be integrated and synthesised by recognising the relationships between the studies. Noblit and Hare (1988) suggest the creation of a list of key phrases, metaphors, ideas and concepts used in each study in order to juxtapose them. An initial assumption about the relationship between the studies can be reached toward the end of this phase.

Step 5: Translating the studies into one another.

Translation refers to treating the accounts as analogies. However, in meta-ethnography, it is a more involved process than one of analogies. Noblit and Hare (1988:4) see translation as a unique synthesis, because they protect the particular, respect holism, and enable comparison. An adequate translation maintains the central metaphors and/or concepts of each account in their relation to other key metaphors or concepts in that account. It also compares metaphors, concepts and their interactions in one account with the metaphors, concepts and interactions in other accounts.

Step 6: Synthesizing translations. Synthesis is the creation of a whole that is more than the sum of its parts. Translations can constitute a single level of meta-ethnographic synthesis, but if the studies being used are large and the translations coming from them are many, then various translations may be checked against each other to determine if there are some types of translations or some metaphors and/or concepts that are able to encompass those of other accounts. In these cases, a second level of synthesis is possible namely one that relies on analysing competing interpretations and translating them into each other (Noblit and Hare, 1988).

Step 7: Expressing the synthesis. Synthesis is usually reflected in the format of writing and is mostly interpreted within this format. However, if the audience is not academic and the synthesis may be of concern to other practitioners, other formats for presenting synthesis may be utilised.

2.3.5 PHILOSOPHICAL ISSUES AND RATIONALE BEHIND META-SYNTHESIS

The shift to synthesis has not been without its critics and interpretive research approaches usually favour a more cautious position to the generation of knowledge than the positivist approaches, which are aimed at finding objective truth claims (Downe, 2005). Philosophically, interpretivists lean toward constructionist and post-constructionist thought, which emphasise the contingent, understanding nature of the production of knowledge (Kent, 2000). The synthesis of findings of qualitative research results in some kind of broad knowledge or even explanatory theory of phenomena. Sandelowski *et al.* (1997:366) stated that “*to summarise qualitative findings is to destroy the integrity of the individual projects on which such summaries are based, to thin out the desired thickness of particulars...and ultimately to lose the vitality, viscerality and vicarism of the human experiences represented in the original studies*”. In response to the arguments against synthesis of research, Silverman (1997) stated that qualitative researchers risked further exclusion from policymakers if their work remained isolationist and esoteric and unable to influence practice or strategy. The argument was that the continuous production of irreconcilable islands of knowledge around the same phenomena could result to unnecessary speculation and to reinventing the wheel³ (Downe 2005:205).

Miller *et al.* (1988:11) uses the concept of “*analytic interruptus*” to describe the inability of qualitative researchers to go a step further in their work to uncover the subtle, sometimes opaque, similarities and differences among findings. Meta-synthesis of qualitative research is essential in reaching higher analytic goals and in the advancing of the generalizability of qualitative research (Sandelowski, 1997). Qualitative research is still falsely characterised as ungeneralisable (with reference to generalisability in terms of sampling and statistical meaning) but qualitative research aims at naturalistic or idiographic generalisations or the kind of generalisations made about particulars (Sandelowski, 1997:368).

Donmoyer (1990:176) argued that it is indefensible, dysfunctional, and out of touch with contemporary views of science not to recognise and value these generalisations. Schofield (1990) further viewed qualitative meta-synthesis as cross case generalisations emerging

³ To do or make something again, from the beginning, especially in a needless or inefficient effort

from the generalisations made from, and about, specific cases. On the argument of the postmodernist, stating that synthesis is reductionist, it may be helpful to see the process as opening up avenues for new insights and knowledge to materialise instead of one in which adding concepts are preferred over abundance and thickness of description. The debate shifts from the assumptions that the nature of phenomena has been uncovered in a concluding compelling summary, towards an acknowledgement that synthesis is a continuous boundary breaking exercise (Sherwood, 1997). Downe (2005:205) further argues “bringing together studies in related area enables the nuances, taken for granted, assumptions, and textured milieu of varying accounts to be exposed, described and explained in ways that bring fresh insights”.

2.4 CONTENT ANALYSIS

Content analysis is a flexible method that can be used to analyse textual data (Cavanagh, 1997). According to Downe-Wamboldt (1992:314), the aim of content analysis is “to provide knowledge and understanding of the phenomenon under study”. Content analysis was used in this study to assess the ways in which spatial justice is addressed in the policies and legislation guiding planning and development in the City of Tshwane and if it was addressed sufficiently or not.

2.5 SOCIO- SPATIAL ANALYSIS

This is the analysis of the social and spatial aspect of a city. As Lefebvre (1991) put it, space does not just exist, it is socially produced and Soja (2010) also stated that the spatial shapes the social as much as the social shapes the spatial. This means that our social actions influence our spaces and in analysing our spaces, we must consider the social aspect. De Beer (2016) contributed to this by stating that spatial justice is the socio-economic–political (in)justice, spatially expressed.

A socio-spatial analysis was carried out in the City of Tshwane, which is the reference city for this study. The purpose of this analysis is:

- To assess whether such mapping exercises, and the result from such an analysis, can actually indicate or flag possible gaps and future opportunities to support spatial justice for instance on how to integrate communities and where to provide additional public transport etc.

As discussed above, it was necessary to carry out a socio-spatial analysis given that Lefebvre’s production of space made it clear that space is socially made and the fact that

social factors are necessarily spatial and vice versa. He went on further to say that space is a collection of networks that enable the possibility of social actions (Lefebvre, 1991). Soja (2008) added to this by stating that the spatial is shaped by the social as much as the social is shaped by the spatial. Understanding spatial justice therefore requires that both the social and economic aspect of a city needs to be taken into account. The City of Tshwane was selected as an ideal reference study because of the fact that it is a large metropolitan city with a high population of Black people living in townships. Townships in South Africa came into being as a result of past apartheid policy and planning that restricted Black South Africans to areas outside the city with limited access to economic opportunities.

2.6 THE METRIC OF JUSTICE

Philosophers and political theorists have over the last few years debated about the appropriate metric of justice. Questions regarding the criteria in measuring justice included how we determine whether the situation in one place is more or less just than a situation in another place (Robeyns and Brighthouse, 2010). The two most prominent responses to this question came in the form of two approaches namely that of social primary goods (Rawls 2001:58-61) and the capability approach proposed by Sen (1999). The capability approach involves disregarding people's holdings of, or expectations of holding, external goods. The functioning that such goods are able to perform are considered instead (Robeyns and Brighthouse 2010:2). According to Sen (1999:75), the concept of functioning "reflects the various things a person may value doing or being, varying from the basic (being adequately nourished) to the very complex (being able to take part in the life of the community)". The United Nations and some local and national governments have put the capabilities approach into practice and it appears to be the more accepted theory among policy makers and economists. On the other hand, the social primary goods approach has been accepted more favourably amongst philosophers.

2.6.1 CALCULATING A JUST DISTRIBUTION

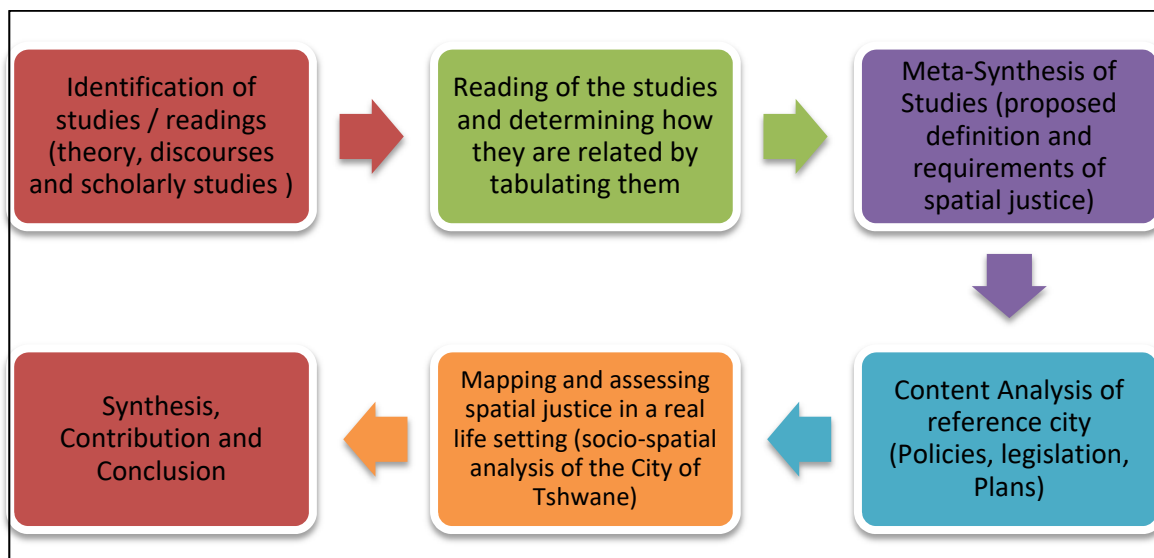
The Council for Scientific and Industrial Research (CSIR) (2012) published guidelines for the provision of social facilities in South African Settlements. These guidelines were created in an attempt to assist the government in not just providing services to the communities, but in providing them in a manner that is spatially logical i.e. providing these facilities based on where people live and where they can easily access such services (CSIR, 2012). The CSIR (2012) stated that development patterns in municipalities were unequal and that there exists a bias in the provision of certain facilities in some areas. The pattern of development followed either historical settlements patterns, income trends or other trends or patterns used in

providing facilities that possessed little rationality. From this statement and the rationale of developing these guidelines, it can be argued that even though the words have not been used, the CSIR seek spatial justice in the distribution of social facilities. A threshold population as well as acceptable distance were both proposed by the CSIR.

2.7 SYNTHESIS OF METHODOLOGY USED

The purpose of this study is to move towards a definition of spatial justice as well as propose requirements for achieving spatial justice. In order to do this, the author carried out a review of theory and scholarly literature related to spatial justice, in a bid to carry out a meta-synthesis by identifying common threads, ideas, themes and key phrases in these readings, and bringing them together to move towards a definition of spatial justice. After a meta-synthesis was conducted, a working definition of spatial justice was proposed with the requirements to achieve it. The next step was to carry out a content analysis of policies, plans and legislation and mapping and assessing the City of Tshwane, which is the reference city for this study. The table below presents a process diagram of how the methodology was conducted.

Figure 1: Methodology



Source: Author, 2017

2.7.1 DATA COLLECTION

Methodological triangulation was used for mapping and assessing spatial justice in the City of Tshwane. Methodological triangulation, as described by Dezin (1978), is the use of various methods to acquire data, such as questionnaires, observations, documents and interviews.

the distribution of schools in the city were mapped out using data obtained from the Gauteng Department of Education, National Department of Basic Education and Gauteng Department of Health in the form of shape files. The data consisted of a list of schools, hospitals and clinics in the Gauteng province. The data was then analysed and broken down into planning regions, which are the schools, hospitals and clinics; and they were classified according to the regions in which they fell into and then mapped out using a Geographic Information System (GIS). This enabled the author to explore the possibility of analysis of the distribution of these facilities. Transportation analysis of the City of Tshwane's bus service was carried out by calculating the coverage of the city's public transport services per region in ArcMap using the field calculator and using the Africa Lambert Conformal Conic Projection Coordinate System. Other information on transportation and housing was obtained through participant observation and planning documents. Further analysis of the city was carried out by obtaining data from Statistics South Africa as well as from planning documents of the City of Tshwane that showed population, literacy level, housing, income and employment etc.

CHAPTER 3: READINGS – THEORY AND LITERATURE

Whenever a theory appears to you as the only possible one, take this as a sign that you have neither understood the theory nor the problem which it was intended to solve (Karl Popper, 1972)

During the course of this research, I came across the quote above by Karl Popper (1972). The quote made me realise the importance of reading various theories of justice in order to understand and move towards a definition of spatial justice.

Theory building can be described as at least one of the five ways or steps in which knowledge is developed. Soja (2010:67) states that *“theory is formed by a link between abstract realms of epistemology and ontology, which respectively make statements about the essence of human beings in the world and develop ways to assure that our knowledge of the world is reliable; and the increasingly concrete modes of empirical analysis and practical application or praxis [leads to] the transformation of knowledge into action [and] theory into practice”*. In geography, we are habituated to search for some sort of theory that would guide us in practice. In discussing theory within this context, we refer to an intellectual fabrication that helps us to understand the world, a portion of it or the way it is supposed to be. Practice, in this context, refers to the way things are to be done such as executing projects with specific aims in sight which include the chance of gaining a wider knowledge of the world or some parts of it, deducing it and transforming it exceptionally (Smith, 1994). A critical theoretical perspective is important as it aims at generating an insight and broad understanding that is likely to transform the world into a better place (Soja, 2010). For instance, we can explore the use of location theory in the search for how profit can be maximised by industries or how settlements and other characteristics of the space economy could be ordered to reduce distance travelled by people in the search of goods and services (Smith, 1994). Thinking critically is directed by strategic enthusiasm and anticipation and fabricating a theoretical and practical approach, we gain a political sense of the planet we live in so as to perform more suitably and efficiently within that environment (Soja, 2010). Soja (2010:192) further stated *“lessons have taught us that the application of a critical spatial perspective has the potential for stimulating continuing innovation and perhaps unexpected breakthroughs in the search for social and greater spatial justice”*. It is therefore important to review the theoretical and philosophical background underpinning any study. In defining

spatial justice, it would be necessary to have a knowledge and background of the theory behind space, justice and related concepts.

3.1 **CONCEPT AND PRODUCTION OF SPACE**

The most insightful and exciting contemporary ways to think about space or spatiality have been coming from a radical contemporary perspective (Soja 1996:3).

Space can be viewed in many ways, a conventional understanding of space is very important to have a wider and better knowledge of the society and urban phenomena in general (Harvey, 1973). Cassirer (1944 as quoted by Harvey, 1973) was one of the early philosophers who had a broad perception of space; he distinguishes spatial experience based on three categories. His first category is organic space, which is the kind of spatial experiences that seemed to be determined biologically and transmitted genetically (Harvey, 1973). His second spatial experience, which is perceptual space, is a more complicated one. It is concerned with the neurological combination of every type of sensory experience, which is kinetic, tactual, acoustic or optical in nature. This combination leads to a spatial experience in which the confirmation of different senses is harmonised. Perceptual space is experienced through the senses, but little is known of the effect of cultural conditioning on the efficiency of our senses. The third kind of spatial experience described by Cassirer was an abstract experience, which he called symbolic space. Here, the indirect experience of space occurs through an understanding of the symbolic representations that possess no spatial dimension in themselves (Harvey, 1973). These levels of spatial experience are not free or independent from one another. The need to construct a theory of spatial form will then rely on identifying some sort of method that represent events as they occur on an organic or perceptual level by means of some abstract symbolic that inevitably forms part of geometry. Alternatively, it could be regarded as seeking some explanation at the organic or perceptual level for ideas built at the abstract level (Harvey, 1973).

3.1.1 **PRODUCTION OF SPACE**

In the first discussions on space, most people perceived it as an empty area referring to something geometrical (Lefebvre, 1991). Descriptions of space limited it to being isotropic, euclidean, and infinite, especially when used in a scholarly context. The general idea about the concepts of space was largely a mathematical one (Lefebvre, 1991). From this, we cannot say that the evolving concept of space had been abandoned but it must be made clear that the history of philosophy highlights the gradual liberation of the sciences,

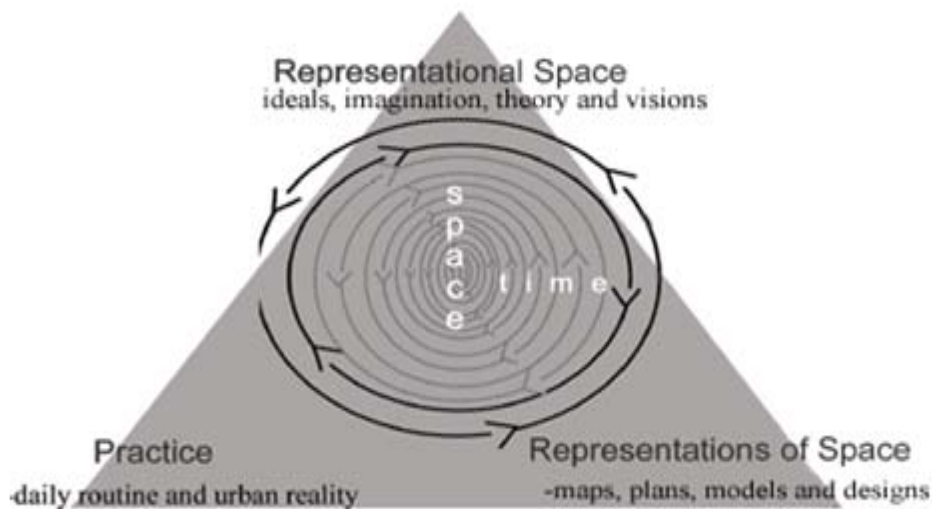
particularly that of mathematics from their shared roots in traditional metaphysics. At a certain period, a Descartes thinking emerged as the significant point in the determination of the concept of space and this was also determined as the key to unlocking its mature form. Historians of Western thought emphasised the idea that the Aristotelian tradition, which defined space and time as one of the categories that assisted in the naming and classing of the evidence of the senses, had been brought to an end by Descartes. Space had entered the realm of absolute with the arrival of the Cartesian logic. Lefebvre (1991:1) viewed "space as object as opposed to subject, as 'res extensa', opposed to, and present to, 'res cogitans', space came to dominate, by containing them, all senses and all bodies". The question whether space was a divine attribute or an indwelling to the completeness of what existed was posed, which were only some of the problems that philosophers had faced at the time. Lefebvre (1991:2) further states the mathematicians appropriated space and time as it formed part of their domain in a rather complex way. A deep rift later developed between physical and social reality, which became problematic and led the mathematicians to relinquish their endeavours to the philosophers who were delighted in taking up the opportunity as a way of making up for the ground that had been lost. Therefore, space once again became what the earlier philosophical tradition of Platonism had previously proposed against the doctrine of categories (Lefebvre, 1991). Leonardo da Vinci described space as a "mental thing". The scope of mathematical theories that existed thus made the question on the old problem of knowledge increasingly complex. After this, the questions were informed by the way in which transitions were made from mathematical spaces to nature and from practice to the theory of social life. The concept of production of space was used by Lefebvre to posit a theory that describes space as that which is basically limited to social reality. He took the argument further by stating that space on its own cannot act as a starting point in epistemology as its existence is not by itself, but rather produced (Schmid, 2008). This implies that space or time cannot be regarded as absolute material determinants or a priori concepts, but that they should be treated as important aspects of social practice. Space and time are social products and the consequence of the creation of the society. Space is described by Lefebvre as a political tool, which is related to production and ownership of property and should not to be described as either a physical or a geographical location or even as a commodity (Lefebvre, 1991b:349, Butler, 2012). Elden (2004:186-187) states that "at the centre of Lefebvre's argument in the production of space is the popular belief that a specific 'common-sense' philosophy has carefully arranged the way in which space and spatial relations in the social science field of study is perceived since the age of enlightenment".

The intellectual origin of this philosophy described by Lefebvre, is what he calls the 'absolute conception of space'. This conception of space was, originally developed from the Cartesian differentiation between "*res cogtans*" which is the thinking being and "*res extensa*" which is the physical world. Space is understood in geometric terms and as an extension, as opposed to a component, of thought. An effect of the absolute conception of space was the understanding of it as physical whereby it was presented as the view of an empty container or location and represented as mental through its epistemological predominance, which was shaped by mathematical models. This disjointed approach to space is inadequate in connecting the physical and mental because the social aspect of space is disregarded, which is contained in neither or both of the other areas. The intention by Lefebvre is to connect both the physical and mental with the social aspect of space by gaining knowledge on the production of space through human action. In order to achieve this, an alternative to absolute space would be needed (Butler, 2012:39). Reinforcing this rejection of the absolute conception of space stands Lefebvre who describes it "*as a social matrix that operates as a presupposition, medium and product of the social relations of capitalism*" (Brenner, 1997:140).

Leibniz viewed the concept of space, as an empty receptacle of matter, in a different manner. He viewed space as 'a set of relations determined by the objects and processes that constitute it' (Leibniz, 1969:675-721). Such a view appears to be supported by modern mathematics and theoretical physics and forms the basis of much recent work in critical human geography. For example, Harvey relies heavily on Leibniz to argue for both a relational theory of space and time and the importance of a more general theory of internal relations for dialectical thought (Harvey, 1996:69-76, 249-255). Lefebvre attempted to describe the internal relation of the entirety of three dimensions of space which are comprised of the mental, physical and social. He further developed a conceptual triad that shows the intricate synergy and dialectic combination between the three levels of spatial relations. The conceptual triad as informed by Lefebvre (1991) are spatial practices, representation of spaces and representational spaces. Lefebvre describes spatial practice as that which brings together production, reproduction and specific points with spatial sets, whereby each is distinctive from every social arrangement. Butler (2012:38) further describes spatial practices as "*the physical practices, everyday routines, networks and pathways through which the entirety of social life is reproduced*". Spatial practice provides for continuity and to a certain extent cohesion (Lefebvre, 1991). In relation to social space and every individual in a society's connection to it, this cohesion indicates an assured level of ability and

a definite level of performance (Lefebvre, 1991). Representation of space refers to that which is linked to the connections of production and to the “order” that is imposed by this connection. Representations of space exist in physical forms such as plans, maps, models and design. They usually have an important and precise role in the production of space and it is in this representation of space that thoughts are expressed in order to become actions (Harvey, 2001). Figure 2 below is an interpretation and graphical representation of Lefebvre’s production of space as presented by Anderson (2003).

Figure 2: Interpretation and graphical representation of Lefebvre’s production of space



Source: Anderson, 2003

Lefebvre (1991) describes representational space as the space of inhabitants and users. This space is experienced passively and the imagination can attempt to change and appropriate it. Theories and ideologies dominate this space. Representational space imposes on physical space, making symbolic use of its object (Lefebvre 1991:39). Chris Butler (2012: 41) goes further to describe representational spaces as one that provides the mechanism for action in the effort for alternative forms of spatial organisation and the change to a non-alienated existence. Lefebvre, (1991) views space as a collection of networks and relations that enable the possibility of social actions. Butler (2010) explains that social space, according to Lefebvre, is an integral part of the processes of production; an instrument that could be used for political purposes and social regulation and a site for human imagination and political struggle. From this intricate account, it can be noted that space should be seen as a socially produced construct and a compulsory requirement for the reproduction of social

relations. The relevance of the production of space in this study provides an understanding of what space means and comments on the role of space in justice.

3.2 THEORIES OF JUSTICE AND JUSTICE RELATED CONSTRUCTS

3.2.1 WHY THE SEARCH FOR JUSTICE?

The interest in justice dates as far back as the time of Homer, Aristotle and Plato. This interest in justice was informed by law in the formal sense whereas the unwritten moral beginning of social-, economic- and political relations informed this search for justice in an informal sense (Pirie, 1983). Efforts to enhance justice or decrease injustice remains an essential objective in our contemporary societies. While there are many critical debates and arguments over the theory of justice, none of them presents a broad explanation about the spatiality of (in) justice (Soja, 2010). Planning for the future of a city or the arrangement of geographies and spaces necessarily involve thinking about spatial justice. The concept of justice and its affinity to the related ideas of democracy, equality, citizenship and civil rights means something different in the present day context for various reasons. This includes the escalation of economic inequalities as a result of social polarization, especially as it relates to the new economy and neoliberal globalization. These economic inequalities can furthermore be linked to the trans-disciplinary diffusion of a critical spatial perspective. The term “justice” has been established as a notable belief in the eye of political and public awareness in contrast to options such as “freedom” with its present day moderately strong overtones, “equality” which provides a cultural politics of difference and the search for universal human rights. The concept of justice in the present day is usually seen as more solid and detailed than its alternatives. It can be argued that it is more aligned with our contemporary conditions and instilled with a significant force that functions efficiently across different genders, class and race to support a mutual political consciousness and a perception of unity based on a generally shared ordeal. The quest for justice has transformed to something of a rallying call and organising force for contemporary social movements and groups, which extends across the political spectrum, stretching the justice concept from the economic and social to contemporary forms of activism and struggle. Apart from spatial justice, other adverbs related to justice include “racial”, “environment”, “community”, “worker”, “youth”, “global”, “territorial”, “border” etc. The combination of the terms “spatial” and “justice” provides a new insight into possibilities for political and social action, as well as an empirical analysis and social theorisation, that would have been vague if the terms were not combined (Soja, 2010).

3.3 PLATO'S REPUBLIC

In the discussion on justice, conventional accounts normally begin with definition of justice as stipulated in Plato's republic. The search for justice dates as far back as 350 BC, in a time where Plato attempts to answer the question of justice through his teacher Socrates in the writing, "The Republic". The quest for finding the meaning of justice, which is now referred to as the "Socratic method", is used interchangeably between Thrasymachus and Socrates. Thrasymachus defines justice as the advantage of the stronger. He claims that it does not pay to be just and that those who act unjustly usually attain power and eventually become rulers in the society. Thrasymachus presents the argument that each governing class proposes laws that suits them best e.g. a democrat would prescribe democratic laws and a tyrant would prescribe tyrannical laws and so on. These laws describe what is "right" for the people and anyone who in breach of such laws is punishable by law. It is evident that Thrasymachus does not establish a definition of justice through this discussion. (Hourani, 1962). Usually in coming up with a definition, a hypothesis is proposed with some demonstration from contemporary language which is consequently tested with additional examples from contemporary language. Thrasymachus' explanation goes beyond this and moves toward the practical facts of government and law. This is probably because he was not in fact trying to demonstrate a definition at all, but that he rather attempted to posit a fabricated proposition (Hourani, 1962).

Socrates challenges the opinion of Thrasymachus and provides an alternative explanation of justice in which he argues that justice is good and advantageous and that it is necessary for people to conform to it. Socrates explains that there are two kinds of justice, one is justice within the human soul or individual and the second is justice within the city; both of which are necessary components to include in a definition of justice. He argued that it would be easier to find justice in the city since the city is bigger than the individual. In the second book of Plato's republic, he constructs the notion of a just city because he believed that it was easier to find justice in the city than in man himself. The purpose in creating such a city is not to make a group of people outstandingly happy, but rather to make the whole city, as far as possible, happy (Plato, Book IV: 86). Socrates' ideal city consists of three classes of people namely a diversity of craftsmen (Plato, 100-103, 369d-371e), auxiliaries who are assigned to protect the city from extrinsic and domestic conflicts and guardians that govern the city (Plato, 104, 374e). The three classes of people in the city each serves a specific function based on their nature because the city can gain more if everyone does what they are

naturally made to do as opposed to fulfilling alternative duties (Plato, 104:374c). Plato assumed that if the city was set up in a just manner, certain virtues such as wisdom should be present in the rulers because this wisdom governs and rules the people (Plato, 136:428e).

Plato therefore somehow attained a working definition of justice; however, for it to be justice in the real and true nature, one must prove that justice can exist in both the individual and the city simultaneously. In the fourth book of *The Republic*, Plato identifies three elements that exist in relation to a human's soul. These elements include the rationally calculating element, the appetitive element and the spirited element (Plato, 143 -144, 439d - 441a). According to Plato, when each of these elements executes its duty and does not infringe on the others, this person is just. Musical and physical preparation allows the spirited- and reasoning elements to work in balance. If the spirited element obeys the reason, the appetitive element is controlled because of the disregard for the various desires of the soul, but when reason and spirit controls the appetitive element, the person becomes unjust (Plato 145: 441e-442b). This illustrates that justice in the city can be compared to justice within a person. Plato further compares these elements with the various virtues incorporated in his idea of the 'created city'. The latter virtues are wisdom, temperance, justice and courage. According to Plato, the spirited element embodies the courage of a person and that the courage of a city is contained inside its auxiliaries. Plato further argues that the reason that governs an individual contains the virtue of wisdom; especially considering the way in which the philosopher's king ruled Plato's city. Temperance was established in the accord to allow the rationally calculating element to govern over the soul, which is seen in the fact that the auxiliaries and craftsmen permitted the philosopher kings to govern them (Plato 145:442c-d). Plato goes on to describe justice as a construct whereby different elements work together in harmony with each other. This, especially within the context of the city, implies that there will not be conflict in the city because each role player can do his duty without interfering with other people. It is evident that Plato revealed that every element found in the city could also exist in the individual. This frames Plato's belief or definition of justice as a policy of liberalism and the fact that the elements, contained either in the city or in the individual, work together of its own accord in order to profit the whole and achieving its own purpose. In short, justice is present when the elements of the whole are working in conjunction with each other.

3.4 RAWLS' THEORY OF JUSTICE

Although not totally removed from law and legal adjudication, the concept of justice means more than the quality of being just or fair. In this sense, and in combination with the establishment of rights under the law, the concept applies to many other conditions of social life and everyday behaviour. It links the active notion of seeking justice to other wider concepts such as a just society, freedom, liberty, equality, democracy, civil rights etc. The intention of increasing justice or decreasing injustice therefore becomes an important objective in all societies as well as a basic principle for expanding human dignity and fairness. Over the past 50 years, normative political theory has placed much attention on the conception of justice. Rawls' Theory of Justice (1971) is generally regarded as an important contribution to critically defining justice in the society. Rawls' contributions to moral and political philosophy are well known. His theory of justice makes for a good starting point to this research as he places much emphasis on the significance of justice in the organisation and administration of society. Rawls' Theory of Justice is further viewed as an Egalitarian theory of moral conduct, which is applicable to the responsibilities people have towards one another. In using components of the Utilitarian and Kantian philosophy, Rawls explained a procedure of evaluation of the moral aspect of political and social institutions. Rawls' (1971) explanation of justice proposed five relevant concepts, inter alia; the principles of justice, the original position and veil of ignorance, reflective equilibrium, public reason and overlapping consensus. His contribution to the theory of justice has influenced many disciplines in the academic field including law, sociology, economics and of importance to this research, town and regional planning.

3.4.1 THE ORIGINAL POSITION

Rawls (1971) referred to the original position whereby advocates behind a veil of ignorance must choose the principles of justice that can adequately rule a society. Rawls proposed two principles, namely the liberty principle and the difference principle, needed to rule society. He added the notion of the original position and extended the idea of the social contract to ensure that the principles of justice would become the object of the contract in order to bind members of society to each other (Rawls, 1971). He further argued that a society is a joint venture by people who are free and equal for mutually advantageous purposes. Collaboration between people in a society allows for better living because collaboration boosts the stock of what is regarded as rational to the people of the society regardless of anything else the members of the society may want. These longings are referred to as primary goods, which include amongst others: rights, income, health, and education. Rawls

(1971) noted that the problems faced by most societies relate to the fact that members of the societies would more often than not disagree on what is meant by 'good' and how the advantages and hardship in a society can be shared between its members. What is required in practice is thus for members of a society to reach an agreement on the rules that can govern their environment and how to apply such rules.

3.4.2 THE PRINCIPLES OF JUSTICE

Rawls (1971) further presented two principles of justice. The first principle relates to the principle of equal liberty, which states that every person should have equal right to the most expansive basic freedom, existing in harmony with others who share a similar freedom (Rawls, 1971:60). This inevitably implies that every member of a society is entitled to an equal assurance of various liberties in as much as it can be guaranteed to them. The liberties presented by Rawls were that of political liberty (which is the right to vote and contest for a public position), freedom of speech and gathering, freedom to follow ones religious or ethical beliefs, freedom to possess private property and freedom from random arrest.

The second principle of justice, which is the difference principle, states that social and economic inequalities are to be organised in a way that is advantageous to everyone and it should be attached to positions and offices that are available to all (Rawls, 1971:60). This implies that *“each generation should preserve the gains of culture and civilization, and maintain intact those just institutions that have been established, in addition to putting aside in each period of time a suitable amount of real capital accumulation (1971: 285)”*. From Rawls' perspective, inequality in the society is only acceptable if society is organised in a way that favours the disadvantaged people in the society. Every member of the society should have an equal opportunity to benefit, especially in instances where the inequalities are linked to posts, offices or employment opportunity. This can be referred to as equal opportunity. The inequalities discussed in Rawls' Theory of Justice include the inequalities that result from a distribution of wealth and income and institutions' enforcement of inequalities using differences in power and obligation or series of command. Rawls (1971) argues that the delegates from the original position who are working behind the veil of ignorance would settle for the difference principle due to ethical considerations and not because of the mere presence of a social contract. This implies that people who live in a society are not entitled to their natural capabilities or even a position in social order. Place and time of birth, assets and privileges are aspects one gets by virtue of place of birth as a consequence of luck. Rawls further argued that it would be unfair if the people that were born into disadvantaged society were to stay in the same place because of the fact that the

dumping or redistributing of primary differences may favour every other representative of the society.

The principle of liberty should take preference over the difference principle in order for society to afford each member basic equal liberties. The latter part of the difference principle must also be prioritised over the former in order to guarantee the conditions of fair distribution of opportunity for members of the society (Rawls, 1971). The principles of justice are organised in such a way because of society's inability to rationalise a reduction in liberty by adding to another member of the society's economic and social advantage. Rawls' principles of justice are applicable to the fundamental structure of the society's economic and political structure and not to the way by which officials of government institution or individual laws conduct themselves. In an instance where the two principles are in conflict, the principle of liberty should supersede the difference principle (Rawls, 1971). Fainstein (2010:15) comments that *"Rawls has been so influential because, within a vocabulary acceptable to proponents of rational choice theory, he presents a logical argument that defends equality of primary goods as the basis of justice without resorting to natural law, theology, altruism, Marxist teleology, or a diagnosis of human nature"*. Fainstein further made reference to Habermas by stating that Habermas also referred to the principle of fairness as a pre-condition for justice.

3.5 SOCIAL JUSTICE

The notion of social justice is usually considered to be a principle or set of principles used in the resolution of different conflict claims. Social justice is a specific use of just principles as it applies to issues that stem from the need for social collaboration, in search for personal improvement (Harvey, 1973). Harvey (1973) uses the division of labour to explain the application of social justice by positing that the division of labour assists in increasing production. This is followed by an exposition of the benefits of the production that may be shared amongst those who participated in the process. He further states that the principle of social justice refers to the distribution of benefits and the allotment of burdens (1973:98). The institutional- and social arrangements related to the distribution and production of activities is essential to the principle of social justice. He concludes that a specification of just distribution, which is justly arrived at, largely determines the extent of social justice (1973:98).

3.5.1 JUST DISTRIBUTION

One cannot establish a foundation for the ethical problem of just distribution without making crucial moral conclusions. These conclusions relate to the justification of people in a society who make claims on the product of that society (Harvey, 1973). Several criteria have been proposed including inherent equality, valuation of services in terms of supply and demand, need, inherited rights, merit, contribution to common good, actual productive contribution, efforts and sacrifices (1973:100). Runciman (1966) proposes a weak ordering of these three criteria. The most important is need, followed by contribution to common good and finally merit. These three criteria can be analysed in different contexts such as the geographical context in terms of territories and regions. The latter aspect will be explored in more detail in the following section.

3.5.2 TERRITORIAL DISTRIBUTIVE JUSTICE

The significance of need, contribution to common good and merit in relation to territories and regions needs to be determined in an attempt at achieving the principle of territorial distributive justice (Harvey 1973:101). The concept of need is relative and it changes as the society goes through transformation and the problem with need necessitates an understanding of what is relative to needs and how they emanate. Harvey (1973:102) places needs in nine different categories that remain somewhat constant over time namely social and environmental service, consumer goods, recreational opportunities, transport facilities, neighbourhood amenities, medical care, food, education, and housing. Minimum qualities and quantities, which will vary according to the social norms at a given time, can be set against these categories, which, in turn, can be equated with needs. There exist different ways in which needs can be fulfilled. For instance, the need for housing can be achieved with different approaches that would not involve living in shacks, tents, mud houses etc. In achieving a normative measure of social justice, it would be necessary to describe and estimate needs in a way that is socially just. Harvey (1973:102-103) suggested four ways in which to determine needs in a socially just way namely through market demand, latent demand, potential demand and consultation with experts on the field. These methods also have some elements of injustice in them. The challenge is to define the term need and to find ways to measure it in an attempt to arrive at a definition of social justice in terms of needs. The concept of contribution to common good in achieving social justice is more interested with how distribution of resources to one territory influences circumstances in another. Inter-regional multiplier analysis, growth poles and externalities can be used to answer questions of distribution of resources and their impact on other places. The effects of the distribution of resources can be either good or bad. Contribution to the common good can furthermore be

related to the criteria of growth and efficiency by incorporating side effects and externalities into the analysis. The idea of contributing to the common good should remain secondary to the interest of distributive importance in seeking social justice.

Social justice based on merit can be defined as the distribution or allocation of additional resources to serve as compensation for the extent of social, environmental or natural difficulty that a society encounters. Davies (1968:18) points out that *“it may be desirable to over provide needy groups with services since they have not had access to them in the past and have not formed the habit of consuming them”*. This issue arises particularly with respect to the education and health care facilities extended to very poor groups, recent immigrants, and the like.

In summary, the principles of social justice as they apply to spatial situations are

1. The arrangement of society as it is organised spatially and the order in which society makes regional investments must be of such a nature that the needs of the population are met. This would necessitate the creation of socially just approaches for the determination and measurement of needs. The contrast between needs and current allocation will give a primary assessment of the extent of territorial injustice in an existing system.
2. A spatial arrangement and model of territorial resource allocation that allows for provision of surplus benefits in the form of fulfilling the needs of the society and total output in other territories by means of spill over effects, the multiplier effect and the like, is a better form of spatial organisation and allocation.
3. A departure from the current allocation of investments in a territory may be accepted only if such allocations reduce particular environmental difficulties.

According to David Harvey (1973:116) territorial social justice can therefore be defined by the notion that *“the distribution of income should be such that (a) the needs of the population within each territory are met, (b) resources are so allocated to maximise interterritorial multiplier effects, and (c) extra resources are allocated to help overcome special difficulties stemming from the physical and social environment. The mechanisms (institutional, organisation, political and economic) should be such that the prospects of the least advantaged territory are as great as they possibly can be. If these conditions are fulfilled there will be a just distribution justly arrived at”*.

3.6 RIGHT TO THE CITY

“If [Robert] Park is correct, that in making the city we are re-making ourselves, then the question of the right to the city cannot be divorced from the question of what kind of people we want to be, what kinds of social relations we seek, what relations to nature we cherish, what style of life we desire and what aesthetic values we hold. 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 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 urbanisation. The freedom to make and remake ourselves and our cities is, I want to argue, one of the most precious yet most neglected of our human rights.” (David Harvey, 2008:1).

The right to the city is a slogan initially conceived by Henri Lefebvre in his book *“Le Droit a le Ville”* that was written in 1967 and published in 1968. Lefebvre sees the urban as more or less the *“oeuvre”* of its citizens and as such it exists as a work of art that is constantly being remade (Lefebvre, 1996:117). For him, the right to the city is *“like a cry and a demand, this right slowly meanders through the surprising detours of nostalgia and tourism, the return to the heart of the traditional city, and the call of existent or recently developed centralities”* (Lefebvre, 1968:158). He further went on to state that the right to the city cannot be conceived of as a *“simple visiting right or as a return to traditional cities, it can only be formulated as a transformed and renewed right to urban life”*. In other writings, he describes it as the rights to the use of multiple services, the right to use the centre, right to information and right of users to make known their ideas on the space and time of their activities in urban areas (Lefebvre, 1991:34). For Harvey, the right to the city does not simply mean the right to what is already in the city, but the right to transform it radically (Harvey, 2009). Harvey further argues that capital controlled the city more than the people did and therefore the right to the city would be a struggle against capital. He states that capitalism brought about the problem of surplus money, which had nowhere to go, which he called the *“capital surplus absorption problem”* (Harvey, 2009:3). He argues that, since 1970, the capitalist system has invested less in production practices that could have generated employment and raised the standard of living of people. In recent years, the purchasing of stock shares, property rights, intellectual property rights, assets and properties directed the investment instead. As more money goes into financial assets, the value increases and so do the property prices, which would not make for a better city but rather for an expensive one. It can be argued that the increase in the prices of property is what pushes some people out of the city to the periphery where rent would be cheaper, thus taking away their right to the city. This rise in property

prices makes it expensive for people who work in the city to actually live in the city thereby removing people's right to the city. Actions of governments such as the expulsion of people from where they live, sometimes by violence or illegal means and sometimes by actions of the market, furthermore constitute the ways in which the right to the city can be taken from the people (Harvey, 2009). He goes on to argue that the idea of justice in collaboration with notions of the right to the city has not only been a strong advocate in political movements, but that it has also been the substance of an immense effort of articulation (Harvey, 2009:41). They further elaborate by stating that the right to the city will not come as a gift but rather that which is taken through political movement. Holston and Appadurai (1996:97) view rights as something of a claim rather than of possession. They argue that "rights" is something of a claim by the society for the provision of necessary resources to meet the basic needs and interest of the society instead of a kind of property that some have and others do not. According to De Beer (2016:11), *"the 'right to city-making' means an invitation to participate in city-making processes, including envisioning, planning, policymaking, budgeting process and actual project implementation on the ground. It also means asserting that right even if not invited, as citizens and inhabitants of the city"*.

Whose right is it we are concerned about in the struggle for the right to the city? What right are we talking about and in which city? Marcus (2009:190) explains that the right is a cry and a demand: a cry out of necessity and a demand for something more. The demand belongs to those who literally want, the oppressed and those whose urgent needs are not met i.e. the hungry, the homeless or the racially-, gender- and religiously persecuted. The underpaid and by those whose daily jobs affect their health negatively make these demands involuntarily. The cry arises from the aspiration of those who are embedded in the system in a superficial manner and who benefit from it materially, but remain limited in terms of opportunities. The right to the city is a claim and an umbrella that can be used to marshal one side in a dispute regarding who should benefit from the city and what kind of city it should be. It is a moral claim established on the basic principles of ethics, morality and justice. Marcus (2009:192-193) argues that "right" is not supposed to be a legal claim that can be enforced through a judicial process in the present day but nevertheless reiterated that right, being a legal claim, could be a positive step in achieving the right to the city. The right is a multiple of rights; not just one right, but the "totality, a complexity, in which each of the parts is part of a single whole to which the right is demanded" (Marcus, 2009:193). The homeless person has not won the right to the city when he is allowed to sleep in the parks or in open spaces. The right to the city involves much more. The concept is a collection of rights and not individual rights.

In the right to the city, the demand is not for the present city, but the right to a future city. Marcus (2009) describes a city not in the regular sense, but somewhere in the urban community where there is no hierarchical differentiation between the city and the country. Harvey (2003) set out some principles in which such a city would have to conform to namely justice, equity, democracy, sustainability and diversity. In practice, the right to the city is a concept adapted at various levels e.g. the UNHabitat (2010) adapts the right to the city at the international level. At the level of the city, statutes that attempt to provide more rights to the people who live in the city can also regulate the right to the city. For instance, Brazil's Federal Law no. 10.257 entitled "The City Statute" is built on the idea of 'The Right to the City' (Ottolenghi, 2002). The Mexico City Charter for the right to the city, signed by the Mayor in 2010, also presents an example of a statute or charter that promotes the right to the city (Wigle and Zárate, 2010).

3.7 THE JUST CITY THEORY

Fainstein's aim in the *Just City* is to develop an urban theory of justice in order to evaluate existing and potential institutions and programs (Fainstein, 2010:5). She argues that justice is seen as a normative principle of urban policy and therefore the concept of justice should encompass aspects such as equity, democracy and diversity. She further argues that these three should constructs should influence any public decision. The main goal of the just city is to guide urban policy in order to produce outcomes that would not have a negative effect on the already disadvantaged, especially during times of financial stress, which tend to affect the disadvantaged most pertinently. Starting from the early 1960's, decision makers have been largely criticised by scholars in urban politics for implementing policies that intensified the suffering endured by the disadvantaged. Policies that favoured neighbourhoods, downtown business, schools and labour-intensive industries were ignored, while too much emphasis was placed on tourist facilities and stadiums (Jacobs, 1961, Fainstein, 1986, 2010). These policies were indirectly advocating for a just city in which public investments by the government would have produced equitable outcomes for all members rather than only benefiting the wealthy. Although, there are numerous literatures on planning and public policy that promotes the correct way of carrying out the decision-making process, most of these processes hardly describe what policies would produce greater justice within the urban context (Lynch 1981, Markusen and Fainstein 1993, Fainstein 2010). The intent of most policy analysis primarily draws on what works, in relation to producing certain things such as jobs and housing, without investigating the wider objectives of these policies (Fainstein,

2010). Taylor (1991:19) further states that *“social science explanation.... has generally shied away from invoking moral ideals and has tended to have recourse to supposedly harder and more down factors”*. Fainstein goes on to add that unlike the social scientist, philosophers have long made the issue of justice a concern. Fainstein uses the three primary qualities of justice, which are equity, democracy and diversity, as the criteria for evaluating New York, London and Amsterdam. In terms of diversity, Fainstein (2010) concludes that London is a diverse city, which she argues resulted from the many diverse communities that have immigrated to the city. She also argues that diversity in London was further informed by the scale and nature of social housing in metropolitan areas, which has resulted in integration of communities and a reduction of segregation. Butler and Robson (2003:193) comment that *“London is not only a global node, but also a metropolis arguably less racially segregated than any other city in the industrialised world.... It is the diversity of London that enables such a flexible form of the metropolitan habitus to be constructed.”* Fainstein argues that, in terms of democracy, London does not fare as well because participation and inclusion of citizens in decision-making is minimal. London also does not succeed in terms of equity, despite the government’s provision of certain services. Fainstein maintains that the system enables a high increase in the earnings of elite professionals in London compared to the low-income class. The attempt to attain a global city status by hosting the Olympics is an example of this, as presented by Fainstein, in which the City spent billions of pounds on the event and disregarded the basic needs of some of the citizens. Another example of a country that attempted to attain global status at the expense of the people is Brazil. The country hosted the 2014 soccer World Cup and 2016 Olympics in Rio. While it appeared as though the country had few problems and that much construction was visible, the reality was that many people were suffering and lacked basic amenities. The government invested billions on sports infrastructure that would almost be of no use after the events, rather than providing houses, education and other important amenities for the people. These expenditures to host the World Cup as well as forced removals of poor people from their habitations also resulted in nationwide protests in the cities hosting the tournament (BBC, 2014, Darlington, 2014, and Watts, 2014). The implication of all these efforts, during a time of recession in 2016, has ultimately made life just more difficult for the ordinary people and exacerbated the suffering for the most vulnerable people inhabiting Brazilian cities.

Fainstein states that New York City was a largely egalitarian society prior to the fiscal crisis in 1970’s. During this time, trade unions had a strong voice in politics, the public health system was largely available, the housing programs were very good and the transportation system

was one of the best in the country. Decades later, more emphasis was directed to economic growth and this resulted in austerity measures in the welfare system. The citizen participation that largely existed in the past started to diminish increasingly. She argues that the attempts to transform New York to a global city (approximately during the period 1975-2010) caused greater inequality and reduced democracy. During these years, immigration levels started to increase, which also started contributing to diversity.

In conclusion, Fainstein argues that, although New York performed reasonably in promoting diversity, it did not perform well in terms of equity and democracy. Of the three cities evaluated by Fainstein (2010), Amsterdam performed the best in term of the three criteria. She argues that many observers view Amsterdam as a city that possesses equity, diversity and democracy. According to Gilderbloom (2008: 18), Amsterdam represents the ways in which a capitalist city can meet the essential needs of the people such as health, housing, safety, individual freedom, sustainable living, and transportation. Amsterdam is a good example of a successful framework of capitalism, democracy, green thinking, and how basic human needs and opportunities are being presented to the citizens of Amsterdam. Amsterdam is a place of freedom, not repression. Healey (2007:37) describes Amsterdam as the ideal place for those who regard the heart of an urban place to have the qualities of an open and diverse cosmopolitan ambience. Fainstein (2010) concludes that Amsterdam can be rated top in terms of her three criteria of justice namely equality, diversity and democracy, within the context of the model of the just city. Fainstein (2010) further proposed directives that can assist in fostering equity, democracy and diversity. The following section presents a summary of Fainstein's (2010) directives for achieving a just city.

3.7.1 EQUITY

In order to achieve equity; the group of people whose income falls below the median class should have household units provided for them by the new housing developments. The affordable housing units should be located in areas where the housing units are affordable or it can be subject to one-for-one replacement. There should be no relocation, regardless of the community plans, of the construction of public facilities, accommodation of addition population, household and businesses except in exceptional cases. In instances where they have to be relocated, no discrimination should be made between renters and owners and they must receive adequate compensation, which would allow them to occupy an equivalent residence. The interest of small businesses and employees should be prioritised during economic development programs. During the planning phase of new commercial developments, the sustenance of independent and cooperatively owned businesses and the

provision of space for public use must be taken into account. Careful evaluation of mega projects must ensure that people, who belong to the low-income groups, benefit from such projects in the form of public amenities, employment and so on. In the case of subsidised projects, the public should be beneficiaries of the ensuing profit and if possible, a variety of developers must assist in developing the project incrementally. Low-income people generally depend on public transportation in order to commute and since the local government is in a position to affect the distribution of income, it should exercise this power by keeping intra-city transit fares low and channel the collection of tolls and taxes on automobiles so as to support the public transit system. Planners have prominent roles to play in achieving the goal of equity and they should use it advantageously to support the less privileged by discouraging plans that benefit the people in privileged positions.

3.7.2 DIVERSITY

The development of communities that promote segregation and the relocation of households should be avoided in an attempt to achieve diversity. Zoning should be seen as a tool for merging municipalities rather than using it as a tool for creating territorial boundaries. District boundaries should not be too enclosed and provision should be made for infusion with other districts. Public spaces should be accessible to the public, varied and not limited in order to prevent conflicts of interest and beliefs and the cohabitation of groups with opposing views and lifestyles. A variety of purposes must apply to land and the concerned population of any settlement should ensure that the land is used for various purposes of their desire. For those who became victims of discrimination, the public authorities should offer their support and ensure that they have access to opportunities in housing, education and development.

3.7.3 DEMOCRACY

Democracy involves the participation of the entire population and for this reason; representatives should represent and support groups who are unable to participate directly in the decision-making processes. Preparation of plans should be done in conjunction with the affected population. This does not grant the affected population the full authority to decide what happens, but some general factors, rules and goals must also be considered and applied during the decision-making process. When plans are being made for areas, which have not been occupied or have a low population density, unanimous decisions should be reached with representatives of occupants both within and outside the affected areas.

3.8 CONCEPT OF SPATIAL JUSTICE

Overall, the commentary here on the twilight concept of spatial justice gives a view of justice concerns in applied and theoretical geography that raises more ashes than it settles. In a corner of human geography that is otherwise rather stagnant, this is not wholly untoward. It would be a pity indeed if the busyness of political philosophers was to go completely unnoticed by spatial theorists and applied researchers. Equally, it would be a pity, dare one say unjust, if this essay were to stand alone as a review of implications of that busyness. (On Spatial Justice, G.H Pirie, 1983)

As stated in the beginning of this script, very few efforts have been made to unpack and explore the construct of spatial justice. Williams (2013: 4) describes spatial justice as “*first and foremost an analytical framework that foregrounds the role of space, a set of material and ideological relations that act on, yet are formed by, social relations*” – *in producing justice and injustice.*” Spatial justice could simply mean a deliberate and directed attention on the spatial or geographical aspect of justice and injustice (Soja, 2008). According to Soja (2008:3) “*spatial justice can be described as the fair and equitable distribution in space of socially valued resources and the opportunities to utilise them*”. Therefore, it is important to note that spatial justice cannot be used in the place of other forms of justice but instead should be regarded as a way of viewing justice from a crucial spatial perspective. To this end, it can be argued that there is usually an important spatial dimension to justice while characteristics of justice and injustice are built into all geographies. The notion of spatial justice can be viewed, either, as an outcome or a process. As an outcome, it can be viewed as geographies that are just or unjust and as a process, it refers to the bringing about of unjust geographies. While it is easier to identify examples of spatial injustice descriptively, it is difficult to pinpoint and determine the fundamental processes that produce these unjust geographies (Soja, 2008). Discrimination by virtue of location is an important factor in the creation of spatial injustice. While the forces attributed to creating spatial and locational discrimination are race, gender and class; their impacts cannot be limited only to segregation (Soja, 2008). Another powerful source of injustice is the political organisation of space. This refers to aspects such as the manipulation of electoral districts, investing in particular urban areas, the impacts of restricted zoning, regional apartheid and spatial fragmentation. The day-to-day function and the activities of the urban system is a major cause of injustice given that the redistribution of income in the capitalist economy favours the wealthy over the poor. Gender bias, racism and various forms of locational and spatial discrimination further intensify the redistribution that results in this injustice. It is important to note that these

injustices can still function without severe forms of spatial segregation. There is no perfect geography. Most geographies have traits of uneven development, socio-spatial inequality and distributional injustice, thus making intervention difficult. Dikec (2009:80) views the notion of spatial justice as *“a critique of systematic exclusion, domination, and oppression; a critique aimed at cultivating new sensibilities that would animate actions towards injustice embedded in space and spatial dynamics.”* Spatial justice is further described by De Beer (2016) as *“socio-economic-political (in)justice spatially expressed”*.

3.8.1 WHY SPATIAL, WHY NOW? / ARE WE IN A SPATIAL MOMENT?

Williams (2013:3) argues that spatial justice is likely a foreign notion to political theorists and even in its native area of geography; it is still somewhat of a new concept. Thinking about justice spatially not only improves our theoretical understanding, but it can also unfold important contemporary facets of awareness that develop our knowledge into a more productive exercise that would lead to the achievement of greater justice and democracy. Over the years, thinking spatially has spread across many disciplines and this spatial turn is the main reason that the concept of spatial justice, and the wider spatialisation of our general knowledge of democracy and human rights, received more attention. The concept of spatial justice has attracted much attention especially in the field of urban and regional planning, geography and architecture (Soja, 2008). This new attention, with its focus on urban spatial causality, has developed so as to examine productive impacts of agglomerations in the urban areas. This was not only focused on the day-to-day practice but also on mechanisms such as economic development, environment degradation, income inequality, innovation in technology, social change and most importantly the creation of (in)justice (Soja, 2008). The ways in which space is viewed has changed significantly over the past few years. It changed from the initial flat cartographic notions of space as a container, a physical fixed form or a stage of human activity to an active force shaping human life (Soja. 2008:2). According to Soja (2008:3) “critical spatial thinking is integrated around three principles and they are:

- The ontological spatiality of being (we are all spatial as well as social and temporal beings);
- The social production of spatiality (space is socially produced and can therefore be socially changed);
- The socio-spatial dialectic (the spatial shapes the social as much as the social shapes the spatial”).

The socio-spatial dialectic implies that there are negative and positive consequences on everything people do within their existing geographies. Foucault (2007) also recorded this

when he explained the ways in which the connection between space, knowledge and power could have both oppressive and enabling impacts. In understanding the present day conditions, a critical spatial perspective of some sort has become important (Soja, 2008).

3.9 CRITICISMS OF JUSTICE

Fishkin (1979) argued that all the principles of justice proposed in the literature up to date are most likely to legitimise tyranny when there is a non-tyrannous option available. Ericsson (1976:64) stated that "*what is prima facie more probable than the idea of determining what is just, morally right or obligatory by first considering the issue of wants, likes and dislikes of the parties involved? Morality was, as the saying goes, created for man and not the other way round*". Pirie (1983) argues that the application of justice in the evaluation of distributions stems from the moral standard *par excellence* of justice. The use of justice appears to be less biased than the frequently used principles of efficiency, equality and cost benefit as it is less open to influence or classification by influential interest groups. Engels once described justice as "*the fundamental principle of all society ... the standard by which to measure all human things ... the final judge appealed to in all conflicts*" (cited in Wood, 1972:245). Rawls (1971:3) stated that, "*justice is the main virtue of societies*". Another scholar to speak broadly on the issue of justice was Hayek (1976:66) who mentioned that justice is the primary outlet for moral emotion, the unique quality of the good man and the accepted sign of having a moral conscience. Despite various controversies and critics, the quest for justice remains. One of the main critics of the concept of justice was Hayek. In his book "The Mirage of Social Justice" (1976), he criticised the concept and argued that it is an absolute myth, which is damaging to civilization. To use his exact words, he stated that the use of the term was "*selfish or dishonest ... a deep incantation*" (page xii), "*a quasi-religious fallacy*" (66), a "*will-o'-the-wisp*"⁴ (67), "*a dishonest insinuation ... intellectually disgraceful, the mark of demagoguery or cheap journalism*" (67). A few other authors have made their own arguments against the concept of justice such as Iris Marion Young (1990) who believed that justice should not be limited to distribution alone and that justice should address issues such as domination, oppression and inclusive participatory frameworks.

Some other political philosophers have asked whether justice is, or can ever be the basis on which distribution is made with nothing outside its domain (Pirie, 1983). For instance, Passmore (1980) asked whether people are packing too much into the concept of justice and whether we ask a lot of ourselves morally and sacrificing too much to the ideal of justice, or

⁴ An Impractical and unattainable goal

what we presume justice to be, in the process. Kamenka (1980:17-18) yields that *“justice is not the only virtue and it would be appropriate if room was left for other virtues such as prudence, generosity, compassion, benevolence etc. by focusing on its own business instead of acting God and describing the whole human condition”*. Lucas (1980) also argues that there is no justification in justice alone and that many other moral ideals exist that do not require justice. Pirie (1983:5) further notes that all the abundant theories of justice and the criticism of justice as a planning target, intellectual toy and a benchmark for evaluation makes the acceptance of one principle or approach for application difficult. Miller (1976:342) also argues, *“no single conception of justice can be favoured over another, and that subsequently, no certain prescriptions can be made about the justice or injustice of a policy (except perhaps where a policy satisfies all the relevant principles or none of them)”*. If one then maintains that there is only one acceptable concept of justice, it simply means that there is only one path to morality.

3.9.1 A PERSONAL REFLECTION ON THE ABOVE CRITIQUES

When I read the criticisms of justice, I began to wonder why I should spend years in trying to understand spatial justice if it is a "will-o'-the-wisp" as Hayek (1976) puts it. Instead of answering this question, I further pondered over these sentiments and came up with my own questions. Firstly, can injustice not be turned around to produce justice? And, since space is socially produced, can it not be socially changed? In addition to this, if injustice in our cities manifested as a result of social actions, can it not be undone through social actions? As will be discussed in later parts of the study, I will attempt to show the opportunities for undoing the injustices embedded in our geographies by means of spatial justice.

3.10 SYNTHESIS OF THEORIES AND SCHOLARLY ARTICLES ON JUSTICE RELATED CONSTRUCTS

The methodology section of this study highlighted the seven steps to execute a meta-synthesis. This first step involves identifying an area of research, which in this study is that of spatial justice. The rationale behind this research on spatial justice is explained in the prologue and introduction of this research. The second and third step involves choosing the relevant studies and reading them. This part is arguably one of the most challenging aspects of this study because it is difficult to determine which studies are relevant and when to stop selecting studies. Noblit and Hare (1988) and a few other scholars provide guidance for this. Noblit and Hare (1988) highlight that choosing the relevant studies depends on what the research is about, the purpose of the research, the audience and the interest of the audience reading the research as well as your personal interests in the effort. Executing an exhaustive

search for relevant accounts of a study could be accepted when the interest is not in the synthesis of that study. They go on to state that unless there is some substantive reason for an exhaustive search, generalizing from all studies of a particular setting yields trite conclusions. These directives were critical for me in selecting the theories to guide this research. The strong similarities between the theories and discourses discussed above, and the impact they have on theories of space, largely guided my selection. While I discuss Plato's republic and the production of space, the meta-synthesis will not include these two topics. The purpose of Plato's republic in this study is to explain how far back the quest for justice has come and to understand the purpose of creating a just city – which is to make the whole city happy and not merely benefit a small group of people. The discussion of the production of space assists in understanding what “spatial” means in the context of space and the role of space in justice.

The following section will synthesize the content from all the readings.

Lefebvre (1991) depicts space as a political tool related to production and ownership of property and not a physical or geographical location, which is commonly referred to as a commodity. Space is socially produced and it is a compulsory requirement for the reproduction of social relations and not a mere physical container. Lefebvre sees space as a collection of networks and relations that enable the possibility of social actions. He further argues that space is socially produced which would mean that whatever is spatial is social, and *vice versa*. Soja (2008) adds to this by saying that since space is socially produced, it can be socially changed. He went on to state that the spatial is shaped by the social as much as the social is shaped by the spatial. The discussion of space is pertinent to this study as it helps in understanding the concept of space and what is meant by the term. An understanding of space gives a clearer picture on how space can facilitate justice.

Plato's republic explains how important the concept of justice is and how far back the quest of justice has come. Plato's republic represents a starting point in the quest of justice in a city. In Plato's republic, Socrates argued that the purpose of creating a just city is not to make a group of people happy, but to make the whole city as far as possible happy. He believes that justice is present in a city when the elements of the whole are performing well in conjunction with each other.

Rawls' Theory of Justice is regarded as one of the most important works in justice-orientated political philosophy. In fact, any discussion relating to justice without mentioning Rawls would be rather incomplete. Rawls (1971) proposes two theories of justice of which the first is the

principle of equal liberty in which he argues that everyone should have an equal right to the most expansive basic freedom. Secondly, he proposed the difference principle, which states that social- and economic inequalities are to be organised in a way that would render it advantageous to everyone in a society, and it should furthermore be attached to positions and offices that are available to all.

Harvey (1973) is another important scholar in the discussion of justice. He attempts to develop a theory of social justice by attaining 'a just distribution justly arrived at'. He argues that the significance of need, contribution to common good, and merit in relation to territories and regions need to be determined in the process of achieving a just distribution. He further suggests four ways in which needs can be determined in a socially just way namely through market demand, latent demand, potential demand and consultation with experts on the field. He stated that these methods could have some elements of injustice in them even though they can be successfully used. The question of what is understood by need and how it should be measured remains a problem in reaching a definition of social justice in terms of need. The concept of contribution to common good in achieving social justice is more interested with how distribution of resources to one territory influences circumstances in another whereas social justice based on merit is involves the distribution of compensatory resources. Davies (1968) emphasised the need to over-provide services for the people from low-income groups because of their limited access to such resources in the past. These needs would include education, healthcare, transportation etc.

Lefebvre first introduced the right to the city concept and many other scholars advanced this concept further. For him, the right to the city should not be seen as a simple visiting right or as a return to traditional cities, but as a transformed renewed right to the urban life. He went on to describe it as the rights to the use of multiple services, the right to use the centre, right to information and right of users to make known their ideas on the space and time of their activities in urban areas (Lefebvre, 1968). Another vocal person on the right to the city concept was Harvey. He argued that the right to the city is not just the right to what is already in the city but the right to bring about radical change in it. His argument describes the way in which capital dominates and controls the city and therefore the struggle in the right to the city would be against capital. He talked about the effect of capitalism on space and how it had invested less in production, which would have brought about employment and how, instead, investment had been directed in purchasing stock shares, property rights, intellectual property rights, assets and properties. As more money goes into financial assets, the value increases and so does property prices, which would not make for a better city but for an

expensive one. It can be argued that the increase in the prices of property is what pushes some people out of the city to the periphery where rent would be cheaper. This rise in property prices makes it expensive for people who work in the city to actually live in the city. In other words, their right to the city has been taken away. The right to the city has also been taken away by actions on the side of the governments such as the expulsion of people from where they live or by market action.

For Soja (2008) spatial justice is an intentional and focused concentration on the spatial aspect of (in) justice. He went further to say that it could refer to the fair and equitable distribution of socially valued resources and the opportunities to utilise them in space. In this manner, spatial justice can be viewed as both an outcome and a process. As an outcome, it can be seen as just or unjust geographies whereas the spatial justice process is what leads to these unjust geographies.

The just city theory is a very important study for this research as it draws on the work of different scholars in the field of justice such as Rawls (1971), Iris Marion Young (1990), Sen (1999) and Nussbaum (2006).

In Fainstein's notion of the just city, three criteria of justice, namely equity, democracy and diversity, was proposed. She believed that these three criteria guide public policy and planning and she applied these criteria to the justice of three cities namely Amsterdam, London and New York. According to Fainstein, Amsterdam performed top of the three cities with London and New York following behind. She believed that over the years, these three criteria of justice have been in decline in Amsterdam, but it still fares better than in the other two cities. She concludes by providing elements that could assist planners, policy makers and other urban stakeholders to achieve a just city.

Below is a table showing the ideas, themes and key phrases from the theories of justice and the justice related constructs to be discussed. As explained above, Plato's republic and Lefebvre's production of space would not be a part of the meta-synthesis process. These studies inform the thinking around space and justice but do not assist in the construction of a definition of spatial justice directly.

Table 1: Ideas, themes and key phrases from theories of justice and related constructs

Theories of justice and justice related constructs	Ideas themes and key phrases
Theory of Justice (Rawls, 1971)	<ul style="list-style-type: none"> • Right to vote and contest for a public position, freedom of speech and gathering, freedom to follow ones religious or ethical beliefs, freedom to possess private property and freedom from being arrested randomly • Social and economic inequalities are to be organised in a way that it would be advantageous to everyone • Inequality in the society would only be accepted if it is organised in a way that favors the disadvantaged people in the society. • The inequalities discussed in Rawls' Theory of Justice include the ones that resulted from a distribution of wealth and income and also those that are enforced by institutions that use differences in power and obligation or series of command • Equality of primary goods forms the basis of justice • Primary goods include rights, income, health and education amongst others • It links the active notion of seeking justice to other wider aspects such as a just society, freedom, liberty, equality, democracy, civil rights etc.
Social Justice and the city (Harvey, 1973)	<ul style="list-style-type: none"> • The distribution of income should be such that the needs of the population within each territory are met • Harvey (1973:102) places needs in nine different categories that remain somewhat constant over time namely social and environmental service, consumer goods, recreational opportunities, transport facilities, neighbourhood amenities, medical care, food, education, and housing • Extra resources are to be allocated to help overcome special difficulties stemming from the physical and social environment. The mechanisms (institutional, organisation, political and economic) should be such that the prospects of the least advantaged territory are as great as they possibly can be.
Right to the city (Lefebvre, 1968,1991,1996, Harvey, 2003, 2009, Marcus, 2009)	<ul style="list-style-type: none"> • Rights to the use of multiple services, the right to use the centre, right to information and right of users to make known their ideas on space and time of their activities in urban areas. • That "rights" is something of a claim by the society for the provision of necessary resources to meet the basic needs and interest of the society. • An invitation to participate in city-making processes, including envisioning, planning, policymaking, budgeting process and actual

	<p>project implementation on the ground. It also means asserting the right, as citizens and inhabitants of the city.</p> <ul style="list-style-type: none"> • Harvey (2003) set out some principles in which such a city would have to conform to, namely: justice, equity, democracy, sustainability and diversity
<p>Just City (Fainstein, 2010)</p>	<ul style="list-style-type: none"> • Concept of justice encompasses equity, democracy and diversity. • Public investments by the government would produce equitable outcomes rather than benefiting only the wealthy. • Diversity through the existence of social housing. • Participation and inclusion. • Amsterdam shows that a capitalist city can meet the essential needs of the people, such as health, housing, safety, individual freedom, sustainable living, and transportation. Amsterdam shows how with the framework of capitalism, democracy, green thinking, and providing for basic human needs and opportunities can be met for nearly all of Amsterdam's residents.

Source: Author, 2018

3.11 MOVING FROM HISTORICAL TO SPATIAL - FROM TIME TO SPACE

*Our historical geography is awash with the desire for justice and well-being, clamouring for judgment day. But what is this quality called justice? And how many past attempts to create a just society have crumbled into tyranny or dissolved into violence, corruption and injustice? Is it possible to ever talk about justice as anything than a contested effect of power within a particular place at a given time? Like space, time and nature, Justice is a socially constituted set of beliefs, discourse and institutionalizations expressive of social relations and contested configurations of power that have everything to do with regulating and ordering material social practices within places for a time (**Justice and Geography of difference**, David Harvey, 1997)*

It is of importance to note that much emphasis has been placed on the historical and sociological perspective, as opposed to the geographical perspective, or as it will henceforth be described in this study as the “spatial perspective”. Soja (2010:3) argues that “thinking historically has been made to feel more intellectually appealing than thinking spatially”. While he thinks that there may be no legitimate reason for preferring history over geography or time over space, such preference still continue to exist in philosophy, main stream social science and radical social theories and practices. Many research studies indicate the importance of thinking historically, as opposed to thinking spatially, as a norm for researchers in society because it was thought to be more informing. As Soja (2010:15) said, “*After all, we are essentially temporal beings. Our biography defines our individual lived time. Time brings us to life, tempers our existence, makes us unalterably and irreversibly contemporary, and, in the end, unavoidably temporary*”. We as human beings build societies, economies, cultures, and ourselves over time. Time defines human development, change, and outcomes that are produced socially. A renewal in the interest in critical spatial thinking arose from the belief that we are spatial and temporal beings and that our existential spatiality and temporality are essentially or ontologically coequal, equivalent in explanatory power and behavioural significance and interwoven in a mutually formative relation (2010:16). For a long period, historical perspectives have taken precedence over spatial perspectives and there has been no balance between the two notions in any field of knowledge enquiry, public consciousness and academic theory building (Soja, 2010). The spatial turn brings about a rebalancing of both historical- and geographical perception and understanding, which involves favouring spatial perspectives over other perspectives and putting space at the foreground as the primary discursive and explanatory focus. This preference for space does not mean that spatial thinking should be practiced alone, but rather that the important practical and theoretical payoffs of this process should be taken into account. This can lead to the

realisation of new insights, the development of alternative theories and novel ways of interpreting phenomena.

3.12 **NOW SPATIAL JUSTICE**

The concept of spatial justice is presently undertheorised at this stage to the extent that the concept's most visible proponent, Edward Soja, does not offer a straightforward definition for spatial justice. He rather leaves it up to the reader to grasp the concept as he develops it in his book entitled "Seeking Spatial Justice" (Soja 2010:6). As Soja put it, "*the spatial shapes the social as much as the social shapes the spatial*"; suggesting that everything that is spatial is social and *vice versa*. Lefebvre (1974) confirms this in his exposition of the production of space by saying that space does not merely exist, but that it is socially produced. This would also give credence to the fact that the social affects the spatial as much as the spatial affects the social. The quest for spatial justice is more than an academic exercise, as it possesses ambitious political and practical objectives. It is a struggle over geography and over the rights as a citizen. It promotes participatory democratic politics and above all, it is a social movement to achieve justice. Williams (2013) suggest that Rawls' principles of justice can constitute a methodological approach to addressing the notion of spatial justice. Williams argues that for Rawls, "*a just space would be one in which the basic requirements of a just distribution, equality of basic liberties, and the distribution of all other social inequalities according to the greatest benefit to the least advantaged are met*" (Rawls 2001: 42-43). He describes this in two ways. Firstly, he posits that space can be the context of justice relations as it can be used to measure the distribution of social goods (Williams, 2013). For instance, one can ask whether schools are distributed in a way that meets the minimum requirements of the difference principle? In other words, are the schools distributed in such a way that different communities would have access to them? If so, then we can assume that the criteria of distributive justice have been achieved. Secondly, space can be viewed as a content of justice relations in the sense that it can be identified as a material e.g. regarding the distribution of specific kinds of physical goods such as parks, access to water and light. It is evident that space is not only a barometer for justice, but also as a good to be distributed (Williams, 2013). While Williams (2013) suggested that John Rawls principle of justice could serve as a methodological approach to spatial justice, I propose a meta-synthesis of various related concepts to be considered as an approach to spatial justice.

3.13 PROCESSES LEADING TO “UNJUST” GEOGRAPHIES

“Just as none of us is outside or beyond geography, none of us is completely free from the struggle over geography. That struggle is complex and interesting because it is not only about soldiers and cannons but also about ideas, about forms, about images and imaginings.” (Edward W. Said, Culture and Imperialism, 1994)

In understanding spatial justice, it is important to explore examples of how (in) justice is built into various geographies so as to assist in understanding spatial justice in socially produced situations rather than leaving it to the imagination. Justice and injustice exist in our everyday life and are not specific only to rural conditions but to the everyday urban life. Spatial (in) justice is not only experienced at the national scale, but also at a regional and local level (Soja, 2010). This chapter tries to explore examples of how unjust geographies are created. While our focus is on South Africa, it is important to know that segregation and apartheid are not the only factors that contribute in the creation of unjust geographies. Many other situations such as the political organisation of space, the distributional effect of allocating public goods and services have made geographies unjust.

3.13.1 SEGREGATION

Segregation is a word that emanates from the Latin word “*Segregare*” which translates to the separation of an animal from the herd. When used in the urban context, refers to an intended action of separation, often as a result of discrimination, like the Jewish ghettos in Eastern Europe, South African apartheid and American Black ghettos. In the present day context, segregation is a term used to describe the social division that exist within a city (Roncayolo, 1972). According to Lehman (2011), segregation can be seen as a process and in understanding the injustices embedded in it, one needs to know the processes that lead to them. Schelling (1971) identified three main processes that lead to segregation. The first process comes into being as a result of a deliberate act of discrimination, the second process arises from structural economic forces and the third occurs as a result of personal decisions. A combination of, or any one of these three factors, can lead to segregation

3.13.1.1 Ethno-racial processes of discrimination

According to Lehman (2011), “the first form of segregation consists of an organised action, legal or illegal by force or by exclusion, subtle or blatant, moralistic or pragmatic”. The classification of the motives behind the banishment of some groups of people is divided into two categories. The first and most popular category is the exclusion of some people or a

group of people, usually regarded as weak, from the society in an effort to hinder them from contaminating the rest of the population. This kind of segregation is common with certain race and ethnic groups. (Lehman, 2011). Examples of this kind of segregation can be noted in different geographical situations such as the segregation of the Jews in Eastern Europe, the banishment of the Blacks to ghettos in United States of America (Marcuse, 2002) and apartheid in South Africa, which relocated the Black people to townships built outside the cities.

3.13.1.2 Structural socio-economic processes

The second type of segregation resulted from an unequal allocation of resources, coupled with the social and spatial location of people. Lehman (2011) suggests that in this case, disparate social distances in the urban space can be explained in part by structural socio-economic reasons, even if it is clear that the physical inertia of cities necessarily limits the impact of contemporary economic tendencies. Research of the urban in the Marxist tradition, dating as far back as 1960, has stressed the connection between the issue of economic development and urban inequalities. Marxist geographers such as Harvey, Castells and Soja view segregation as an impact of the capitalist production of space (Harvey, 1996, Soja 1989, 2010). They view segregation as an unjust result of the exploitation of the society by the capitalist system that condemns a certain group of people to various social disadvantages. This analysis of the capitalist effect on the society was extended by Sassen (2001) so as to include global cities. He argues that there is more prominence in the social and urban divide between the “global service class” and the underpaid, poorly qualified classes, which are employed by the global service class; however, scholars such as Prêteceille (1995, 2006) debated the applicability of this argument to global cities, such as Paris. Dupuy (1992) also argues in favour of considering the just and unjust nature of the structural processes of capitalism and the relationship between economy and justice in conjunction with one another.

3.13.1.3 Processes resulting from individual decisions

It is important to note that the process of segregation is not necessarily forceful in nature, but that it could be a result of personal choice, undirected individual choice or collective discriminatory decisions made by a certain group of people (Lehman, 2011, Schelling, 1971). For instance, territorial grouping of immigrant minorities for the purpose of enjoying certain benefits cannot be regarded as segregation. This can be seen in the fact that Algerians live together in a neighbourhood called Belzunce in the City of Marseille in France (Mazzella,

1996) or in the way in which the Jews of Tunisian descent live together in the Belleville neighbourhood in the City of Paris (Simon, 2000). Segregation can also come into being as a result of the choice of a group of people that identify with each other. This can be seen in the town of Sarcelles in France that offer Jews in the country a chance of living a Jewish life, whereby a reasonable number of people have happily accepted the offer. These actions result in segregation by individual decisions (Benveniste and Podselver 1996:19). Schelling (1971:143) distinguishes between deliberate and non-deliberate segregation whereby he states that Blacks who purposefully exclude Whites from their churches or Whites who exclude Blacks from their churches constitutes organised segregation. In contrast to this, if Black people are Methodist and White people are Catholic and on Sundays the Methodist churches are full of Black people and the Catholic churches are full of White people then the segregation is not organised. He further explained that if on the church bulletin boards, there are advertisements of houses or rooms to rent, only the Black people in the Black people's churches would see the advert and thus rent from a Black person and the same goes for the people in the White churches. This process of segregation or aggregation might not be unjust, but may lead to unjust situations if it has a negative impact or outcome. Lehman (2011:76) therefore states, *“the question of justice should be raised when the processes of segregation lead to the development or the maintaining of concentrated poor areas, or to the emergence of territorialised constructions that can become exclusive and therefore unjust. In other words, it is a case of examining how forces which are not necessarily unjust in themselves evolve into unjust situations and above all, to understand what makes them unjust”*.

3.13.2 SPATIAL MISMATCH: SEGREGATION AND SPATIAL INJUSTICE (TRANSPORTATION, EMPLOYMENT, IDENTITY, EDUCATION, HOUSING)

Segregation is regarded as one of the leading causes of spatial injustice, but how does the process of segregation cause injustice? Lehman (2011) asks whether segregation puts residents of poorer neighbourhoods at a disadvantage in terms of their access to employment and equal opportunity. Kain (1968), in his thesis on “spatial mismatch”, argued that residents of ghettos were unable to get jobs because their educational background did not qualify them for these occupations and in addition to this, the geographic proximity of potential jobs were located far away from their places of residence. The issue of residential segregation which leads to unemployment is an example of spatial injustice as it is caused by the spatial isolation in which these people find themselves (Lehman, 2011). Researchers (Massey and Denton, 1993, Marpsat and Laurent, 1997), who believe that racial

discrimination is the major reason for higher unemployment rates in poorer segregated areas and not socio-economic facets and spatial elements, have argued this point. Other researchers (O'Regan and Quigley, 1999) argue that the high-level of unemployment in poor communities is not due to the distance between their residence and work place but due to an absence of qualifications. It is important to look at the educational opportunities available to the residents of segregated areas when viewing qualifications in relation to job opportunities. Kain (1968) argues that discrimination in housing affects education of Black children as they are restricted to inferior schools in the inner city, thus, creating a massive concentration of poverty. The Kerner⁵ report (1968) observed that most new employment opportunities are not located near the Black neighbourhoods. They are rather located in suburbs and outlying areas and the report noted that this trend was more than likely to continue. The commission concluded that in providing employment for the rising Black population, society would need to locate these potential workers closer to jobs and they proposed three ways in which to achieve this goal. The first proposal was to provide incentives to industries so that they can create employment closer to the Black neighbourhoods whereas the second proposal was to open the suburbs to the Black population and encourage them to reside closer to the industrial centres. The last proposal suggested the creation of better transportation between Black neighbourhoods and areas where the new jobs were located. The above arguments indicate the relationship between aspects such as transportation, employment, housing, education and spatial (in) justice.

3.13.3 SEGREGATION IN THE UNITED STATES OF AMERICA (THE AMERICAN APARTHEID)

A combination of private behaviours, institutional practices and racist attitudes were some of the causes of the spatial isolation of Blacks in the United States of America, which excluded Black people from economic activities, urban housing markets and led to the formation of ghettos. Employment opportunities were limited for the Blacks as they were being discriminated against and this, in turn, resulted in limited economic potential due to lack of integration (Massey, 1993). The situation was further intensified by the discrimination of housing mobility, which implied that Black people did not live in good areas and White people stayed away from Black neighbourhoods. The creation of ghettos in the United States of America was further supported after 1950, when the government programmes advocated for slum clearance and relocated displaced residents of these ghettos into high density, multi-story projects. Massey (1993) argues that in theory, the support for discrimination and

⁵ The Kerner report was a report compiled by an 11-member National advisory commission to investigate the causes of the race riots that occurred in the United States in 1967 and to provide recommendations to avoid such riots in future

segregation against the Blacks was broken in the 1960s by a large rejection of racists' attitudes by the Whites and through a series of court resolutions that banned discrimination in the everyday life. The laws set out to ban discrimination in the 1960's included the Civil Rights Act of 1964, which rejected racial discrimination in places of employment; the Fair Housing Act of 1968, which outlawed discrimination in housing and the decisions from the Shannon and Gautreaux court decisions which barred public authorities from constructing housing projects in Black neighbourhoods. Notwithstanding the many changes that occurred, segregation continued to exist in many Black communities and discrimination still occurred against the Black people in different ways. Many authors have asked whether segregation resulted from racial discrimination or classism when the affluent Whites preferred to live far away from the poor Blacks.

3.13.3.1 CIVIL DISORDER IN THE UNITED STATES AMERICA, A CASE OF SPATIAL (IN) JUSTICE?

Following the civil unrests that happened across American cities in the 1960's, the president of the United States of America set up an advisory commission to investigate what happened, why it happened and what could be done to keep it from happening again. In order to answer these questions, the team visited the cities in which these riots took place. They conducted interviews with witnesses and received advice from experts all over the country. Twelve deeply held complaints were identified from the survey of all the affected cities and arranged accordingly into three levels of relative intensity. According to the Kerner Report (1968) the first level of intensity was:

1. Police practices
2. Unemployment and underemployment
3. Inadequate housing

The Second Level of Intensity was:

4. Inadequate education
5. Poor recreation facilities and programs
6. Ineffectiveness of the political structure and grievance mechanisms

The Third Level of Intensity was:

7. Disrespectful White attitudes
8. Discriminatory administration of justice
9. Inadequacy of federal programs
10. Inadequacy of municipal services

11. Discriminatory consumer and credit practices
12. Inadequate welfare programs (Kerner report 1968).

The commission realised, from the survey that was conducted on the affected cities, that only a few people benefitted from the government's huge investments in federal programs such as education, welfare, community action, manpower, and housing. The survey further showed that Black people lived in areas characterised by social- and economic disadvantages. The education level of the Blacks was low and they were in a higher position to be unemployed in skilled jobs with little possibility of employment in service jobs that need little or no skill at all. It was further noted that the Blacks were more than twice as likely to be living in poverty and that their housing was three times worse and more likely to be below standard and overcrowded despite the fact that housing costs were higher for the Blacks, (Kerner Report, 1968). The commission concluded that the relative disadvantages became more evident when comparing it to the conditions in the White neighbourhoods. They made recommendations in order to prevent such occurrences from happening again, which involved strategies to provide employment, better education, improved welfare system, more efficient public transportation and affordable housing.

3.13.4 SOUTH AFRICAN APARTHEID

South African apartheid is probably one of the most symbolic references to struggles in geography. Segregation and racial discrimination was not foreign to other countries of the world, but what made it peculiar in South Africa was the organised fashion in which the National Party government, which came into power in 1948, formalised the regime through legislation, ideological rationalisation and violent political actions (Soja, 2010). This era marked the beginning of the political organisation of space in South Africa at the national level, in what can be described as spatial injustice. The 1913 Natives Land Act, which differentiated the African rural reserves from the White farmland and denying the indigenes acquiring or renting land in the country, is one of the acts that were promulgated to ensure these injustices. These acts deliberately limited economic options (Hendricks, 1990). Many Black South Africans were left unemployed and deprived of basic social amenities due to this segregation, which in turn also resulted in poverty. The Urban Areas Act (1923) gave local authorities the power to separate urban settlements according to race. In the 1950s, more men were required to work in mines and cities while the women remained in the rural areas. The situation in the rural areas deteriorated as population density increased from 60 to 110

persons per square mile (Delius and Schirmer, 2000). The supposed solution to this problem emerged between 1960 and 1970. The apartheid government changed the reserves to ten homelands, declaring them independent states (Aliber, 2003). These independent states or homelands lacked infrastructure, healthcare, education, land and as a result, they could not be productive as they were still dependent on government transfers. Other acts that led to the production of unjust geographies include the Group Areas Act (1950), which allowed for the division of urban areas into racially segregated zones whereby people were relegated to work and live in certain prescribed zones. This law resulted in an allocation of the least developed areas to the Blacks and the more developed areas to the Whites. This forced the non-White people to travel long distances in order to get to their place of work. The prevention of illegal squatting act (1951) gave the minister power to remove Blacks from either public or privately owned land and relocate them to resettlement camps. Another notable legislation that led to the creation of unjust geographies in South Africa is The Reservation of Separate Amenities Act (1953), which was used to enforce segregation of people of different racial backgrounds in open spaces, public areas and public transport.

The deeply rooted effects of the apartheid system are still visible in present day South Africa. Soja (2010) highlights how the Black elites, who live within high walls and guarded entranceways running continuously across streets and blocks, now occupy the wealthy, and previously White, neighbourhoods in Johannesburg. He describes it as *“a massive agglomeration of residential citadels signalling obsessive protection against a perceived threat of invasion”* (39). Meanwhile, Soweto, a township at the other side of Johannesburg, continues to exist as a displaced city within the city as it is marginalised, yet central and suburban in some sense yet densely urbanised in others but also creatively surviving in its poverty and isolation, both inside and outside Johannesburg (40). This is a typical example of urban extremes that continue to exist in the country. Another example is the suburb of Sandton and the township of Alexandria where there is a spatial divide of the rich on one side and the poor on the other side. This came about through the creation of sophisticated strategies in an attempt to provide favourable geographies for a few people all the while creating spatial structures of disadvantage for the rest (40). Soja (2010:41) argues that *“the imposition of these powerful colonial geographies, rationalised through ideological variants of orientalism that dehumanised the colonial “other” was an integral part of what critical scholars called development of “underdevelopment”; seen from a critical spatial perspective, underdevelopment processes actively involve the creation of discriminatory urban and regional built environments and a restrictive political organisation of space that fix in place a*

persistent geography of dependent development, cultural domination and efficient economic exploitation”.

3.13.5 PRIVATOPIAS (GATED COMMUNITIES)

Davis (1990) described gated communities as a security obsessed urbanism, a defensive fortressing of urban life and an urban space built on “*psychogeography*” (ecology of fear) aimed at protecting residents against real or imagined threats of invasions. It is further described by Soja (2010:43) as “*another form of spatial colonization, less overtly dominated by the state but not entirely different from the blunt institutional expressions of territorial power associated with apartheid or the more technologically advanced spatial tactics of the Israeli military in controlling occupied Palestine*”. There have been various debates on gated communities, for instance (Landman, 2002: 71) questioned whether gated communities can actually reduce crime and she goes on to state that there is presently no empirical evidence to prove this. Soja (2010:43) questioned whether gated communities are spatially unjust or whether they are just extreme expressions of democratic individualism and freedom of choice, to which he suggests the main problems in answering these questions arises by saying yes to both. Some other arguments of gated communities are that it provides a sense of identity and security that is necessary in building strong communities (Landman, 2000). Blakely and Snyder (1997) however suggest the contrary by stating that notwithstanding the gates and walls, neighbourhoods still remain private and distant. Landman (2000) buttressed this fact when she argued that there has been tension between residents of the same neighbourhoods in Johannesburg. Blandy and Lister (2005) carried out empirical research in the north of England, which confirmed that gated communities do not enhance social ties between residents. They also concluded that the effect of physical barriers between residents inside the gated communities and outside might be exacerbated. Another argument for the gated communities is that they are built for the prevention of crime (Soja 2010, Landman and Schonteich, 2010) but Landman (2000) argues that there has been no empirical data in South Africa to prove this. Landman (2000) goes on to argue that this security-obsessed urbanism is leading to segregation and exclusion. Previously, discrimination and housing costs excluded certain people from certain spaces and now gates and walls are used to exclude certain people from accessing spaces in the neighbourhood. This inevitably implies spatial injustice. Atkinson and Flint’s (2004) empirical research carried out in England concluded that gated communities promote segregatory tendencies in the city and that interventions through policies would be required to prevent processes of social withdrawal. Access to public space is everyone’s right and gated neighbourhoods negatively

affects a city's urban form, pattern and everyday life functioning. For instance, the creation of a gated community results in limited access, which can result in motorists and pedestrians taking longer or alternative routes to move from point A to point B. Access to public facilities in many cases have similarly been enclosed or limited, thus making it difficult for anyone to have access to them. Landman and Schonteich (2002) also refer to cases where public space becomes privatised by the development of gated communities as right to such spaces is reserved. The implication of this is that the existing public spaces in the streets are not shared by everyone and left to the poor and vulnerable to use, which results in them being abused by different control groups. Research carried out by Landman (2004) suggested that gated communities pose a number of challenges in terms of the Integrated Development Plans and Spatial Development Frameworks of the City of Johannesburg and Tshwane. The challenges she listed were that of a threat to the concept of integrated development, including social exclusion, spatial fragmentation and reduced citizenship participation.

3.13.6 GERRYMANDERING

The drawing of boundaries to represent electoral districts is a way of understanding how the political organisation of space produces spatial (in) justice in a particular democratic system (Soja, 2012:37). The effects of these socially created and manipulated spaces due to the electoral districts can in some cases be fair and just, but it can also be unfair, biased and unjust. This political organisation of space is called gerrymandering. Gerrymandering is a process that was developed and signed into law in 1812 by the governor of Massachusetts. This process involved drawing out boundaries of electoral districts in an uneven manner so as to provide advantages to a political party, which could be to the detriment of some racial, ethnic or other groups of people.

3.13.7 INEQUALITIES IN DISTRIBUTION AND DISCRIMINATION IN GEOGRAPHIES

Soja (2010) argues that inequality in the distribution of public goods is an evident example of a geographical outcome of spatial (in) justice. Such distribution includes hospitals, schools, clinics, fire stations, police stations, transportation, etc. The locational disadvantages of certain consumers, which is caused by service providers who locate their services away from a certain group of people, leads to inequality in distribution. Inequality in distribution can be affected by a multitude of factors such as racial bias, individual selfishness, inefficiency of institutions, social wealth and power amongst other things. Harvey (1973) and Soja (2010) argue that some profit driven services such as supermarkets, employment, and housing might decide not to be located close to poor areas; instead, they favour locations that are

closer to the suburbs. An example of such spatial (in) justice is that of the Bus Riders' Union case in Los Angeles that will be discussed later on in this chapter. Harvey (1973) believes that some planning decisions and policies can lead to discriminatory geographies and unequal distribution. For instance, he argued that past policies in United States of America put a lot of focus on the construction of highways rather than public transportation. This has led to an increase in automobile ownership. This has a negative impact on residents of ghettos and those who do not own cars because access to employment and certain facilities become limited. He goes on to suggest that the effect of the decision to allocate public goods, such as public facilities and transportation, have unavoidable distributional consequences on certain groups of people. He further stresses the importance that the effect of these distributions have and how the fact that they are still not clearly understood. He also states that the issue of distribution and redistribution in a city remains an ethical one, with different societies providing different solutions. Harvey (1973) argues that since most employment has been moved to the suburbs, the ability of residents from low-income areas to tap into these employment opportunities reduces, thereby causing an increase in unemployment. If the residents of the low-income areas were able to access these job opportunities, they would face other problems such as high transportation cost. The favouring of transportation in the suburbs as opposed to the inner city and the location of employment and services out of the reach of the needy, or the truly disadvantaged as Wilson (1987) called them, is an example of what Soja (2010) calls spatial injustice due to locational disadvantage and distribution inequality.

Table 2: Ideas, themes and key phrases from processes leading to unjust geographies

Discourse	Ideas, themes and keys phrases
Gerrymandering	<ul style="list-style-type: none"> • Reduced citizenship, fragmentation, inequality in distribution
Spatial mismatch and segregation	<ul style="list-style-type: none"> • Lack of education, unemployment, housing, transportation, identity.
American apartheid	<ul style="list-style-type: none"> • Poor recreation facilities and programs, ineffectiveness of the political structure and grievance mechanism, discriminatory administration of justice, inadequacy of federal programs, inadequacy of municipal services, inadequate welfare services, discriminatory housing, unemployment, inadequate education.
South African apartheid	<ul style="list-style-type: none"> • Lack of infrastructures, inadequate healthcare, inferior

	education, inadequate land, unemployment and lack of basic social amenities.
Privatopias (gated communities)	<ul style="list-style-type: none"> • Social exclusion, spatial fragmentation and reduced citizenship participation.
Inequalities in distribution and discrimination in geographies	<ul style="list-style-type: none"> • Inequality in distribution of hospitals, schools, clinics, fire stations, police stations, transportation, lack of social amenities and infrastructures. unemployment, high transport costs.

Source: Author, 2018

3.14 INCIDENCE OF SPATIAL (IN) JUSTICE

This section attempts to present an overview of incidence of spatial (in) justice across the world. The purpose of this section is to get a better understanding of what spatial (in) justice could mean

3.14.1 SPATIAL JUSTICE IN LOS ANGELES

The case of spatial justice in Los Angeles is a good and relevant example of spatial justice in action. Soja's (2008, 2010) most prominent example of spatial justice in Los Angeles is the class action suit that was brought against the Los Angeles Metropolitan Transit Authority (MTA) by a group of grass roots organisations that were working on behalf of the people who depended on public transport for their everyday life. The case was known as *Labor/Community Strategy Center et al. v. Los Angeles County Metropolitan Transit Authority*. It was also known as the Bus Rider Union Decision (BRU). Soja (2010:1) views this case as "an evocative beginning for a wide-ranging exploration of spatial justice as a theoretical concept, a focal point for empirical analysis, and a target for social and political action". The decree of the court ensured that the MTA rolled out not only environmental friendly buses, but also put structures in place to reduce overcrowding, stabilise bus fees, promote security on the bus, reduce crime at bus stops and also provide special services that would facilitate access to education, health centres and jobs. This decision by the court was a landmark victory for planners and social movements and came as a surprise because of the previous failed attempts by planners in the past to challenge the investment in a rail system over the bus. Such unsuccessful attempts include that of the Cleveland Transit Authority in the 1970's, Philadelphia in 1991 (*Better North Philadelphia v. Southeastern Pennsylvania Transportation Authority*) and New York in 1995 (*New York Urban League Inc. v. the state of New York Metropolitan Transit Authority et al.*) (Soja 2010). The BRU case is

an example of the denial of a particular group of people regarding the existence of two different but unequal systems in the provision of an important public service. The decision by the MTA to provide a rail system for the affluent citizens, and not an efficient bus system for the bus riders, is an instance of racial injustice and discrimination based on location. This confirms the belief that where one lives could either have a positive or negative effect on their quality of life and health. The consent decree came as a surprise in the United States of America as services have always tended to favour the wealthier residents and neglected the inner city and working poor even when poverty alleviation programmes were being implemented. The court deliberation brought the deeply embedded injustice, which shaped the MTA and almost every other planning agency in the country, to light. Soja (2010) argues that the discriminatory pattern of investment that shaped the built environment and geography could be attributed to the discrimination in transport needs in Los Angeles. The investment gap between the construction of highways and the maintenance of roads compared to that of the construction of a public mass transit system was wide, thereby resulting in an unjust transit system that favoured the wealthy over the poor, transit dependent population.

Many of the working poor have multiple jobs and have to move from one place to another. Without the efficient mass transit system, they are bound to have difficulties in terms of movement and expenses. Soja (2010) argues that the issue of transit injustice has been a prominent one for over 80 years in the United States. He claims that most times this discrimination is not intentional and that it refers to an act that professionals do in following conventional procedures and plans that usually favour the wealthy.

The summary of the argument against the MTA from the revised statement of contentions of fact and law (1996) was that there was a significant number of ridership disparities, which showed that more minorities were using the bus and less used the metro rail. The issue of subsidy disparities was highlighted, which showed that the rail system was highly subsidised compared to the bus mass transit system. It was furthermore made evident that the reduction of bus fares in the 1980s resulted in a drastic increase in the ridership. Despite this increase in ridership, the bus fares were subsequently increased and peak hour's bus fleet was reduced which had negatively impacted the minorities or the working poor. In terms of security, the MTA invested very little in the security of passengers on metro buses and spent far more on the security of the passengers on the rail system. The issue of crowding was also more prominent in the bus mass transit system and did not occur with the rail system. The plaintiffs emphasised the historical discrimination in the transportation system in this

case. They argued that the McCone Commission that gave a report on the Los Angeles riots in 1965 stated that the transportation agencies restricted the minorities in terms of access to jobs, school, shopping and other things they needed to do away from home. The report also highlighted that the bus systems were expensive. Despite this report in 1965, the transportation agencies failed to do anything for up to 30 years after (Labor/Community Strategy Center et al. vs. Los Angeles County Metropolitan Transportation Authority and Joseph Drew, etc. 1996). The outcome of this lawsuit was one of a kind because there were few incidents of grassroots social movements affecting urban planning and governance at such a scale, and with the resulting financial implication, prior to this lawsuit. This consent decree ensured that billions of dollars were diverted away from a plan that was supposed to unfairly benefit the rich in favour of a plan that would be of benefit to the poor. The implications of this court victory, if allowed to expand to its potential limit as a legal precedent, could lead to radical changes within the urban life of American cities. For instance, any plan by the government or any public authority to provide services such as schools, transport, public health facilities etc. can be put to a “justice test” in order to determine whether there existed fairness and equity in the distributional pattern, by considering the needs of both the rich and the poor. Consequently, legal tests can be enforced on every planning- and policy decision that affects urban life.

3.14.2 SPATIAL JUSTICE AND PUBLIC TRANSPORT IN SOUTH AFRICA

One only has to open one's eyes to understand the daily life of the one who runs from his dwellings to the station, near or far away, to the packed underground train, the office or the factory, to return the same way in the evening and come home to recuperate enough to start again the next day. The picture of this generalised misery would not go without a picture of 'satisfactions' which hides it and becomes the means to elude and break free from it (Lefebvre 1968:159).

This section of the study focuses on the manifestation of spatial (in) justice in South African cities with a focus on public transport and housing in the City of Tshwane.

Efficient public transport is essential for the growth of any economy and an important aspect in the quality of life of the citizens of any country. The conditions in which transport existed in apartheid South Africa sparked up a lot of protest. These conditions included overcrowding, crime, infrequency, inadequate maintenance and uncovered terminuses. Apartheid planning ensured that housing for the Black people was located at the urban fringe or, what was then referred to as, the rural Bantustans. In short, this planning ensured that walking or cycling to work was almost impossible and the need for public transport was as such a necessity as

trips to work became long and exhausting (Witulski, 1986, McCaul,1990). Efficient public transport therefore became pertinent in ensuring the mobility of the Black population to areas of employment in the urban areas. The apartheid government provided subsidies of transport fares for the Black population and the construction of commuter roads and rails in service of the dislocated population. Black people were unable to afford cars and employment was located in far proximity from them, while the White population were able to afford cars and did not have to travel long distances. Transportation options available during the apartheid period were the bus, train and the minibus taxi. The conditions in these modes of transportation were not necessarily good or safe. The minibus taxi was the preferred choice of transportation because of the speed and flexibility in reaching the desired destination. While people were prone to personal attacks in the buses, the minibus taxi passengers were not liable to personal attacks but were in danger of being involved in accidents due to the recklessness of the drivers. The passenger railway was unique because crime on the trains was rampant and unavoidable. Overcrowding in these trains was a normal phenomenon and some passengers often took their ride outside, or on top of, the commuter trains (Setuke, 1980). The commuter trains and subsidised buses were a reminder of the exclusion of Black people from White residential areas and public transportation represented the oppression and suffering of the Black population. Racial discrimination and restrictions existed in the public transport system but this was relaxed between 1970 and 1980 and finally abolished in 1990.

The policies that existed during the apartheid period ensured that the average distance commuted by the Blacks was twice the distance that was covered by the Whites (Mc Caul, 1991). A report by race relations survey (1986 -1996) and by Van der Reis (1993) showed that about 63% of African workers commuted a distance of approximately 16km between their place of work and home. Mc Caul (1992) stated that while White workers generally lived an average of 7km from where they work, the African workers lived an average of more than 15km from their place of work with a large number travelling about 100km and more. The estimated percentage of income spent by the African family on transportation was between 5% and 20%, and this was often the second major expense of the family budget after feeding whereas Whites, coloureds and Indians spent an average of 7.6% on transport (Van de Reis, 1993). Many studies have thus concluded that the working African population were unhappy with the availability of transport options, especially due to the cost and the overcrowding at the bus stops (Pirie, 1992). The South African government subsequently introduced subsidies for the bus fares as a result of the inability of the African workers to pay their

transports fares due to their location outside the urban areas which resulted in long and expensive commuting (Khosa, 1990). A government commission confirmed the inability of the African workers to pay for their transport costs and was tasked to investigate transport in the Vereeniging, Pretoria and Witwatersrand areas. The commission concluded that transport costs in relation to African workers' wages or family income were high and beyond their ability to pay and that the cost of transport could lead to severe hunger because of the fact that the workers would not have enough money left to provide food for the family (Khosa, 1998).

The period from 1930 to 1994 saw a change in transport policies from the regulation and protection of rail and bus transport system towards a more limited regulation and deregulation of the taxi industry (Khosa, 1998). The effects of these policies on public transport were not taken lightly by the Black working class, as there was frequent transport related protests. Although the government provided transport subsidy, these subsidies did not cover the bases for all classes of people. It can be argued that there existed discrimination in the subsidy process (Khosa, 1990). In order to improve the inefficiencies of the transport system, a policy forum was created which included different interest groups, especially those who were excluded in the formation of previous transport policies. This forum was called the National Transport Policy Forum (NTPF) and it was launched in 1992 (Khosa, 1998). The forum described access to transport as a basic human right (NTPF, 1994). After over two years of deliberation, debates, consultations and consensus with stakeholders, a transport policy emerged, which focused on the needs of the people. The transport policy of the NTPF listed out strategies to eradicate the fragmentation that existed in the transport sector. Transport was further acknowledged as an important instrument of social transformation (NTPF, 1994).

The Reconstruction and Development Programme (RDP) document, prepared by the African National Congress (ANC) before the 1994 elections, gave little attention to the transport sector. Nevertheless, the ANC (1994) listed access to transport as well as health, education and housing as a basic human right that the government should provide. According to the ANC (1994:38) "*The needs of women, children and disabled people for affordable and safe transport are important. Adequate public transport at off peak hours and security measures on late night and isolated routes must be provided. Additional subsidies for scholars, pensioners and others with limited incomes will be considered*". Khosa (1998:27) argues that this section of the RDP document on transport was largely based on rhetoric as opposed to an in-depth analysis of the transport sector in South Africa. In 1995, the minister of transport

embarked on a rigorous process of review and revision of the transport policy with the aim of developing a new one (Khosa, 1998). In 1996, the cabinet approved the white paper on the transport policy, which promised to *“provide safe, reliable, effective, efficient, and fully integrated transport operations and infrastructure which [would] best meet the needs of freight and passenger customers by improving levels of service and cost in a fashion which supports government strategies for economic and social development whilst being environmentally and economically sustainable (South Africa, 1996)”*. Khosa (1998:29) argues that the main principle of the white paper on transport policy in 1996 was that the passenger transport was meant to be run commercially and not as a social service. This contradicts the initial statement made in the RDP document, which stipulated that transport was a basic human right. Khosa (1998:31) highlighted that the main apartheid transport policies of the 1980s and 1990s were deregulation, devolution and privatisation, which was fuelled by the new right economic policies of the United Kingdom and United States of America. He went on to note that the transport policy that was developed shortly after the 1994 elections were weak because participation from rural areas, small towns and metropolitan peripheries were limited. The author acknowledges this weakness because of the fact that these people are the ones who really need transport. Khosa (1998) further noted that the spatial distribution of South African cities had to be addressed in a holistic and pragmatic manner. It was argued that sustainable service provision would only be possible if transport, land use and services planning are fully integrated. In order to achieve proper functioning and efficiency of cities, it is important to ensure and promote integrated land use and transport planning.

3.14.2.1 Public Transport Use in South Africa

Statistics South Africa (Stats SA) (2014) published a report on the National household travel survey carried out in 2013. This survey was an update of the one carried out in 2003. The aim of the survey was to help the department of transport and other government departments in the planning and development of policies and strategies related to transport. The results from the study carried out by Stats SA (2014) showed a reduction of barriers to mobility compared to 2003, all the while confirming that many challenges still existed. The report indicated that people who lived in rural areas were better off in terms of accessibility to public transport and a reduction in travel times than they were in 2003 when the first survey was conducted. In the case of the metropolitan and urban areas the reverse is true, compared to 2003, as people spent more time waiting for transport and the journeys to their destinations took more time. It was also indicated that the dependence on transport between 2003 and 2013 had increased as more people started using the taxi as their main mode of public transport in all provinces. The main problems of public transport, as highlighted by the

document, include an increase in the time travelled to destinations (especially in the metropolitan areas), the high cost of transport, the frequency of buses, the non-availability of transport at certain times of the day and night, the appalling condition of roads in some provinces (especially in Gauteng and Mpumalanga) and the reckless driving of taxi drivers (Stats SA, 2014).

3.14.2.2 Public Transport in the Gauteng City Region

The central business district (CBD) of the City of Tshwane, as well as the Centurion area, accommodate 79% of the city's workforce (Gauteng City Regional Observatory (GCRO), 2014). Research carried out by the GCRO showed that movement into these employment centres occur mainly by means of private cars and minibuses. The reliance on private cars over other public means of transport is the reason why there is congestion in these employment centres during peak periods. Africans still tend to travel longer distances than the Whites despite the fact that Africans are most likely to be employed within the municipality in which they live. Whites rely majorly on private transport with 75% of them driving a car and a further 10% riding in a car as passengers whereas 57% of Africans rely on taxis, 4% on trains and a further 4% on buses. Africans will walk in the main for up to twenty minutes to access the public transport of which 83% of them rely on. Distance to public transport is an important aspect of transport and the GCRO (2014) estimated that the time it takes for a person to a bus stop in the Gauteng City Region is between five to thirty minutes. In terms of the available mode of transport in the Gauteng province, the train station is relatively far from a large number of the potential riders and most people who use the train are residents along the train station. The GCRO observed that few of the people who use the bus as their mode of transport walked longer than twenty minutes to access bus services. This finding was not conclusive as the author highlighted the need to access vector data for municipal and provincial bus routes to confirm the information. The last mode of transportation under discussion, which is the use of the minibus taxi, is not associated with commuters that walk long distances in order to access taxi services. Most people walk for about ten minutes to access these services, due to the informality of the access points and various collection points along the road.

3.14.2.3 Gauteng E-Toll: Another case of spatial injustice?

Another prominent case of spatial (in) justice in South Africa is the creation of E-Toll roads on the Gauteng highways which is a route being plied daily by residents of the City of Tshwane who work in Johannesburg and residents of Johannesburg who work in Tshwane. The South African National Roads Agency (SANRAL) devised an E-Tolling system as a strategy to

recover the cost of a loan that was used in improving the roads in the province during the 2010 FIFA World Cup (Ramoroka, 2014). The past apartheid spatial planning system created fragmented communities that limited access to socio-economic opportunities of people living in rural areas and townships (Watson, 2009). The location of the majority of the townships in the Gauteng province do not provide for pedestrians or for effective public transport, which means majority of the African working class who live in these townships need vehicles to access the city centre. The working class people living in the township must have an estimated minimum of R550 or more to pay for the E-Tolls monthly (Ramoroka, 2014). These African working class people are the ones who are facing economic hardships such as poverty, unemployment and inadequate infrastructure because of their spatial location and the previous apartheid policies, which affected them negatively. In the NDP (2013), the South African government indicated its intention to reduce the travel time of citizens by bridging the geographical distances affordably all the while promoting reliability and safety, so that all South Africans can have access to economic activities, services and social spaces, which they did not have access to in the past. However, the present E-Toll system is in contradiction with what the NDP stood to achieve in terms of transport infrastructure development. Various concerns and protest were voiced before the implementation of the E-Toll system, but very little attention was given to these voices and the government proceeded with the implementation of the system. This also indicates the lack of communication and consultation (or poor democracy) and the ways in which some groups and impoverished communities are being ignored. The absence of alternative transport options further amplified the problem. The E-Toll system limits the African working class motorist's economic opportunities and access to social spaces in urban areas and is an example of spatial injustice in the province of Gauteng.

3.14.3 SPATIAL JUSTICE AND HOUSING IN SOUTH AFRICA

“Housing is a human right. There can be no fairness or justice in a society in which some live in homelessness, or in the shadow of that risk, while others cannot even imagine it.”
(Jordan Flaherty, *Floodlines: Community and Resistance from Katrina to the Jena Six*)

The issue of housing, especially since the apartheid era, is a pressing issue and still remains a major concern in South Africa today. According to Napier (1993:24) *“the classic apartheid view was that the housing problem experienced by the African people in South Africa was of their own making and not a concern of the central government given that homelands are self-governing”*. He further explained that the National Party government blamed the Africans for the housing crisis they were experiencing because they were multiplying too rapidly and did

not have the resources to cater for their most important needs. The South African constitution in section 26 states that access to adequate housing is the right of every South African citizen. The South African government has since 1994 drafted a plethora of policies to provide affordable housing for its citizens. Despite all these policies, the problem of housing still seems to be a pressing one, with millions of South Africans lacking adequate housing and basic services (Socio – Economic Rights Institute of South Africa, (SERI) 2011). Some issues being faced, especially with regards to the delivery of housing to the poor, include locating the land for residential development at appropriate places in urban areas and the corresponding bulk infrastructure and services that must provide for these new developments. SERI (2011) argues that no real progress has been made, despite the existence of programmes such as onsite upgrading of informal settlements, as officials tasked with this process admit that the task is a difficult one. Furthermore, poor households do not benefit from the new and social housing rental programmes that are meant to cater for their needs.

3.14.3.1 Right to the city and Spatial (in) justice: a case of South Africa's 2010 World Cup

The South African government promised its citizens social and economic benefits by hosting the 2010 FIFA World Cup. The World cup was estimated to have cost the country about R27 billion (iol, 2012) which included construction of new stadiums and infrastructures such as the Gautrain and the King Shaka airport amongst others. However, most of the constructed infrastructure, such as the Gautrain, can only be afforded by the elite and does not serve the lower income groups (Bond and Cottle, 2011). Apart from the infrastructures that did not benefit the poor, the right to the city of some of the citizens was taken from them in different cities hosting the World cup. The most prominent example of spatial injustice and the taking of right to the city is that of residents of what is called the "Tin Can Town". They were forcefully removed from their buildings and relocated about thirty kilometres away from the city to a place that was described as a concentration camp with worse conditions than that of the apartheid era. The government was spending billions on stadiums and infrastructure while some people were homeless and lived in indecent environments that lacked electricity, water and other basic amenities. Increases in housing prices because of the World Cup also led to the displacement of many families. The United Nations Special Rapporteur argued that many cities, such as Cape Town, placed beautification before its residents (Raghaven, 2010). There is still millions of South Africans living in poverty despite the government's promises during the time of the World Cup (Al-Khalil, 2013). The events leading up to the

World Cup in South Africa is an example of the removal of the people's right to the city through government actions in what can only be described as spatial injustice. Other examples of spatial injustice and people's right to the city being taken by actions of government by hosting of games in Spain, Greece and Brazil are well documented by Otieno (2012), Raghavan (2010) and the Centre on Housing Rights and Evictions (COHRE) (2007). Figure 3 shows a picture of "Tin Can Town" in Cape Town, where residents were relocated to during the World Cup. The picture provides an idea of the spatial injustice that was faced by this group of people.

Figure 3: Tin Can Town, Cape Town



Source: The Sun, 2009

3.14.4 COURT CASES IN THE CITY OF TSHWANE: A CASE OF SPATIAL (IN) JUSTICE IN THE CITY?

This section provides an overview of legal cases that relate to spatial (in) justice in the City of Tshwane. The purpose of this section is to broaden our understanding on what spatial (in) justice means and how actions of the government or judiciary can support or reverse spatial (in) justice.

3.14.4.1 GOLDEN THREAD LTD V PEOPLE WHO INTEND INVADING PORTION R25 OF THE FARM MOOIPLAATS 355/JR, TSHWANE, GAUTENG AND OTHERS (3492/2010) [2010] ZAGPPHC 262 (2 MARCH 2010) and

OCCUPIERS OF PORTION R25 OF THE FARM MOOIPLAATS 355 JR V GOLDEN THREAD LTD AND OTHERS (CCT 25/11) [2011] ZACC 35; 2012 (2) SA 337 (CC); 2012 (4) BCLR 372 (CC) (7 DECEMBER 2011)

As documented in golden thread ltd v people who intend invading portion r25 of the farm Mooiplaats 355/jr, Tshwane, Gauteng and others and occupiers of portion r25 of the farm

mooiplaats 355 jr v golden thread ltd and others (2010, 2011). The applicant in this case, Golden Thread Limited, submitted an application for the eviction of occupiers of a property known as portion R25 of farm Mooiplaats which falls within the jurisdiction of the City of Tshwane Metropolitan Municipality (CTMM). The owner of the land applied to the high court for the eviction of about 170 families. They presented their case to the high court and stated that they had followed the provisions set out in section 26 (3) and section 38 of the South African constitution (1996) as well as the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (PIE), 1998. They argued that the eviction would be just and equitable and would not affect children, the elderly, disabled or households headed by women despite the result of the eviction being the homelessness of the poor and unemployed people. It was mentioned in the court proceeding that the CTMM, which was the third respondent, was visibly absent at the hearing as they were supposed to assist the court in reaching a decision. At the end of the hearing at the Northern Gauteng high court, the order stated that:

1. The order of eviction that was given previously on the 21st of January 2010 still stands.
2. The occupiers of the land should vacate the land no later than the 29th of March 2010.
3. Structures or shacks built on this land should be removed no later than the 29th of March 2010.
4. The Sheriff of the court is authorised to carry out eviction should the occupiers fail to comply with the above by the 1st of April 2010.
5. The sheriff of the court is authorised to carry our demolition of structures and shacks on the 1st of April 2010.
6. The sheriff of the court can request the South African police to assist with the evictions.
7. The applicant's costs of suit should be paid for by the first and second respondents.

The occupiers of portion R25 of the farm Mooiplaats were not happy with the court's decision and applied for a leave to appeal with the constitutional court on the grounds that the eviction was not just and equitable within the translation of section 4(6) of the PIE act. The leave to appeal was granted for two reasons. The first reason was that the PIE act was passed to give effect to section 26 (3) of the constitution and when there is a misinterpretation of these parts, it becomes a constitutional matter. Secondly, it was stated that there was a likelihood that many families would become homeless due to this judgment and it would be in their best interest if the judgment is reviewed in order to determine if it was just and equitable. After

carefully consideration by the court, the appeal was upheld and the court later made the following order:

- That the leave to appeal is granted and the upheld with costs.
- That the order of North Gauteng High Court in the eviction of the occupiers of property R25 in Mooiplaats is set aside.
- That the case be transferred to the High Court for consideration after certain paragraphs of the judgment has been complied with.
- The City of Tshwane Metropolitan Municipality was to file a report to the high court, which should be confirmed with an affidavit on the 8th of February 2012 stating:
 1. Information about the residents of the occupied land with respect to the number of families that would be rendered homeless if they were to be evicted.
 2. The steps the municipality has taken, can take and proposes to take to provide alternative emergency accommodation for the applicants if they are to be evicted from the property.
 3. How soon an alternative land or accommodation can be provided if they are evicted.
 4. What effect the eviction would have on the immediate environment and residents if emergency or alternative land is not provided.
 5. The steps that can be taken to alleviate the effects of the occupation of land on the land owner if the occupiers were to remain on the land, pending the municipality ability to provide alternative accommodation.
 6. The applicants and first respondents may file an affidavit in response to the report with the municipality within 15 days of receiving it.

3.14.4.2 SCHUBART PARK RESIDENTS' ASSOCIATION AND OTHERS VS CITY OF TSHWANE METROPOLITAN MUNICIPALITY AND ANOTHER 2013 (1) SA 323 (CC)

As documented in Schubart Park Residents' Association and Others vs. City of Tshwane Metropolitan Municipality and Another (2012), Schubart park flats, located on Vermeulen street close to Pretoria central in the City of Tshwane, is a residential complex that was erected in the 1970's as part of the apartheid government's state subsidised housing rental programme for civil servants. The CTMM took control of the flats in 1999 and continued to rent it out to civil servants until increased urbanisation and deterioration of buildings forced

many people to move out of the flats, leaving people that were unknown to the municipality as occupants of the place. Resident of the flats started experiencing problems when the municipality decided to shut down power supply and water to the building for ten days. This led to a protest by the residents and in the process they burned tyres, threw stones and other objects at the police and passers-by. While all this was happening, there was a fire outbreak in one of the building blocks, which led to the evacuation of residents in that block of the building and subsequently the whole building was evacuated. Before the end of the month of September 2011, seven hundred families and approximately three to five thousand people were evicted from the building and lived either on the streets or in temporary shelters. The residents attempted to re-occupy their homes but were unsuccessful as the North Gauteng High Court found the buildings unsafe for them to return to and asked the two parties, which are the residents of Schubart and the CTMM, to reach an amicable agreement on alternative accommodation pending the renovation of the building. The meetings between these two parties were unproductive as an agreement could not be reached and the high court made a final order, which involved the CTMM providing accommodation for the residents if renovation of the buildings were not possible. The residents of Schubart sought a leave to appeal at the High Court and the Supreme Court of Appeal in order for them to return to their homes, and have electricity and water reconnected, but the appeal was rejected.

The Constitutional Court finally granted leave to appeal and according to Froneman J. (2012:24-25) the following order was made:

- Leave to appeal is granted and upheld.
- All orders made by the North Gauteng Court are set aside.
- Section 26(3) of the constitution did not require the residents to be evicted and they can occupy their homes as soon as possible.
- The applicants must engage and reach an agreement with the CTMM on issues such as:
 - Identifying the evicted residents of Schubart park flats.
 - When these residents would be allowed to move back in.
 - How CTMM would help the residents with occupation of their flats.
 - How the residents would pay for services rendered by the City after they have moved in.
 - Alternative accommodation the residents would reside pending occupation of their flats.

- A resolution method in case of disagreements of the issues listed above.
- A report on affidavit must be submitted to the high court by 30th November 2012 on proposed plans for alternative accommodation for the identified evicted residents.
- A report on affidavit must be submitted by both parties on what has been agreed with regards to paragraph 4.
- The order by the constitutional court is to be furnished by the registrar to the North Gauteng High Court Pretoria's registrar.
- The Court orders the City to pay the applicants legal costs incurred in both the Constitutional Court and in the North Gauteng High Court.

3.14.4.3 TSWELOPELE NON-PROFIT ORGANISATION AND OTHERS V CITY OF TSHWANE METROPOLITAN MUNICIPALITY (303/2006) [2007] ZASCA 70; [2007] SCA 70 (RSA); 2007 (6) SA 511 (SCA) (30 MAY 2007)

The case between over three thousand residents of Woodland village, an informal settlement in the east of Pretoria is perhaps a significant example of spatial injustice. The events leading to this case occurred on 31 March 2006, when the municipality, along with other government institutions unlawfully evicted occupiers of the land, destroyed their homes and arrested and later deported sixteen immigrants without South African documentation. The eviction process was in violation of the law and constitution because it was carried out without a court order and without adherence to the necessary laws governing eviction. The municipality was subsequently taken to court by a non-profit organisation that was concerned with the plight of the homeless. After much deliberation by the court, an order was given for the municipality to construct temporary habitable dwellings for applicants that still needed them. Subsequently, the Woodlane village was established. The area was fenced to avoid expansion and residents were issued identity cards to prevent expansion of the settlement. Before the eviction, it could be argued that the residents of this woodland village were living in spatially unjust conditions. However, while the ruling of the court appeared to promote spatial justice, the re-occupation of the informal settlement and the issuing of resident identity cards is an extreme form of spatial injustice and a reminder of the past apartheid planning. Between 2006 and 2015, the residents of woodland village were involved in various legal cases. In 2011, a ruling by the constitutional court required the municipality to come up with an integrated development plan for the land that incorporated residents of this informal settlement (De Beer, 2014). While the news appeared to be a victory for the residents of

woodland village and need I say a victory for spatial justice, it was short lived because the municipality did not implement the ruling of the constitutional court. In 2015, the municipality embarked on an auction process of about seventy properties in Pretoria. One of the properties to be sold was the land on which woodland village was situated on. Human rights lawyers applied for an order with the high court on behalf of residents of this settlement, restricting the city from going ahead with the planned auction. The court granted an interdict stating that selling of the land without a relocation plan of the three thousand people would cause irreparable harm to the residents and would be an infringement on the rights of the occupants. This case portrays spatial justice in the sense that the evicted residents were reinstated and spatial injustice in the sense that being reinstated back to an informal settlement is not spatially just. The municipality with support from the province had various opportunities to provide housing for these residents but failed to do so rather, they ensured that the residents kept living in spatially unjust situations.

Figure 4: Plastic View Informal Settlement



Source: Field Survey, 2015

Table 3: Ideas, themes and key phrases from incidence of spatial injustice

Discourse	Ideas, themes and key phrases
Spatial justice in Los Angeles	<ul style="list-style-type: none"> • Racial injustice and discrimination based on location • Services had always tended to favour the wealthier residents and neglected the inner city and working poor even • Discriminatory pattern of investment • Unjust transit system that favoured the wealthy over the poor • Reduce overcrowding, stabilise bus fees, promote security on the bus, reduce crime at bus stops and also provide special services that would facilitate access to education, health centres and jobs
Spatial justice and public transport in South Africa	<ul style="list-style-type: none"> • Policies that existed during the apartheid period ensured that the average distance commuted by the Blacks was twice as that covered by the Whites. • Planning ensured that walking or cycling to work was almost impossible and the need for public transport was as such a necessity as trips to work were long and exhausting • Conditions include overcrowding, crime, infrequency, inadequate maintenance and uncovered terminuses. • Various concerns and protest were voiced out before the implementation of the E-Toll system, but all of them fell on deaf ears and the government went on to implement the system, an indication that democracy was lacking in the process of creating an E-Toll system and the poor are being neglected.
Spatial justice and housing in South Africa	<ul style="list-style-type: none"> • They were forcefully removed from their buildings and relocated. • While the government was spending billions on stadiums and infrastructure, some people were homeless, lived in indecent environments, lacked electricity, water and other basic amenities.
Court cases in the city of Tshwane	<ul style="list-style-type: none"> • Lack of housing and other infrastructure. • Living in shacks and informal settlement • Forceful eviction from properties.

Source: Author, 2018

3.14.5 SYNTHESIS OF PROCESSES THAT LEAD TO, AND INSTANCES OF, SPATIAL (IN) JUSTICE

As discussed above, this section of study falls under steps 2 and 3 of the meta-synthesis process whereby studies are selected and read accordingly. A synthesis of the readings is presented below.

This section discusses the processes that lead to unjust geographies as well as instances of spatial injustice, both internationally and locally. The literature reveals that spatial injustice can be caused by various factors such as segregation, apartheid, political organisation of space, gerrymandering, gated communities, inequality in the distribution of public goods and discrimination in geographies. Kain 1968 described how transportation, employment, identity, education, housing could lead to what he called a spatial mismatch. He argued that residents of ghettos were unable to get jobs, which they did not qualify for, because of their educational background and that they could not get jobs because of a lack of geographic proximity of potential jobs. This, I believe, is a crucial aspect of spatial (in) justice. Spatial justice in the area of transportation in Los Angeles was also examined and revealed that preference in the provision of public transport facilities was given to the affluent population rather than the needy. This case is an example of the denial of the existence of two different but unequal systems in the provision of important public service by a certain group of people. This confirms that where one lives can either have a positive or negative effect on their quality of life and health. The system was challenged and succeeded in court. The implications of this court victory, if allowed to expand to its potential limit as a legal precedent, can lead to radical changes within the urban life of American cities. For instance, any plan by the government, or any public authority, to provide services such as schools, transport and public health facilities can be assessed in terms of a “justice test” in order to determine if there was fairness and equity in the distributional pattern by the needs of both the rich and the poor into consideration.

The literature review also reveals that while apartheid caused spatial injustice in South Africa, other factors are still contributing to it such as the actions of government in the creation of toll roads and the evictions that occurred during the World Cup. Inequalities in distribution is also a factor that contributes to spatial injustice in South African cities as can be seen in the public transport system in Gauteng where the elite few have access to the Gautrain services, while the previously disadvantaged have inefficient means of transportation. Descriptive instances of spatial justice, especially in relation to housing which includes court cases and public transport, was also examined in this section. The decisions

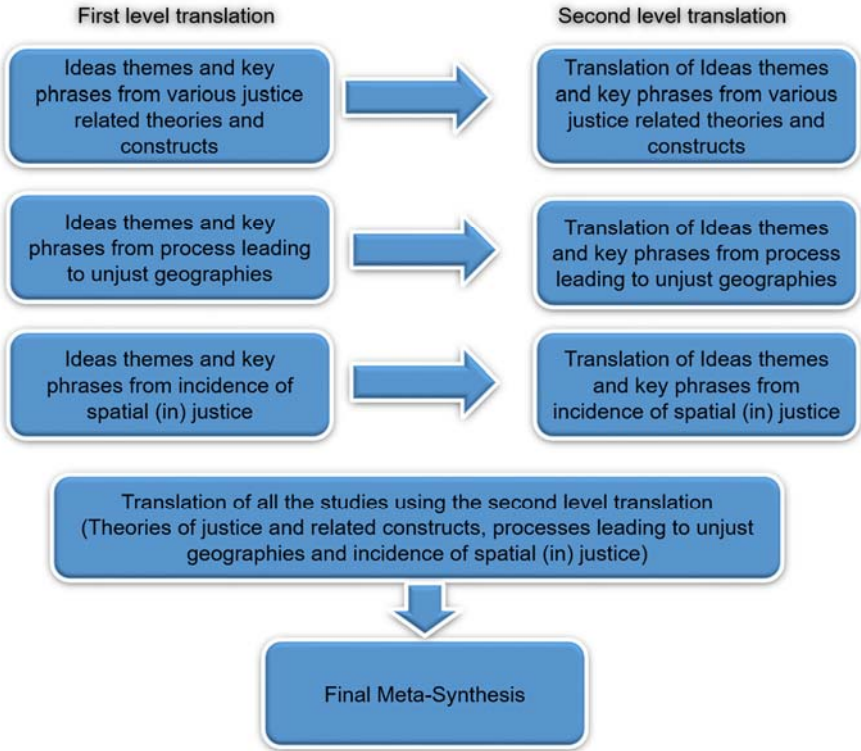
and conclusions that were reached from the court cases in South Africa also open up the opportunity for spatial justice to be legally enforced. In conclusion, the readings reveals that the provision, accessibility and opportunity to use public goods such as education, health, housing, transport and employment, which were also listed as basic human rights by the ANC (1994), are important aspects to be acknowledged in the realisation of spatial justice.

CHAPTER 4: META-SYNTHESIS – TOWARDS A DEFINITION AND MINIMUM REQUIREMENTS OF SPATIAL JUSTICE

4.1 IDEAS, THEMES AND KEY PHRASES

In chapter two of this study, I stated that a meta-synthesis would be used in an attempt to reach a definition of spatial justice. The process of the meta-synthesis thus far has involved the identification of an area of interest that could be informed by qualitative research, deciding what is relevant to the initial interest and reading the studies. The following section will involve determining how the studies are related, translating the studies into one another, synthesizing the translations and expressing the synthesis. The diagram below presents a flow chart of the process that was followed in arriving at a final meta synthesis.

Figure 5: Flow Chart Indicating Process to Arrive at Final Meta Synthesis



Source: Author, 2018

The tables below represent step four of the meta-synthesis process, which involves creating a list of key phrases, metaphors, ideas and concepts used in each study and juxtaposing them, while the subsequent sections address the final steps of the meta-synthesis process.

The following tables represent a translation of the ideas, themes and key phrases from the literature.

Table 4 represents the ideas, themes and key phrases from the various theories related to justice that were reviewed in this study. The ideas, themes and key phrases can be further divided into two categories, namely the criteria to achieve spatial justice and the areas of its application. The translation is presented in table 5.

Table 4 : Ideas, themes and key phrases from various justice related theories and constructs

DISCOURSE AND THEORIES	IDEAS THEMES AND KEY PHRASES	TRANSLATION
Theory of Justice, John Rawls, 1971	Right to vote and contest for a public position, freedom of speech and gathering, freedom to follow ones religious or ethical beliefs, freedom to possess private property and freedom from being arrested randomly	Freedom, democracy
	Social and economic inequalities are to be organised in a way that it would be advantageous to everyone.	Fair distribution
	Inequality in the society would only be accepted if it is organised in a way that it favours the disadvantaged people in the society.	Fair distribution that favours the disadvantaged
	The inequalities that were discussed in Rawls' Theory of Justice include those caused as a result of distribution of wealth and income and also those that are enforced by institutions that use differences in power and obligation or series of command.	Distribution of wealth and income
	Equality of primary goods as the basis of justice.	Primary goods
	Primary goods, which are rights, income, health, education amongst others.	Rights health income, education amongst others
	It links the active notion of seeking justice to other wider concepts referring to the qualities of a just	Democracy freedom, civil rights, liberty

	society, freedom, liberty, equality, democracy, civil rights etc.	
Social Justice and the city (Harvey, 1973)	The distribution of income should be such that the needs of the population within each territory are met	Just distribution, equity
	Harvey (1973:102) places needs in nine different categories that remain somewhat constant over time and they are; social and environmental service, consumer goods, recreational opportunities, transport facilities, neighbourhood amenities, medical care, food, education, and housing	Access to basic needs such as social and environmental service, consumer goods, recreational opportunities, transport facilities, neighbourhood amenities, medical care, food, education, and housing
	Extra resources are to be allocated to help overcome special difficulties stemming from the physical and social environment. The mechanisms (institutional, organisation, political and economic) should be such that the prospects of the least advantaged territory are as great as they possibly can be.	Benefit of the least advantaged, Equity
Right to the city (Lefebvre, 1968,1991,1996, Harvey, 2003, 2009, Marcus, 2009)	Rights to the use of multiple services, the right to use the center, right to information and right of users to make known their ideas on space and time of their activities in urban areas.	Democracy, diversity
	That "rights" is something of a claim by the society for the provision of necessary resources to meet the basic needs and interest of the society.	Access to necessary resources to meet the basic needs. Equity
	An invitation to participate in city-making processes, including envisioning, planning, policymaking, budgeting process and actual project implementation on the ground. It also	Democracy

	means asserting that right even if not invited, as citizens and inhabitants of the city.	
Just city (Fainstein, 2010)	Public investments by the government would produce equitable outcomes rather than benefiting only the wealthy.	Equity
	Diversity through the existence of social housing.	Diversity
	Participation and inclusion.	Democracy
	Amsterdam shows that a capitalist city can meet the essential needs of the people, such as health, housing, safety, individual freedom, sustainable living, and transportation. Amsterdam shows how with the framework of capitalism, democracy, green thinking, and providing for basic human needs and opportunities can be met for nearly all of Amsterdam's residents.	Meeting basic human needs and opportunities

Source: Author, 2018

Table 5 presents the second level translations from table 4 and the similarities across the various theories

Table 5: Second level translation of ideas, themes and key phrases from various theories

DISCOURSES AND THEORIES	RAWLS THEORY OF JUSTICE	SOCIAL JUSTICE	RIGHT TO THE CITY	JUST CITY
(1) Criteria	Freedom			Freedom
	Civil rights		Diversity	Diversity
	Liberty		Equity	Equity
	Democracy		Democracy	Democracy
	Fair distribution	Just Distribution based on need or merit		
	Advantage of the Poor	Benefit of the Least Advantaged	For the needy, the Oppressed, the	Equitable Outcomes to all,

DISCOURSES AND THEORIES	RAWLS THEORY OF JUSTICE	SOCIAL JUSTICE	RIGHT TO THE CITY	JUST CITY
			hungry, homeless, and the racially, gender and religiously persecuted	rather than benefiting only the wealthy
(2) Areas of application	Primary goods which are (rights, income, health, education amongst others)	Access to social and environmental service, consumer goods, recreational opportunities, transport facilities, neighbourhood amenities, medical care, food, education, housing.	Provision of necessary resources to meet the basic needs.	Health, housing, safety, individual freedom, sustainable living, and transportation.

Source: Author, 2018

Table 6 presents the ideas, themes and key phrases from the processes leading to unjust geographies. A second level translation is presented in table 7.

Table 6: Ideas, themes and key phrases from processes leading to unjust geographies

GERRYMANDERING	SPATIAL MISMATCH AND SEGREGATION	AMERICAN APARTHEID	SOUTH AFRICAN APARTHEID	PRIVATOPIAS (GATED COMMUNITIES)	INEQUALITIES IN DISTRIBUTION AND DISCRIMINATION IN GEOGRAPHIES
Marginalisation of a particular group of people.	Lack of education, unemployment, housing, transportation, identity.	Poor recreation facilities and programs, ineffectiveness of the political structure and grievance mechanism, discriminatory administration of justice, inadequacy of federal programs, inadequacy of municipal services, inadequate welfare services, discriminatory housing, unemployment, inadequate education.	Lack of infrastructures, inadequate healthcare, inferior education, inadequate land, unemployment and lack of basic social amenities.	Social exclusion, spatial fragmentation and reduced citizenship participation.	Inequality in distribution of hospitals, schools, clinics, fire stations, police stations, transportation, Lack of social amenities and infrastructures. Unemployment, high transport costs.

Source: Author, 2018

Table 7: Second level translation of Ideas, themes and key phrases from processes leading to unjust geographies

PROCESSES LEADING TO UNJUST GEOGRAPHIES	TRANSLATION
	Lack of and inequality in distribution of education, public transport, health, housing, employment and income

Source: Author: 2018

Table 8 presents the ideas, themes and key phrase from incidences of spatial injustice. A second level translation is presented in table 9.

Table 8: Ideas, themes and key phrases from incidence of spatial injustice

DISCOURSE	IDEAS, THEMES AND KEY PHRASES	TRANSLATIONS
Spatial Justice in Los Angeles	<p>Racial injustice and discrimination based on location.</p> <p>Services had always tended to favour the wealthier residents and neglected the inner city and working poor even.</p> <p>Discriminatory pattern of investment.</p> <p>Unjust transit system that favoured the wealthy over the poor.</p> <p>Reduce overcrowding, stabilise bus fees, promote security on the bus, reduce crime at bus stops and also provide special services that would facilitate access to education, health centres and jobs.</p>	<p>Inequality in distribution, discrimination by virtue of location, neglect of working poor.</p>
Spatial Justice and Public Transport in South Africa	<p>Policies that existed during the apartheid period ensured that the average distance commuted by the Blacks was twice as that covered by the Whites.</p> <p>Planning ensured that walking or cycling to work was almost impossible and the need for public transport was as such a necessity as trips to work were long and exhausting.</p> <p>Conditions include overcrowding, crime, infrequency, inadequate maintenance and uncovered terminuses.</p> <p>Various concerns and protest were voiced out</p>	<p>Inequality in distribution and discrimination by virtue of location, neglect of working poor.</p>

	before the implementation of the E-Toll system, but all of them fell on deaf ears and the government went on to implement the system, an indication that democracy was lacking in the process of creating an E-Toll system and the poor are being neglected.	
Spatial justice and housing in South Africa	They were forcefully removed from their buildings and relocated. While the government was spending billions on stadiums and infrastructure, some people were homeless, lived in indecent environments, lacked electricity, water and other basic amenities.	Relocation and forceful removal of residents. Discrimination by virtue of location and status in the society. neglect of working poor and lack of housing and basic amenities.
Court cases in the city of Tshwane	Lack of housing and other infrastructure. Living in shacks and informal settlement. Forceful eviction from properties.	Lack of housing and other infrastructure. Forceful removal of the homeless.

Source: Author, 2018

Table 9: Second level translation of ideas, themes and key phrases from incidence of spatial injustice

SPATIAL JUSTICE IN LOS ANGELES	SPATIAL JUSTICE AND PUBLIC TRANSPORT IN SOUTH AFRICA	SPATIAL JUSTICE AND HOUSING IN SOUTH AFRICA	COURT CASES IN THE CITY OF TSHWANE: A CASE OF SPATIAL (IN) JUSTICE IN THE CITY
Inequality in distribution, discrimination by virtue of location, neglect of working poor.	Inequality in distribution, discrimination by virtue of location, neglect of working poor.	Relocation and forceful removal of residents. Discrimination by virtue of location and status in the society. neglect of working poor and lack of housing and basic amenities	Lack of housing and other infrastructure. Forceful removal of the homeless.

Source: Author, 2018

The above tables are aimed at schematically illustrating the rationale and process of how the various steps in the research were synthesised and compared in an attempt to arrive at a final synthesis. A summary of the above tables is presented below:

Table 10: Summary

TABLE NUMBER	CONTENT
Table 4	<ul style="list-style-type: none"> • This table presents the key phrases, ideas and themes from the various theories of justice and justice related construct that were discussed in this study
Table 5	<ul style="list-style-type: none"> • This table presents a second level translation of the ideas in table 4 and the similarities tabulated against each other. • The ideas and themes from table 5 explain the content of the various theories of justice and justice related constructs, which could be used in proposing a working definition. • The ideas, themes and key phrases could be further categorized into two – namely , criteria for achieving spatial justice and areas of application.
Table 6	<ul style="list-style-type: none"> • This table presents the similarities in the ideas, themes and key phrases from the processes leading to unjust geographies.
Table 7	<ul style="list-style-type: none"> • This table presents a second level translation of Ideas, themes and key phrases from processes leading to unjust geographies. • The causes of injustice discussed in the literature are related to the ideas and themes from the various theories of justice and justice related constructs discussed, which further buttresses the focus of spatial justice. • Table 7 further presents some ideas, themes and key phrases that have come out from the processes leading to unjust geographies. These issues are, what is referred to in table 5 as the application areas.
Table 8	<ul style="list-style-type: none"> • This table presents the incidence of spatial justice internationally and locally.
Table 9	<ul style="list-style-type: none"> • This table presents the second level translation of incidence of spatial justice

Source: Author, 2018

From the above, it is clear that all studies have similar ideas even when a particular concept is not clearly identified in any particular study. It could further be argued that the relationship between the ideas, themes and key phrases are reciprocal and not refutational (see pg. 29-30). For instance, the theories of justice and justice related constructs advocate certain criteria to promote opportunity and access to necessary resources, especially for the least advantaged. The processes leading to unjust geographies reveal that a lack of these necessary resources, among other things, could lead to injustice in our geographies. The incidence of spatial justice indicates the causes spatial injustice, which include discrimination, lack of necessary resources and neglecting the least advantaged members of the society.

Although the translation of all the studies could be divided into various categories, the most prominent categories, which seem to cover all components are: diversity, equity, democracy, just distribution, benefit of the disadvantaged and access to, and provision of, necessary resources in order to meet basic needs.

While the necessary resources required to meet the basic needs vary, and can also be classified into various categories, for the purpose of this study, and within the context of the spatial focus, the most important resources or spatial related components were identified as housing, education, public transport, health, employment and income.

From the literature reviewed in this study, it is evident that in order to achieve a spatially just city means meeting the needs of the city by providing access to housing, employment, health, transportation and education. This does not mean that other sector areas are not important, but rather that these five areas are the key areas that should be explored in understanding the application of spatial justice in this study.

A meta-synthesis of the theories and discourses related to justice, the processes leading to unjust geographies and incidences of spatial justice are presented below. Table 11 presents a translation of all the studies while table 12 presents a final meta-synthesis.

Table 11: Translation of all studies

THEORIES OF JUSTICE AND JUSTICE RELATED CONSTRUCTS	PROCESS LEADING TO UNJUST GEOGRAPHIES	INCIDENCE OF SPATIAL INJUSTICE
Diversity		
Equity		Inequality in distribution of necessary resources such as housing and public transport
Democracy		
Just Distribution		
Benefit of the least disadvantaged		Neglect of working poor and the least disadvantaged
Necessary resources to meet basic needs such as housing, education, employment, health, public transport	Lack of housing, education, employment, health, public transport	Discrimination by virtue of location and Lack of housing and other infrastructure.

Source: Author, 2018

Table 12: Final meta-synthesis

Criteria	Democracy
	Equity
	Diversity
	Just Distribution
	Benefit of the least advantaged
Areas of application	Housing, education, employment, health, public transport

Source: Author, 2018

The subsequent sections present how spatial justice can be defined in terms of the meta-synthesis and how listed criteria can be achieved in policies and plans.

4.2 TOWARDS A WORKING DEFINITION OF SPATIAL JUSTICE

As stated earlier, various attempts to define or develop a theory of spatial justice have been made. Pirie's (1983) attempt involved the use of concepts from territorial and social justice. Williams (2013) suggested that Rawls' Theory of Justice can serve as a methodological approach in theorising the notion of spatial justice. This study attempts to create a working

definition of spatial justice by using a meta-synthesis of similar studies, which include the right to the city, the theory of justice, social justice and the city and the just city theory. The meta-synthesis of the aforementioned theories and discourses can be regarded as the first attempt at framing a working definition for spatial justice – at least for this particular study and its focus.

Within the context of this study, and as a first attempt to unpack the construct of [spatial justice], the author defines spatial justice as:

The spatial distribution and allocation of a diverse range of resources, services and opportunities by means of criteria of democracy, equity, diversity and fairness in all spaces and communities of an urban/rural region; with specific reference to socially- and culturally valued, priorities and basic needs in terms of education, employment, transport, health and housing and a focus on the disadvantaged and impoverished communities that have previously been denied access to, and/or benefits of, such opportunities and basic needs (Adegeye and Coetzee, 2018).

In an endeavour to achieve spatial justice, the aforementioned definition and its related criteria can be incorporated into spatial planning policies, plans, frameworks, and the overall structure of cities.

4.3 DIRECTIVES TO ACHIEVE SPATIAL JUSTICE

As stated earlier, the concept of spatial justice is largely new in the planning and development fraternity of South Africa. Furthermore, the introduction of the concept in SPLUMA and in the NDP 2030, lacks proper directives on how it could be achieved. This sentiment is echoed in a publication by the SERI (2016), which stated that the concept has the potential to be politically powerful but practical definitions are lacking. It is critical to note that the concept of spatial justice can and should not be limited to just “distribution” only. As described in previous sections, the concept embodies much more and certainly has the potential and power to change and restructure the spatial landscape of any urban/rural region, if it is to be explored and understood properly. This research, which drew on a meta-synthesis of various theories and concepts, is the first step in working towards a definition of spatial justice. The research also explored cases of spatial (in) justice, locally and internationally, in order to understand the concept better and to ultimately propose a working definition in an attempt to promote and achieve spatial justice or more just landscapes,

specifically in South Africa with its grossly distorted spatial patterns and fragmented communities. The literature review revealed that the processes that lead to unjust geographies in South Africa, were not only as a result of past apartheid policies and plans, but also the present actions of government. What emerged from the study so far, is that the concept of spatial justice embodies some criteria that need to be met before spatial justice can be achieved. These criteria include diversity, democracy, equity and a just distribution.

By packing all these criteria into [spatial justice], it is assumed that most of the criticism levelled against the concept of justice would have been addressed by now. For instance, it speaks to the critique from Young (1990), who believed that the theories of justice did not address the issue of domination, oppression and an inclusive participatory framework. It also somehow addresses the concerns of Miller (1976), who stated that *"no single conception of justice can be favoured over another, and that subsequently no certain prescriptions can be made about the justice or injustice of a policy (except perhaps where a policy satisfies all the relevant principles or none of them) amongst others"*. It also addresses Downe's (2005:205) statement that *"bringing together studies in related area enables the nuances, taken for granted, assumptions, and textured milieu of varying accounts to be exposed, described and explained in ways that bring fresh insights"*.

In the review of literature, it is pertinent to note that in order to achieve spatial justice in any city would include providing socially valued resources in a manner that can promote spatial justice. While the socially valued resources may vary, this study limits them to education, housing, public transport, employment and health because these were regarded as the main issues facing various societies, and this was also emphasised in the readings. The ANC (1994) subsequently also listed access to transport as well as health, education and housing as a basic human right that needed to be provided for by the government. This is not to say that other areas are not important, but for the purpose of this study, these are the areas to be examined in an attempt to understand the application of spatial justice.

The conundrum that still remains is what the requirements of spatial justice in these sectors are, and how spatial justice could be achieved in the sectors of education, housing, public transport, employment and health. As stated earlier, the concept of spatial justice is very broad and it encompasses a wide range of principles. The next section proposes some of the most important requirements for spatial justice according to the criteria in each of these sectors. These indicators also intend to inform spatial planning, policies, spatial development activities and decision-making processes.

4.3.1 **EQUITY**

4.3.1.1 **Transportation**

- a. Priority should be given to people living in disadvantaged areas in the provision of efficient public transport.
- b. It should be ensured that the type of transport that is provided for the disadvantaged people does not promote discrimination in any way.
- c. Since the majority of the public transport users are low-income people, the municipality should take measures to keep fares low for them through subsidy programmes or by other means.
- d. Notwithstanding the location, everyone should have easy access to decent, affordable, and safe public transport.
- e. Everyone should have access to the same type of public transport, which implies that one group of people should not have preference over another group in terms of their accessibility to public transport.

4.3.1.2 **Education**

- a. Everyone should have access to affordable quality basic education, irrespective of their race and gender.
- b. Educational facilities should be located in close proximity to settlements and people should not have to travel long distances for the purpose of education, unless they willingly choose to and not because there is no available facility close by.
- c. Support should be provided to people whose income falls below the median class (low-income earners).

4.3.1.3 **Housing**

- a. Low-income earners should be supported by the provision of affordable housing through available grants and subsidies.
- b. Housing should not be provided in areas that would marginalise the residents, particularly the poor and disadvantaged, in terms of the accessibility to jobs and economic opportunities.
- c. Relocation of households should not be embarked upon and in the case that it is necessary to do so, due to circumstances such as natural disasters or community projects, it should be ensured that equivalent, or better, accommodation is provided.

4.3.1.4 **Employment**

- a. Special attention should be given to the planning processes and zoning in order to benefit and provide opportunities to small businesses.

- b. It should be ensured that a conducive environment for small business such as street vendors and mobile food business to operate is provided. Permits and taxes should be kept low for these group of people.
- c. Whenever the city is embarking on a major project, it should be ensured that people who live in the city, especially those with low income, benefit from the project in terms of employment opportunities and/ or public amenities.
- d. Informal traders should not be displaced in any community and ways of integrating them into the formal market should be explored.

4.3.1.5 **Health**

- a. Everyone should have access to affordable healthcare irrespective of their race, ethnicity, gender, income, sexual orientation, neighbourhood or other social condition.
- b. Health facilities should be located in close proximity to settlements and people should not have to travel long distances for the purpose of medical treatments unless they willingly do so and not because there is no facility available close by.
- c. Low-income earners should be supported in the provision of affordable healthcare.
- d. Access to healthcare should not be compromised or disadvantaged because of an individual's or group's race, ethnicity, gender, income, sexual orientation, neighbourhood or other social condition.

4.3.2 **DEMOCRACY**

4.3.2.1 **Transport**

- a. It should be ensured that the entire population affected by the provision of public transport or related activities should be involved in decision-making processes and it should be ensured that groups who cannot participate for whatsoever reason should be well represented.
- b. Residents of a community should be involved in the development of transport plans, policies and programmes. While they do not have decision making powers, some rules and guidelines should be followed in order to ensure that the process of decision making is just and fair and that it would be beneficial to everyone involved

4.3.2.2 **Education**

- a. It should be ensured that the entire population affected by the provision of educational facilities or related activities should be involved in decision-making processes and groups who cannot participate for whatsoever reason should be well represented.

4.3.2.3 Housing

- a. In the development of housing plans in low population density areas, representatives from within the development area and outside the development area should be well consulted and decisions must be made based on the outcomes.
- b. It should be ensured that the entire population affected by the provision of housing or related activities should be involved in the decision-making processes and groups that cannot participate for whatsoever reason should be well represented.
- c. The development of housing, housing plans, policies and programmes should be done in collaboration with the relevant population.

4.3.2.4 Employment

- a. The public should be involved in the development of plans, policies and programmes that promote economic development in their areas such as IDPs, local economic development plans and SDFs.

4.3.2.5 Health

- a. It should be ensured that the entire population affected by the provision of health facilities or related activities should be involved in decision-making processes and groups that cannot participate for whatsoever reason should be well represented.

4.3.3 DIVERSITY

4.3.3.1 Transport

- a. Public transport should provide for various options which include buses, minibuses, trains and Bus Rapid Transit systems for every member of the society, including the disabled.

4.3.3.2 Education

- a. The public authorities should offer their support to the poor and disadvantaged and ensure that they have equal access to opportunities in education.
- b. Educational facilities for the less-privileged and disabled should be provided in the society.

4.3.3.3 Housing

- a. Housing should not be developed in a manner that promotes segregation and mixed housing typologies should be promoted.
- b. Development of communities that promote segregation should not be embarked upon, neither should households be relocated for the purpose of achieving diversity.
- c. Everyone should have access to land.

- d. The public authorities should offer their support to the poor and disadvantaged and ensure that they have access to opportunities in housing.

4.3.3.4 Employment

- a. Employment opportunities should be available to every member of the society irrespective of race, gender and education.

4.3.3.5 Health

- a. The public authorities should offer their support to the poor and disadvantaged and ensure that they have access to affordable healthcare.
- b. Health facilities should be provided for the less-privileged, including the poor, the previously disadvantaged and the disabled members of society.

4.3.4 JUST DISTRIBUTION

4.3.4.1 Transportation

- a. Extra resources, in terms of public transport, should be provided to people in areas that experience spatial difficulties stemming from the physical and social environment.

4.3.4.2 Education

- a. People living in previously disadvantaged areas should have opportunity to access quality education within close proximity.

4.3.4.3 Housing

- a. The needs of the population, with regards to affordable housing and human settlement in every region, should be met and housing should be located in areas where they can easily access services and opportunities.

4.3.4.4 Employment

- a. Economic opportunities should be located close to previously disadvantaged areas. The government can ensure this by means of providing incentives e.g. tax breaks, amongst other things, for firms that are located in and around these areas.

4.3.4.5 Health

- a. People living in previously disadvantaged areas should have opportunity to access quality healthcare within close proximity to them.

CHAPTER 5:CONTENT ANALYSIS – THE SOUTH AFRICAN LANDSCAPE (POLICY AND PRACTICE)

As indicated by Soja (2010), spatial justice is more than an academic exercise as it has ambitious political and practical objectives. To conduct a study on spatial justice without examining the ways in which planners and policy makers are able to apply it practically, would render the study incomplete. The research revealed that the processes that led to spatial injustice, both locally and internationally largely resulted from legislation, policies and plans and to some extent also market forces. This implies that there should be a need to implement spatially just processes in order to achieve spatially just outcomes. Therefore, in order to understand spatial justice and undo the injustices in our geographies, the development of policies will need to adhere to the requirements for spatial justice. The purpose of this section is to carry out a content analysis of various policies, plans and legislation guiding development in South Africa using the City of Tshwane as a reference city. The analysis would assess the ways in which the policies and legislation address the issue of spatial justice and whether this is done sufficiently or not. Spatial (in) justice begins with the development of policies and plans for a city. While there are many acts and policies in South Africa, this study is focusing on the acts and policies that are analysed below. The section begins by analysing the approach that was taken in drafting the Integrated Development Plan (IDP). This is relevant because spatial (in) justice begins with the drafting of plans. The study goes on to analyse the policies, legislation and plans that guided the development of the IDP because the justness or unjustness of these policies, plans and legislation will be reflected in the outcome of the IDP as well as in the Spatial Development Framework (SDF), which is a component of the IDP. The South African DRDLR has also highlighted the need for an understanding of the application of the development principles, which include spatial justice (DRDLR, 2017).

5.1 APPROACH TAKEN IN DRAFTING THE INTEGRATED DEVELOPMENT PLAN (COMMUNITY PARTICIPATION AND BUDGET)

The study will now focus on the policies, plans and legislations that guide planning and development in the City of Tshwane. The IDP and the SDF are the primary documents that guide planning and development in the city; however, these documents take directives from national policies and legislations. This section will begin with an analysis of Tshwane's IDP and SDF, followed by an analysis of some of the national policies and legislation that guided the development of the IDP. The analysis mainly focuses on transport and housing policies apart from the inclusion of constitution (1996) and SPLUMA, (2013) in this discussion.

The Municipal Systems Act (MSA) (2000) and the Constitution of the Republic of South Africa guided the drafting of the IDP, which requires that every municipality prepare an IDP that reflects a long-term vision of the municipality at hand. Section 4 of the MSA, as well as section 151, 152 and 159 of the constitution of South Africa, ensures that the communities that are affected by the development decisions in any given municipality must be involved in the public participation- and consultation processes. This will ensure that everyone is involved in the process and that the decision-making is not made solely by the municipalities, but also by the people inhabiting them. In this way, the city can achieve democracy. The City of Tshwane adopted a consolidated approach during the public participation process and the development of the IDP. The approach relied on three principles. In the first instance, there should be a provision of feedback to every community with regards to the key focus areas, programmes and projects that have been approved in the proposed IDP. This feedback is carried out annually in the month of May after the council approval. The second principle of the approach used in the public participation is to receive issues of concern from the ward committees. These issues are then prioritised into three important strategic issues that would be attended to for the rest of the term. Thirdly, the information received from the wards assist the CTMM in budget planning and in reporting the progress that has been made by the CTMM at the end of the financial year. These principles have been implemented through a three-phased outreach process for the IDP and the Budget for the 2014/15 financial year. The key priorities that emanated from the engagements and public participation with various communities, and according to the IDP review (2014/15:34), were:

- a. Provision of Housing and upgrading of informal settlements
- b. Job creation and economic development
- c. Safety and Security
- d. Provision of Health Facilities
- e. Recreational and Sport facilities as well as programmes
- f. Provision and maintenance of roads and storm water infrastructure
- g. Provision of electricity, sanitation and water.

The ward priorities were further disaggregated per municipal department so as to enable adequate planning and intervention through budget planning. The table below (Table 13) shows the number of priorities that were raised by each department. From the table, the most important issues for the communities were roads and transport, electricity, water, housing and human settlements (IDP, 2014/15:35). These issues constitute the basic needs of every society and it can be argued that they can be used as a measure of spatial justice in

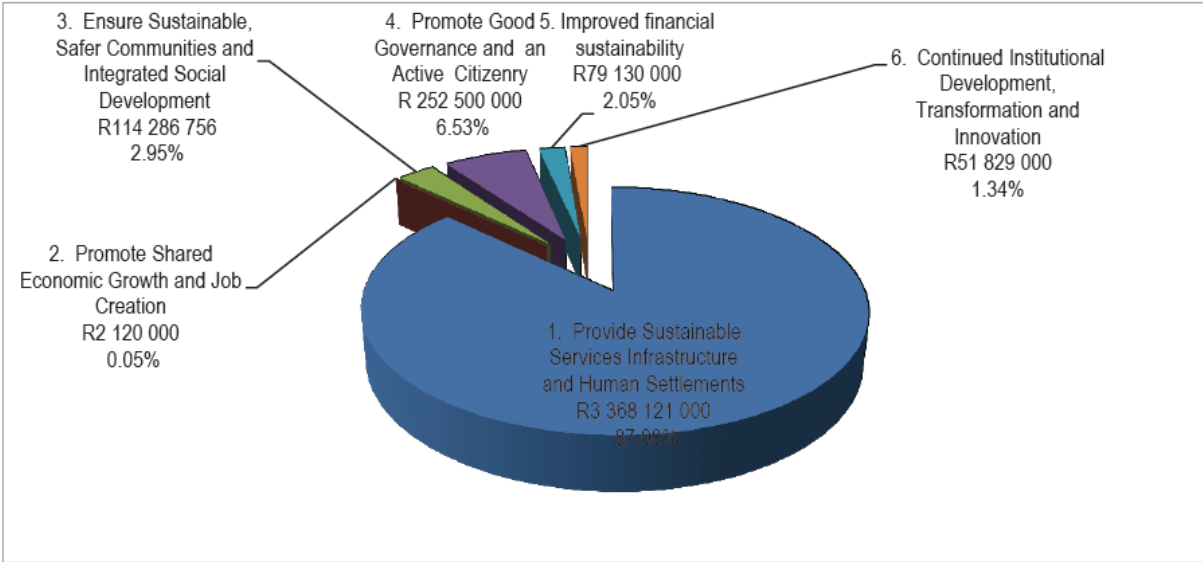
the City of Tshwane. Based on the issues identified by the wards in the City of Tshwane, the IDP (2014/15:35) highlights that “the City allocated majority of the its capital budget (87.08%) to the delivery of sustainable service infrastructure and human settlement management, which include roads and storm water, water and sanitation and electricity to support access to basic services and economic growth, mobility and the provision of housing”. An analysis of the capital budget allocation is presented in Figure 6.

Table 13: Ward Priorities Raised per Department

Priorities Raised per Department	No of Priorities	% of Total Issues
City Planning	3	0,8%
Corporate Services	3	0,8%
Economic Development	8	2,2%
Environmental Management	21	5,7%
Health and Social Development	26	7,1%
Housing and Human Settlements	50	13,6%
Metro Police Services	11	3,0%
Regional Services	2	0,5%
Roads and Transport	144	39,2%
Service Infrastructure	53	14,4%
Sports and Recreational Services	44	12,0%
Unknown / Not Specified	2	0,5%
Total	367	100,0%

Source: City of Tshwane, IDP, 2014/15 review

Figure 6: City of Tshwane 2014/15 Capital Budget



Source: City of Tshwane IDP, 2014/15.

A draft IDP was presented to the council after the engagements with all the stakeholders and municipal departments concluded. Prior to the approval, the council resolved that the final document must be subject to public participation for 21 days and that copies of the documents must also be made available to the public at all libraries in the city and on municipal websites. Newspaper advertisements also promoted awareness of the document. The CTMM engaged with stakeholders so as to further solicit inputs into the draft document. Regional outreach meetings were held at the seven regions of the city in order to discuss the content of the draft IDP and inputs of each region is available in Annexure 11, Page 38 of the IDP. The approach and process involved in the development of the IDP appears to reflect a democracy, which is a criterion of spatial justice that ensures that people who are affected by a plan, participate in the development of it.

5.2 MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

The Spatial Development Framework for the City of Tshwane was approved in 2012. The aim of the Municipal Spatial Development Framework (MSDF) is to guide development in the city in order to achieve economic development and growth. The City of Tshwane's MSDF is based on principles that intend to promote spatial justice. For instance, the MSDF provides guiding principles that must be followed in the planning and development of human settlements. With respect to informal settlements, upgrades and relocation, the MSDF (2012: 83) states that *“existing informal settlements that fall outside of the urban edge should not be provided with in-situ upgrading, they should rather be relocated”*. Informal settlements dwellers should therefore only be relocated to areas that are geo-technically sound and do not fall within a flood line. Compaction, infill and densification should serve as key guiding principles for both in-situ upgrading and relocations. Informal settlement management plans should incorporate landscape planning. According to the City of Tshwane MSDF (2012:83), the guiding principles for the provision of social housing state that *“housing should provide a range of typologies within strategic nodes in order to address both social and economic restructuring. Housing typologies should allow for diversity and significant densification in order to address the green economy of spatial planning. Brownfield development is preferable to green field development in order to achieve infill development, compaction and rejuvenation of decaying areas. Where applicable housing location should be targeted towards significant places of work opportunity, i.e. metropolitan nodes and primarily urban cores. Housing developments should include the provision of or be located next to safe and efficient linkages with space for pedestrians and cyclists. Housing location should be well-planned to ensure connectivity via public transport to other places of significance in the metropolitan area. Urban design, landscaping and street-scaping should be incorporated in*

housing schemes. Social housing should be an effective component of sustainable human settlements i.e. close proximity to social amenities and facilities. Mixed-use residential buildings should be implemented where possible, allowing for an optimal use of all available resources, supporting transit-oriented development and providing a sustainable living environment". The MSDF, amongst other things, proposes the ways in which development should take place in the City of Tshwane, with most of the proposals reflecting some of the criteria of spatial justice.

5.3 ANALYSING THE POLICIES AND LEGISLATIONS THAT GUIDED THE DEVELOPMENT OF THE IDP

The unjust cities and communities that exist in South Africa can be ascribed to past apartheid policies, which promoted segregation and did little to help the poor and low-income earners. Ever since the democracy in 1994, the South African government has made numerous efforts to undo these unjust geographies. Many policies and legislations have been developed to address these injustices. It should therefore come as no surprise that most of the national policies, as well as the South African Constitution, have a strong 'justice' tone to them. Most of the policies and legislation are expected to be implemented by the local government. This means the municipality has to take into consideration the sector plans, policies and legislation of the national government in the development of their plan. Carrying out a content analysis of an IDP would therefore not be sufficient enough because it is important to know in which ways spatial justice is being addressed in the policies, legislation and plans that guide the development of the IDP and whether it is addressed sufficiently or not. While this study does not intend to show if the policies, legislation and plans are spatially just, the analysis could as much. The intention of this analysis is not to carry out an exhaustive analysis of policies and legislations in the country, but rather focuses on public transport, housing and planning.

5.3.1 THE HOUSING WHITE PAPER (1994)

This White Paper contains various important principles that are aimed at achieving a housing vision and the creation of integrated communities that are socially and economically viable. These principles are viability, sustainability, integration, equality, reconstruction, holistic development and good governance. According to these principles, communities should be located in areas that have access to healthcare, educational- and social amenities as well as economic opportunities. All South African citizens, through this policy, can potentially have access to permanent housing with secure tenure as well as access to sanitation, infrastructures, potable water and electricity. The idea behind the White Paper on housing

can be said to be a “just” because the policy contains tones of a just distribution of housing that can ensure equal access to basic goods all the while encompassing the criteria of spatial justice, which are diversity, equity and democracy.

5.3.2 SOUTH AFRICAN CONSTITUTION (1996)

The Bill of Rights in Chapter 2 of the South African Constitution discusses the constitutional rights of South Africans. For the purpose of this research, the author will highlight those sections that are relevant to the study. Section 9 addresses equality and subsection (3) emphasises that the state may not discriminate against anyone based on any grounds. Section 24 discusses issues about the environment and that everyone is entitled to a safe environment. Section 25 states that no citizen may be deprived of their property. Section 26 refers to “the right to housing” and states that the government must do everything to protect this right. The section goes on to state that no one should be evicted from their home without considering all relevant circumstances. Section 27 enshrines the right to healthcare, food, water and social security to its citizens whereas Section 29 talks about the right to education and posits that the government must take every measure to ensure everyone has access to education. These few highlighted sections in the Constitution emphasises the fact that the Constitution enshrines and promotes the most important attributes of spatial justice, as defined in this study as that of democracy, equity and diversity.

5.3.3 THE HOUSING ACT (1997)

The purpose of this act was to provide support for the sustainable housing development process, to lay down general housing principles for all spheres of government and to describe the function of the various spheres of government. This occurs in terms of housing development so as to assist in the establishment of a South African housing board, a financing basis for national housing programmes, and to repeal certain laws and provide for housing related matters (South Africa, 1997). Section 2 (1) (page 96) of the act promotes spatial justice as it contains elements that promote democracy, equity, diversity as well as a just distribution.

5.3.4 THE PREVENTION OF ILLEGAL EVICTION FROM UNLAWFUL OCCUPATION OF LAND ACT (PIE) (1998)

This act addresses spatial justice because it does not allow for the indiscriminate eviction of people from property or land without determining if the eviction is just and equitable; and also without giving consideration to special circumstances. This means that the municipality cannot indiscriminately evict the vulnerable and homeless without alternative provision in

which the jurisdiction lies. The act provides strict measures to be followed before any eviction can be carried out and considers the well-being of the most vulnerable people in society, as well as ensuring that the jurisdiction places the responsibility of relocation on the municipality.

5.3.5 PEOPLES HOUSING PROCESS (1998) AND ENHANCED PEOPLE'S HOUSING PROCESS (2008)

This programme was an initiative by the government in an attempt to enable members of the poorer communities through directly involving them in the delivery of housing units by means of community participation in all decision-making processes. The result of this programme can reduce the involvement of developers, cut down building costs, provide temporary employment and income for community members and facilitate the transfer of skills. The elements of spatial justice that can be found in the programme relate to democracy and fairness, as it allows for community participation and involvement in all decision-making process.

5.3.6 THE RENTAL HOUSING ACT (1999)

The rental housing act is a piece of legislation that also addresses spatial justice as it enshrines the attributes of spatial justice which are democracy, equity, diversity and just distribution in the provision of rental housing. The act promotes affordable rental housing for the low-income and historically disadvantaged people, as well as providing rental housing in urban areas and areas with infrastructure through cooperation of the public and private sector in different aspects. Chapter 2 of the act sets out some measures in which government must take in order to promote rental housing for everyone.

5.3.7 SOCIAL HOUSING POLICY FOR SOUTH AFRICA (2003)

The social housing policy was another initiative by the government to provide adequate housing for all income groups of people including the poor. The policy relied on the following principles:

1. Promote urban restructuring through the social, physical, and economic integration of housing development into existing areas.
2. Promote the establishment of well-managed, quality rental housing options for the poor.
3. Respond to local housing demand.

4. Deliver housing for a range of income groups (middle-income, emerging middle class, working class and the poor) in such a way as to allow social integration and financial cross subsidisation.
5. Support the economic development of low-income communities in various ways.
6. Foster the creation of quality living environments for low-income persons.
7. Promote a safe, harmonious, and socially responsible environment, both internal to the project and to the immediate urban environments.
8. Promote the creation of sustainable and viable projects.
9. Encourage the involvement of the private sector where possible.
10. Facilitate the involvement of residents in the project and/or key stakeholders in the broader environment.
11. Ensure secure tenure for the residents of projects, on the basis of the general provisions for the relationship between residents and landlords as defined in the Housing act, 1997 and the Rental act, 50 of 1999 - Chapter 3, section 4 (1) to (5).
12. Support mutual acceptance of roles and responsibilities of tenants and social landlords, on the basis of the general provisions for the relationship between residents and landlords as defined in the Rental act, 50 of 1999- Chapter 3, sections 4 and 5, in the Co-operatives act, 1981 (Act 91 of 1981) as well as in the envisaged Social Housing act.
13. Be facilitated, supported and/or driven by all spheres of government.
14. Ensure transparency, accountability and efficiency in the administration and management of social housing stock.
15. Promote the use of public funds in such a manner that stimulates and/or facilitates private sector investment and participation in the social housing sector.
16. Operate within the provisions of the Constitution, 1996, the Public Finance Management act no. 1 of 1999, the Preferential Procurement Policy Framework act no. 5 of 2000 and other statutory procurement prescripts (DoHS, 2009:23-26).

The principles set out by the policy are based on the democracy, equity, diversity and just distribution criteria of spatial justice.

5.3.8 THE BREAKING NEW GROUND POLICY (2004)

This policy was introduced by the South African government in 2004 as a way of providing and speeding up the delivery of housing to the poor. The guidelines used for the development of this policy makes it a just policy because it possesses some of the qualities of spatial justice and elements of a just distribution. The guidelines advocate for the provision of low-income housing in safe areas, which are accessible via areas of economic

opportunities and basic services. It also advocates for the inclusion of previously excluded groups of people into the city and for the provision of reliable and affordable means of public transport. Based on these guidelines, provided in the development of the breaking new ground policy, it can be argued that the policy was built on a just platform and intends to provide housing and means of human settlements in a spatially just manner and thus will promote the idea of spatial justice in South African cities.

5.3.9 INCLUSIONARY HOUSING POLICY (2007)

This policy was developed in order to assist the low and lower middle-income class in terms of affordable housing. The design of this policy encourages developers to provide low cost housing opportunities, either for rent or for sale, in areas such housing cannot be afforded. The meeting between different stakeholders and the government brought about the policy and as a result, it can be said that the policy possesses a quality of spatial justice that relate to the aspect of democracy. The intent of the policy is to provide housing to the low- and lower middle class in areas where they could not have been able to afford it otherwise, which represents diversity and equity. The provision of housing for these classes of people can promote a just distribution because they will live in areas that they could not have afforded to live in and consequently they will have adequate access to certain services and facilities. This policy therefore addresses the issues surrounding the notion of spatial justice.

5.3.10 SOCIAL HOUSING ACT (2008)

The social housing act is a piece of legislation that describes the role of the three tiers of government in the area of social housing delivery. This act embodies strong tones of spatial justice in Section 2, which sets out the general principles to be followed in the delivery of social housing. These include stakeholder participation as well as provision of housing for women, children, the disabled and the elderly. The act also advocates the provision of social housing close to areas of economic opportunities and transport amongst other provisions. The details set out in section 2 of the act and other parts of the act make it one that promotes spatial justice by fostering democracy, equity, diversity and just distribution

5.3.11 WHITE PAPER ON TRANSPORT (1996)

The White Paper on Transport was developed through of an extensive stakeholder consultation. The policy document aims to cater for all people who depend on transport. The second section of the white paper focuses on public and private transport and the policy refers to it as “land passenger transport”. The mission of the department, with regards to land transport, is “ *to provide leadership in the promotion of a safe, reliable, effective, efficient, coordinated, integrated, and environmentally friendly land passenger transport system in*

South African urban and rural areas, and the southern African region, managed in an accountable manner to ensure that people experience improving levels of mobility and accessibility". The White Paper on Transport fully acknowledges the importance of providing efficient, affordable and effective public transport, which will improve mobility and accessibility. Based on the processes that was followed during the development of the policy, it is safe to say that the process meets the criteria of democracy. The fact that the paper recognises the importance of providing an efficient, affordable and effective public transport, which would improve mobility and accessibility, implies that the criteria of equity criteria of spatial justice was being considered in the development of the policy.

5.3.12 MOVING SOUTH AFRICA (1998)

The Moving South Africa policy outlines the vision of urban transport in an attempt to create an exposition of the vision previously set out in the white paper on transport. It advocates for the provision of public transport to be carried out at the lowest possible level of the government in order to improve service to the customers and enable achievement of the national transport objective, which is the provision of public transport that will save time and cost and provide safety. While the policy is clear on urban transport, not much is presented on rural transport due to lack of data. This policy performed quite well in terms of addressing equity, especially based on the objectives set out by the moving South Africa policy, and it emphasises the aspects of affordability, travel time and safety. However, it did not perform too well in terms of addressing diversity, even though it attempted to make public transport available for everyone. There was no strategy in place for providing to the residents of rural communities, who are most dependent on public transport.

5.3.13 ACTION AGENDA (1999)

The Action agenda was aimed at improving the public transport system, instead of constructing more roads and further promoting the use of cars. Its objectives included enabling a better standard of living for South Africans by providing better access to employment opportunities through an efficient public transport system and high social integration. This policy therefore intended to address diversity through social integration, as well as equity and just distribution, through the provision of a public transport system that could provide better access to employment opportunities.

5.3.14 THE NATIONAL LAND TRANSPORT TRANSITION ACT (2000) (NLTTA)

The piece of legislation came into being as a result of the challenges faced in the public transport industry. The legislation proposed policy principles in an attempt to guide public

transport delivery in municipalities and these principles contain the attributes of equity and democracy.

5.3.15 NATIONAL LAND TRANSPORT STRATEGIC FRAMEWORK (NLTSF) (2006-2011)

This framework came about through a need to assist provinces and municipalities in providing and planning for adequate and efficient transport facilities. The framework included certain issues that were left out of the National Land Transport Transition Act, such as public transport and rural transport, and also provided strategies for fifteen functional areas. The framework was reviewed after much consultation with stakeholders in the country and the functional areas were also reviewed. The involvement of stakeholders through consultation, and the inclusion of issues such as public and rural transport previously left out of the act, show that the framework contains the attributes of democracy and equity.

5.3.16 TAXI RECAPITALISATION POLICY (2008)

The taxi recapitalisation policy came about as a result of recommendations made by the national taxi task team that consisted of nine members of the South African kombi taxi industry from the nine provinces, government officials representing the three levels of government, as well as professional advisers. The decision of the government to appoint a task team in order to investigate the ways in which to improve the taxi industry, in light of empowering a group of people, shows that democracy and equity were considered in the development of the policy as the process involved consultation and assistance through subsidy in the acquisition of newer vehicles.

5.3.17 NATIONAL DEVELOPMENT PLAN 2030 (2012)

The NDP document highlighted the importance of transport as a tool for fighting poverty. The document proposed some directives for providing public transport. This includes, among others: the provision of public transport that would favour majority of the households, especially the low-income households and facilitating efficient public transport that would provide people, who did not previously have access to amenities due to an inefficient public transport system amongst other directives, with access to economic opportunities. The document also makes proposals on how to promote sustainable housing and human settlements as well as promoting education, health and employment. The development of the document involved a series of consultations before its eventual approval. The document also proposes spatial justice as a development principle. In short, the document embodies the main criteria of spatial justice.

5.3.18 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (2013)

This act literally changed the face of spatial planning and land use management in South Africa. The act relied on five principles to guide spatial planning in the country. It is the first act in the country that directly refers to the principle of spatial justice and in some way describes how this can be promoted in the country. The act promotes the inclusion of the previously disadvantaged in spatial planning and land use management, as indicated in the principle of spatial justice. Apart from this, it promotes equity, diversity and democracy, which is reflected in its development principles.

5.4 SYNTHESIS OF ANALYSIS OF POLICY AND LEGISLATION

A review and analysis of the policies and legislations that guide planning in the country, and especially the City of Tshwane, was necessary so as to assess the ways in which spatial justice is addressed in them and whether this was done sufficiently or not. While the intention of the analysis is not to show if the policies are just or not, it was obvious that there existed efforts to address spatial justice in the various policies and legislation. It can be concluded that the inclusion of ideas related to spatial justice in these policies and legislation is not sufficient or explicit enough to make a noticeable impact. Apart from the NDP, 2030 and the SPLUMA, 2013, none of the policies explicitly mention spatial justice. and while the NDP and SPLUMA mention spatial justice, they do not explain how it can be achieved. This brings an important issue to the foreground namely how to address and frame spatial justice and its components, within these policies and legislation, in order to ensure that the policies and plans can sufficiently guide and monitor the components of spatial justice. There are echoes of spatial justice in the current policies and plans in South Africa, but the policies and plans do not effectively address the issue of spatial justice in the content. It might be helpful to a reach consensus on the meaning of spatial justice and how it can be promoted. The inclusion of the concept of spatial justice, and explicitly mentioning how it can be achieved, would be a positive step toward undoing the spatial injustice that has been embedded in the South African geographies over the past 24 years.

So far, the study has involved conducting a meta-synthesis of similar studies so as to reach a working definition of spatial justice and establish the requirements of spatial justice. This section involved a content analysis of the City of Tshwane's IDP and SDF as well as other national policies and legislation that guided the development of these plans. The study revealed that spatial (in) justice begins with the policies and plans that guide development in the city and a content analysis was relevant to assess the ways in which spatial justice is

addressed in these policies and legislation and whether this was done sufficiently or not. The findings from this analysis can assist in developing policy recommendations, especially in relation to how spatial justice can be achieved.

The next chapter is a socio-spatial analysis of the City of Tshwane. As discussed in the foregoing chapters, this study attempts to move the thinking away from the negative critique and the bad and rather focus on what can be done to create spatial justice and just practices. Rather than conducting a socio-spatial analysis in the City of Tshwane, to determine whether it is spatially just or unjust, the analysis will instead try and indicate or flag possible gaps and future opportunities in support of spatial justice for instance on how to integrate communities and where to provide additional public transport etc.

CHAPTER 6: SOCIO-SPATIAL ANALYSIS: UNDERSTANDING/EXPLORING THE APPLICATION OF SPATIAL JUSTICE IN THE CITY OF TSHWANE (EDUCATION, EMPLOYMENT, HOUSING, HEALTH AND PUBLIC TRANSPORT)

6.1 THE RELEVANCE OF A SOCIO-SPATIAL ANALYSIS

The study so far, attempted to present an understanding of the concept of spatial justice, as well as the ways in which policies and plans could address spatial justice. However, the question (and an aspect which forms part of the focus of this study), is to determine whether an analysis and spatial mapping of socially valued resources, as defined in the study, can actually present trends in spatial justice and the nature and limitations of spatial justice. Such mapping could for instance assist in analysing regions in terms of how well they perform against certain justice criteria. This can also assist with future spatial analysis and planning, as well as the allocation of infrastructure and services in (unjust areas), or areas in need of services. This approach also draws on Lefebvre's (1991) understanding that space is socially made and that what is social is spatial and what is spatial is social. Soja's (2008) statement, which is that the spatial is shaped by the social as much as the social is shaped by the spatial, also calls for a socio-spatial analysis of the key areas of the city in the assessment of spatial justice. Furthermore, as discussed in the previous chapter, understanding spatial justice is more than just an academic exercise. Spatial justice also has practical spatial applications, which this study attempts to explore. While the focus in literature was on public transport and housing, I will attempt to conduct an analysis on the other areas that were highlighted as critical in the meta-synthesis in an attempt at determining how to achieve spatial justice in a city.

6.2 THE RELEVANCE OF THE CITY OF TSHWANE IN UNPACKING OR EXPLORING THE FRAGMENTS OF SPATIAL JUSTICE

For the purpose of this study, I opted to select The City of Tshwane, as I regarded this city as an ideal reference study in view of the fact that it is a large metropolitan city with a high population of Black people living in townships. Townships in South Africa came into being as a result of past apartheid policy and planning that restricted Black South Africans to areas outside the city with limited access to economic opportunities⁶. It is important to note that this section, that deals with the City of Tshwane, is not a case study. In a further attempt to

⁶ Although, the literature makes reference to Blacks, it should be mentioned that other racial groups such as Indians and coloureds were affected by the apartheid policies and planning.

unpack the meaning and relevance of spatial justice for South Africa and South African cities, the author opted to do a socio-spatial analysis of the City of Tshwane as an additional method, in relation to the key areas critical to the achievement of spatial justice as discussed in the foregoing chapters.

The rationale for such an analysis is that the core focus of this study is to explore the concept of spatial justice, which has a specific relevance for justice in its spatial context. To this end, this part represents a socio-spatial analysis, and the spatial distribution and configuration and spatial manifestation of those aspects, which according to the definition forms the basis of spatial justice. It should be noted and strongly emphasised that the purpose of this part, or method of analysis, is not to analyse to what extent the city of Tshwane is struggling in performing, or has been performing, in terms of spatial justice. The purpose therefore is not to critique whether the City of Tshwane has a just spatial structure or not. On the contrary, the main emphasis of this socio-spatial analysis is to;

- Assess whether such a mapping exercises, and the result from such an analysis, can indicate or flag possible gaps and future opportunities to support spatial justice for instance on how to integrate communities and where to provide additional public transport etc.

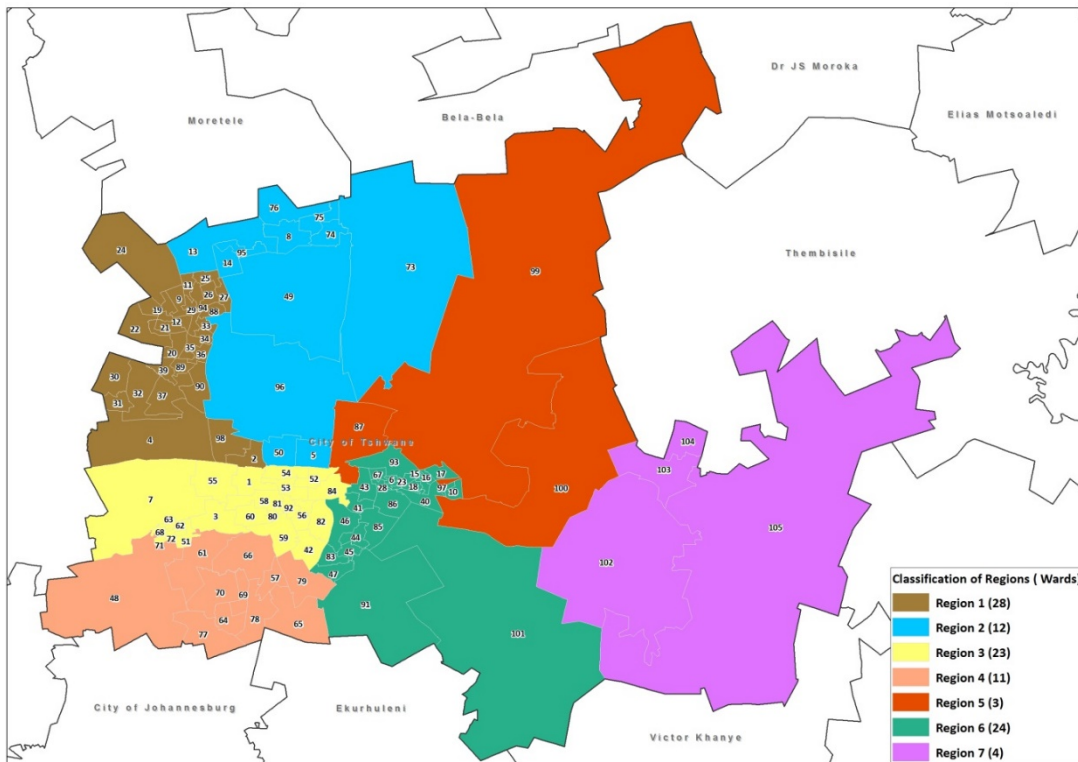
The socio-spatial analysis of spatial justice in Tshwane could provide us with important information for future planning, development, identification of priority projects and infrastructure and ultimately, the budgeting process in the IDP.

6.3 PLANNING REGIONS OF THE CITY OF TSHWANE

The City of Tshwane established seven planning regions in an attempt to streamline planning and in order to create a framework an attempt to bring service delivery closer to the people. The idea of regionalisation was to enable decentralisation of specific duties to regional offices, while high-level projects and duties remain with the city's departments. The day-to-day functions such as repairs and maintenance would still be managed by the regional office. The City of Tshwane also developed Regional Integrated Development Plans (RIDP) and Regional Spatial Development Frameworks (RSDF) for each region of the city so as to enable efficient planning. The seven regions of the city were used as a reference in the process of mapping and assessing the main components of spatial justice in the City of Tshwane. The seven regions were analysed because each of these regions, though in the same city, have different socio-spatial characteristics.

Below is a graphical representation of the regions in the City of Tshwane.

Figure 7: City of Tshwane Planning region in Wards



Source: Author, 2015

The following sections present a socio-spatial analysis of each of the seven regions with specific reference to the demographic and socio-spatial profiles in the regions as well as the spatial distribution and nature of those elements, which are associated with spatial justice, e.g. the distribution of schools and health facilities

6.3.1 REGION 1

6.3.1.1 Spatial context, Characteristics and Demographic Profile

The purpose of this section and subsequent ones in this chapter is merely to introduce the specific region in order to provide a context for the analysis of the spatial justice indicators to follow.

Region 1 of the City of Tshwane is located in the Northwestern part of the municipality (City of Tshwane, IDP, 2014/15 review). Three main sections, which are Rosslyn, Acacia and Pretoria North, divide the area. Pretoria North consists of areas such as Soshanguve, Mabone, Winterveld, Ga-Rankuwa, Klipkruisfontein and some rural areas to the west. A third of the city's population, who are low-income earners, are situated in the Northern part of the

region and most of them live in informal or subsidised housing. The opportunities for employment in this area are low and the area is characterised by inadequate transport infrastructure. The South of Rosslyn accommodates the medium to high-income earners and the economy of this area is driven mostly by the private sector. There is a large automobile business cluster in the centre of this region.

Table 14: City of Tshwane Region 1 profile

Region 1 Profile	
Population	811570
Number of Households	227828
Number of Formal Dwellings	187447
Average household size	3.6
Households with access to piped water	220749
Households with access to electricity for lightening	205780
Average annual household income	R10225
Households with no income	37611
Persons employed in formal sector	175284
Persons with no schooling	37909

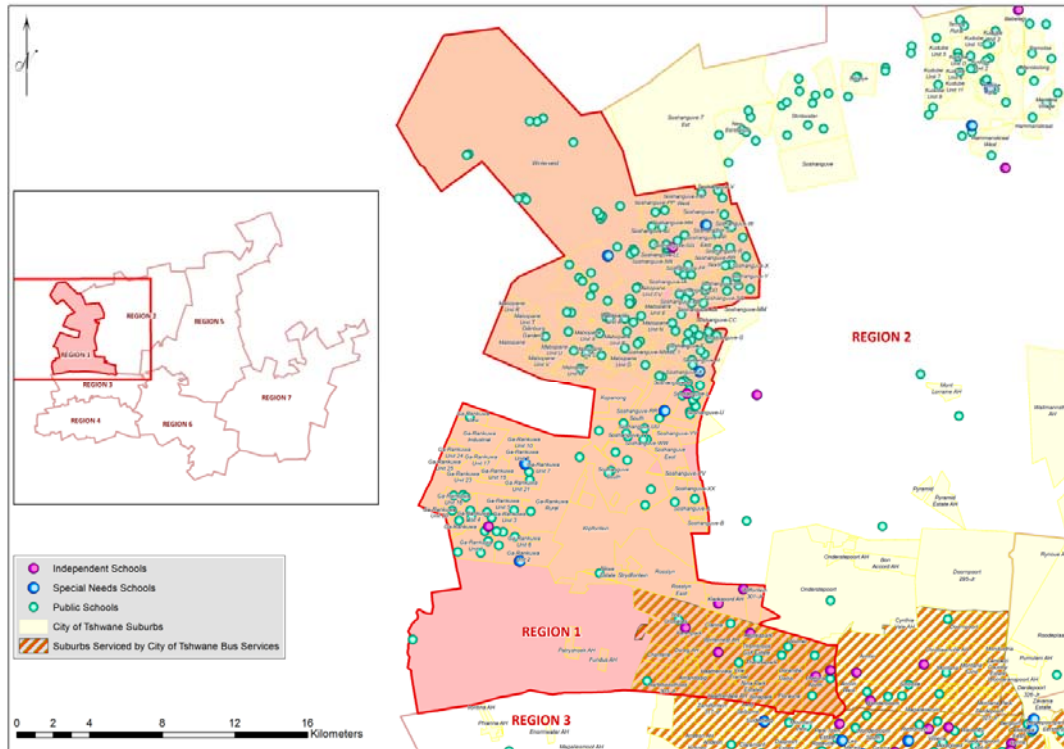
Source: City of Tshwane, Vision 2055

The purpose of the table and subsequent Tshwane region profile tables is not to measure spatial justice, but if one considers the comparative figures e.g. the relationship between the total population and aspects such as employment, formal dwellings and access to education; a table of this nature can provide valuable information, trends and indications of justice or injustice. The information regarding electricity and piped water access, though important, will not be discussed in this study; however, these are areas that could be explored when analysing spatial justice in the future. These areas were also highlighted as some of the issues being faced by residents of the City of Tshwane as indicated in the IDP. The region consists of twenty-eight wards and according to Statistics South Africa census (2011), the population of region one is 811,570, which is estimated to be about 28% of the total population of the City of Tshwane. According the City of Tshwane vision 2055 (2013), the region has 227,828 households with an average household size of 3.6. The majority of the population in region 1 are Blacks who make up more than 80% of the population. This is mainly a result of the past apartheid policies that resulted in the creation of Black administrative areas in the major parts of the region.

6.3.1.2 Education

The figure below presents a spatial mapping of the distribution of schools in the City of Tshwane. Region 1

Figure 8: Distribution of schools in Region 1



Source: Author, 2015

A socio-spatial assessment of the region indicated that the level of education in region 1 is low, with over 5% of adults or 39,709 people having no form of education and 22.5% having education levels equivalent to Grade 12 (Tshwane draft spatial atlas, 2014). Region 1 has a total of 181 schools (Figure 8) distributed across the twenty-eight wards. One hundred and seventy-five of these schools are public or state funded schools, while six of them are private or independent schools. Given that the region is characterised by low-income earners, the provision of public schools is essential for members of this community as they would have access to free or cheaper education compared to the private schools. The mapping of schools in this region reveal that there is a good distribution of schools in terms of the population threshold and distance, see CSIR (2012). However, the low level of education in this region implies that the “just distribution” is not sufficient enough to achieve spatial justice in this area. Although, schools appear to be distributed in a spatially just manner, the

mapping cannot reveal why the levels of education in the region is low. Issues such as quality of education, which cannot be mapped, will need to be ascertained in order to achieve spatial justice. Spatial justice is not just about quantity, but also about quality, which implies that the criteria of equity, diversity and democracy should be applied in the education planning process so as to ensure that residents do not just have access to education, but also to quality education.

6.3.1.3 Employment and income

Region 1 has the highest population of unemployed individuals with over 119,851 unemployed people, 26,216 people being who are discouraged job seekers and 182,527 people who are not economically active (Tshwane draft spatial atlas, 2014). The population by working age in region 1 is an estimated 563,670 people, which places the official percentage of unemployed people in the region at 21.3%. According to the City of Tshwane vision 2055 (2013), the highest number of people with no income, estimated at 369,286, are found in this region, which is the highest in all the seven regions of the city. Region 1 also has the highest number of estimated unemployed households. (Tshwane draft spatial atlas, 2014). These statistics can be utilised by the municipalities in order to understand which regions are performing better economically and why they are performing as such. This can then be used to develop other regions in the city and it can also assist the municipality in directing resources to areas of need rather than directing them to areas that are performing well.

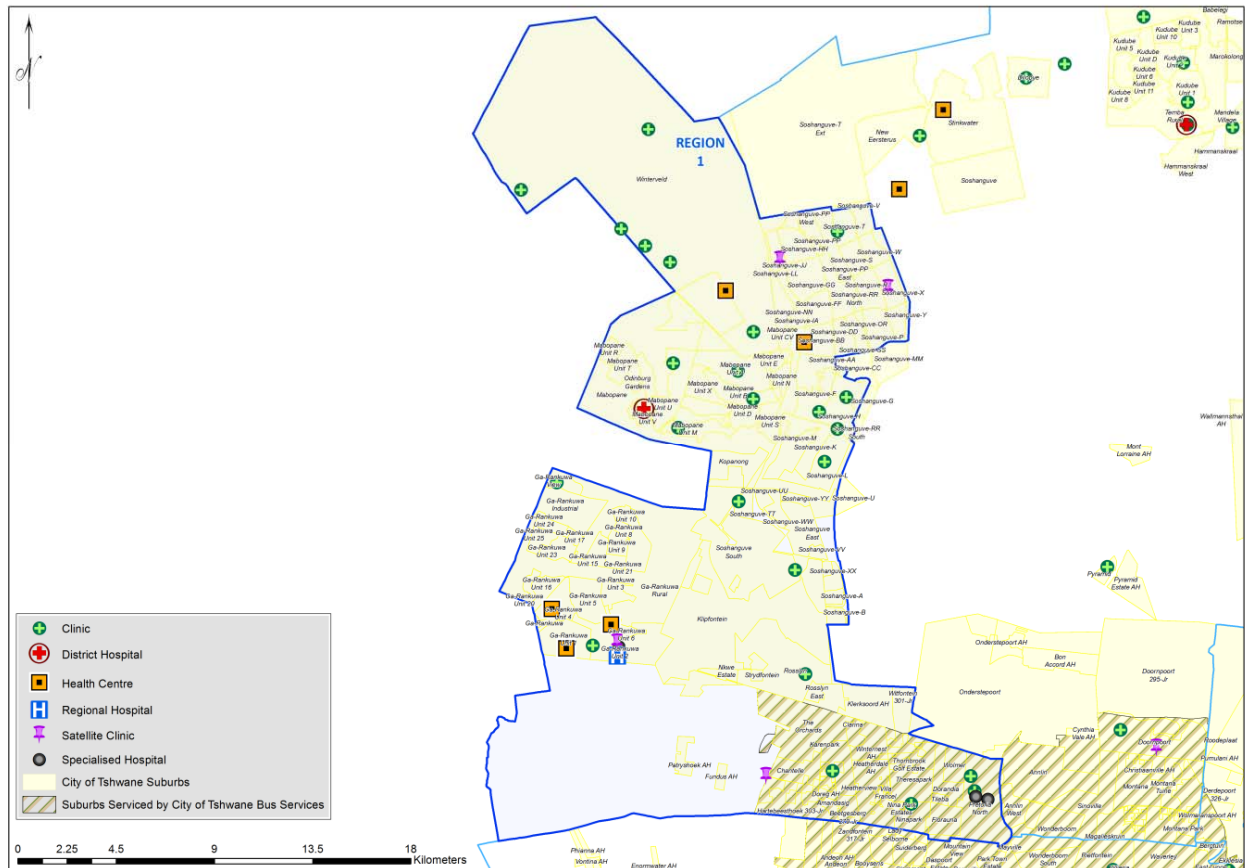
6.3.1.4 Housing

The City of Tshwane's IDP (2014/15 review) estimated that 15% of the population or 117,000 households still live in informal settlements. There is limited investment in private housing in this region with most of the residential units in the north of Rosslyn being subsidised (Republic of South Africa (RSA) parliament, 2013). Various types of housing typologies exist in this region with over 50% of the housing falling within the extremely poor, 5% falling within the category of rich housing and the rest distributed among various other types of housing. Diversification in housing is limited in this region (RSA parliament, 2013), which implies that taking the data for this region into account during the municipal planning phase can assist the municipality in applying the requirements for spatial justice so as to promote spatial justice. However, the issue of housing is a complex one in South Africa and it will require collaboration between the government and the private sector in order to achieve the goals of spatial justice in housing.

6.3.1.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in region 1 of the City of Tshwane

Figure 9: Distribution of health facilities in Region 1



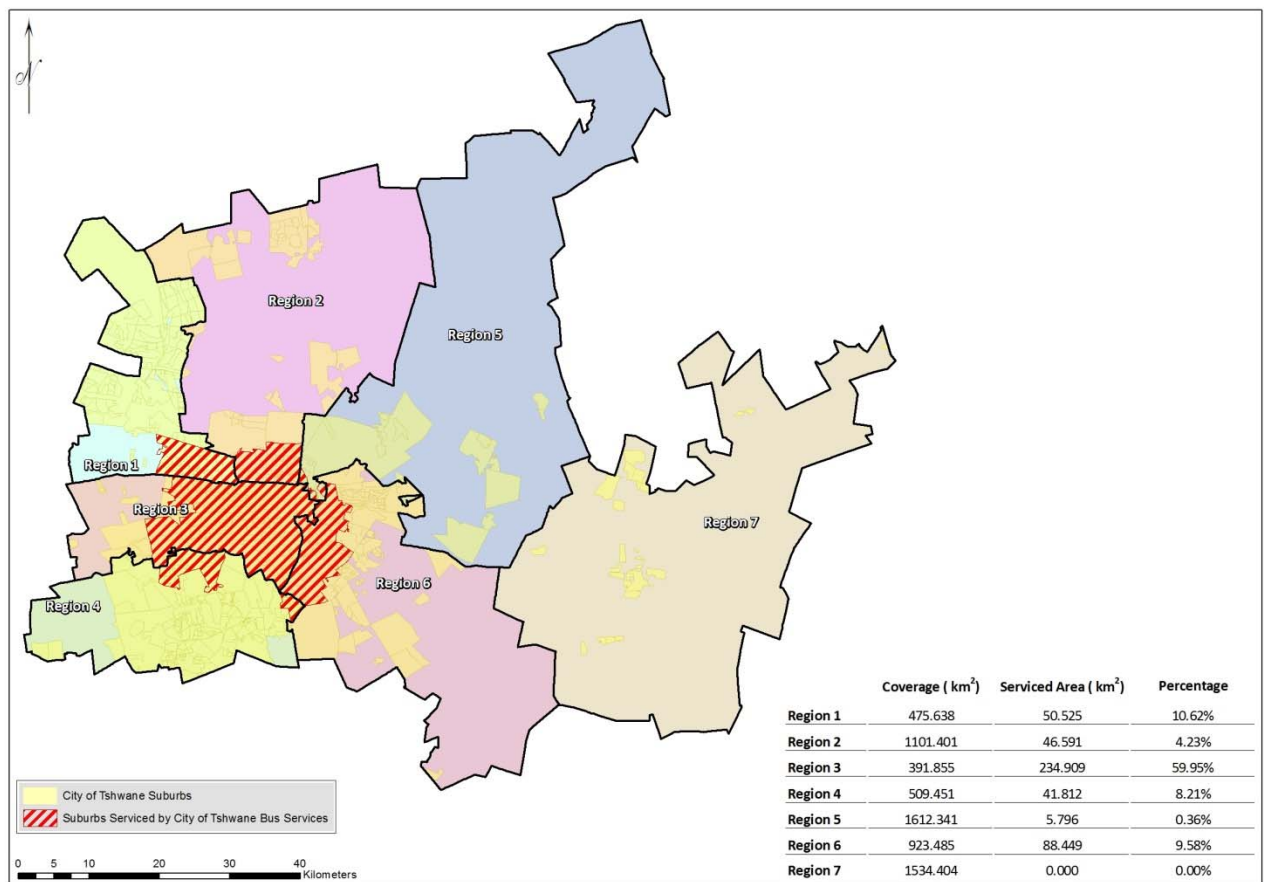
Source: Author, 2015

Access to adequate health facilities is the right of every citizen. The City of Tshwane region 1 has a population of 811,570 distributed across twenty-eight wards. This region is home to eighteen clinics, four community health centres and one district hospital. Apart from these public or government funded health centres, other private health centres are also available in the region. The population threshold and distance of CSIR (2012) can be applied in the analysis of the distribution of health facilities. The need for an efficient and reliable public health centre is necessary for most people, especially residents of the disadvantaged areas and poor people who cannot afford the expensive cost of healthcare that the private sector provides. The mapping of health centres is able to assist in identifying whether the location of health centres in the municipality promotes spatial justice and indicating the areas that need to be provided with health centres, based on the population distribution and distance.

6.3.1.6 Transportation

The figure below presents a spatial representation of the distribution of bus public transport in the City of Tshwane. Figure 12 shows the entire coverage of all seven regions in the City of Tshwane and depicts the area of land that is covered for each region in the city as well as for each of the serviced areas. For instance, the land area of region one is 475.638km² of the city while only 50.525km² is serviced by the City's public bus transport system. Reference should be made to this map for the transportation analysis of the other regions.

Figure 10: City of Tshwane Bus Public transport distribution all regions



Source: Author 2015

The City of Tshwane has two types of public transport, namely the train and the bus system. These systems, though in one city, appear to serve different classes of people. I used the word 'appear' because a low-income earner would most likely not be able to afford the train (Gautrain) and the bus transport system does not service previously disadvantaged areas. There are two rail systems in the city namely the metro rail and the Gautrain. The low-income earners, that live in low-income and previously disadvantaged areas, make use of the metro

rail whereas the middle-income earners and people that are more affluent mostly use the Gautrain. The bus systems in the city include the City of Tshwane bus system and the Bus Rapid Transit (BRT) system. A mapping of the City of Tshwane bus route coverage for the region showed that only 50.5 square kilometre of the 475.64 square kilometre, or an approximate 10% of the region, is covered by the City of Tshwane bus service. The newly implemented City of Tshwane’s BRT system is making efforts in covering most parts of the city, including this region and, through observation, it was realised in late 2017 that the city, through the BRT started servicing some of the disadvantaged areas such as Mamelodi. Other forms of public transport are also available for residents of the City of Tshwane and from the analysis, one can argue that the mapping of public transport routes, along with other available transport data, can be used to analyse the extent of spatial justice in a city in terms of public transport. This data can furthermore assist municipal officials in deciding where to provide additional transportation.

6.3.2 REGION 2

6.3.2.1 Spatial context, characteristics and demographic profile

The City of Tshwane region 2 is located at the south edge of Magaliesberg mountain range with the PWV9 freeway running through the west and the N1 running across the centre of the region. The northern areas of the region consist of Hammanskraal, Kudube, Stinkwater, Suurman and Babelegi (City of Tshwane IDP, 2014/15 review). This region has diverse characteristics and specific areas that can be singled out, such as the urban core of Hammanskraal that is situated in the Northern part of the region and is home to low-income people. Other areas in this region include the agriculture and conservation zones, which are mainly underdeveloped and are located on either side of the N1 and the southern zone located around Kolonnade centre, which is a formally developed low density suburban area. The CTMM IDP review (2014/15:8) highlight that the areas in the Northern part of region 2 are urban in character, but that they are not integrated with the bigger urban environment of the metropolitan area. From this statement, it can be argued that efficient transportation in the region would have allowed for better integration of the urban areas with the larger urban environment of the metropolitan area. The area is characterised by an agglomeration of informal settlements, subsidised housing and limited access to economic activities.

Table 15: City of Tshwane Region 2 profile

Population	339175
Number of Households	93138

Number of formal dwellings	74864
Average household size	3.6
Households with access to piped water	85558
Households with access to electricity for lightening	87983
Average annual household income	R124763
Households with no income	14699
Persons employed in formal sector	72689
Persons with no schooling	16461

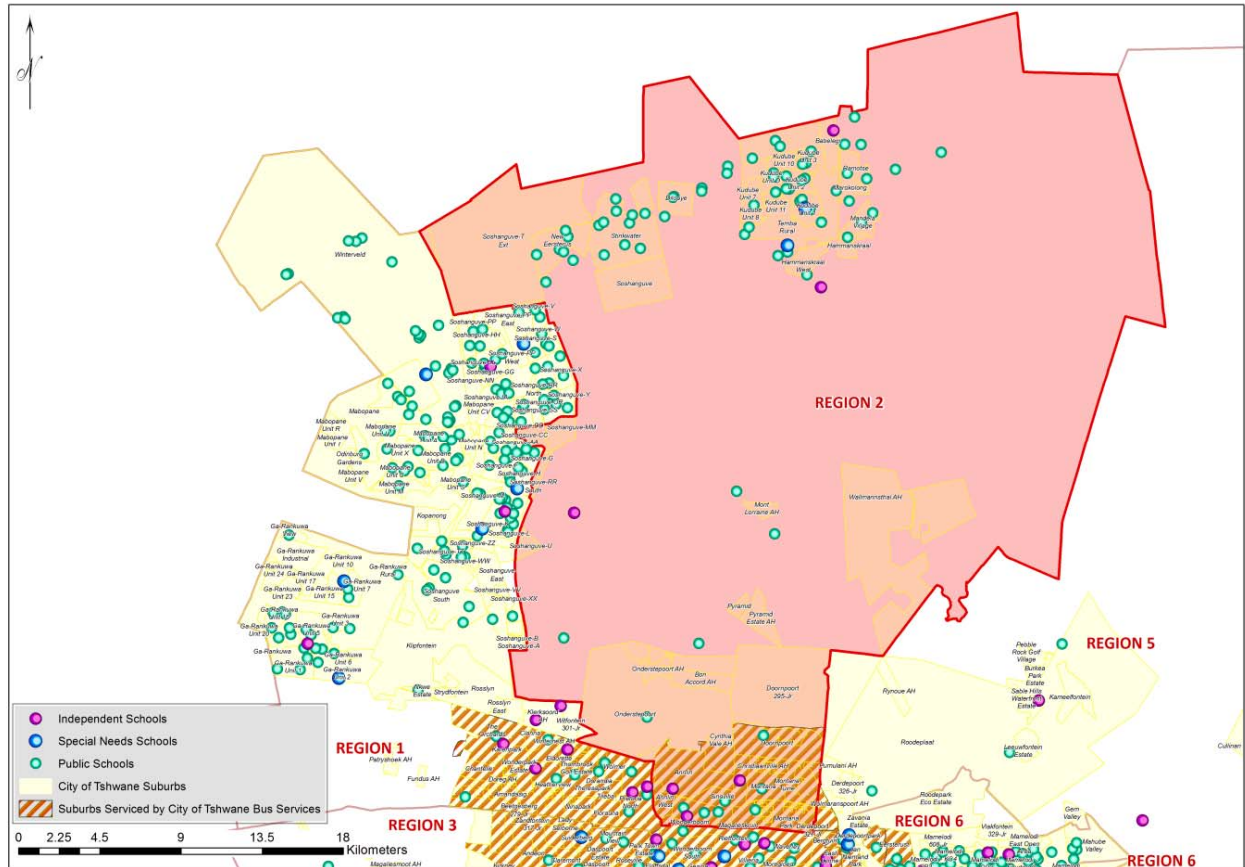
Source: City of Tshwane, Vision 2055, 2013.

Region 2 has an estimated total population of 339,175 people according to a census that was administered in 2011 (Stats SA Census, 2011). The population of region 2 is distributed across twelve wards, with four wards (5, 49, 73 and 96) having larger populations. Region 2 is largely rural with low density wards. The age group of a majority of the population is below thirty, which implies a strong potential work force and a high dependency ratio since most of the people are economically inactive. The region's population is made up of a large concentration of Black Africans with a few White people and members of other ethnic groups. The reason for the high population of Black African in this region resulted from the fact that the region falls under the Black administrative areas that the previous apartheid government created.

6.3.2.2 Education

The figure below presents a spatial mapping of the distribution schools in the City of Tshwane region 2

Figure 11: Distribution of schools in Region 2



Source: Author, 2015

It is estimated that about 5% or 16,461 of the adults living in Region 2 have no form of education and 21% have education up to Grade 12 (City of Tshwane, IDP 2014/15 review). According to a Stats SA census (2011), the literacy level in Region 2 is very low. The region consists of seventy-nine schools. Six of them are independent- or private schools, while two of the schools are special needs schools. Region 2 is different from Region 1 in terms of its socio-spatial characteristics because a large part of the region remains undeveloped. The mapping of schools shows a concentration of schools in the Northern part of the region, while the Southern part of the region has fewer schools. The population in the Southern part of the region can be used to analyse the reasons for the existence of more schools in the Northern part of the region. This might be because of the fact that there is a low population in the Southern part of the region and hence, fewer schools. As indicated earlier, this analysis is

not geared toward verifying the just or unjust nature of the city, so it will not elaborate further as to why one part of a region has more schools than the other. Additionally, the CSIR (2012) guidelines on social facilities can be used to determine whether the population threshold and distance of the schools meets the criteria of just distribution. This analysis indicates that mapping in itself is not sufficient enough in analysing spatial justice as all factors cannot be known; however, additional statistical data on the population, the distance of learning facilities and the level of education can reveal the reality of spatial justice in this area. This further indicates the importance of population statistics and other relevant data in the analysis of spatial justice.

6.3.2.3 Employment and income

An estimated 19.5% of the economically active population of 226,569 people are without employment and a total of 14,699 households in this region do not earn an income (City of Tshwane vision 2055, 2013). The City of Tshwane's draft spatial atlas (2014) estimated that 44,070 people are unemployed in this region, 10,314 are discouraged work seekers and 71,703 people are economically inactive. The City of Tshwane's vision 2055 (2013) further highlights that 142,634 members of this region do not earn income. With the above statistics, planners and decision makers are able to better plan for these areas by promoting development that can support investment and economic opportunities through e.g. tax incentives to industries.

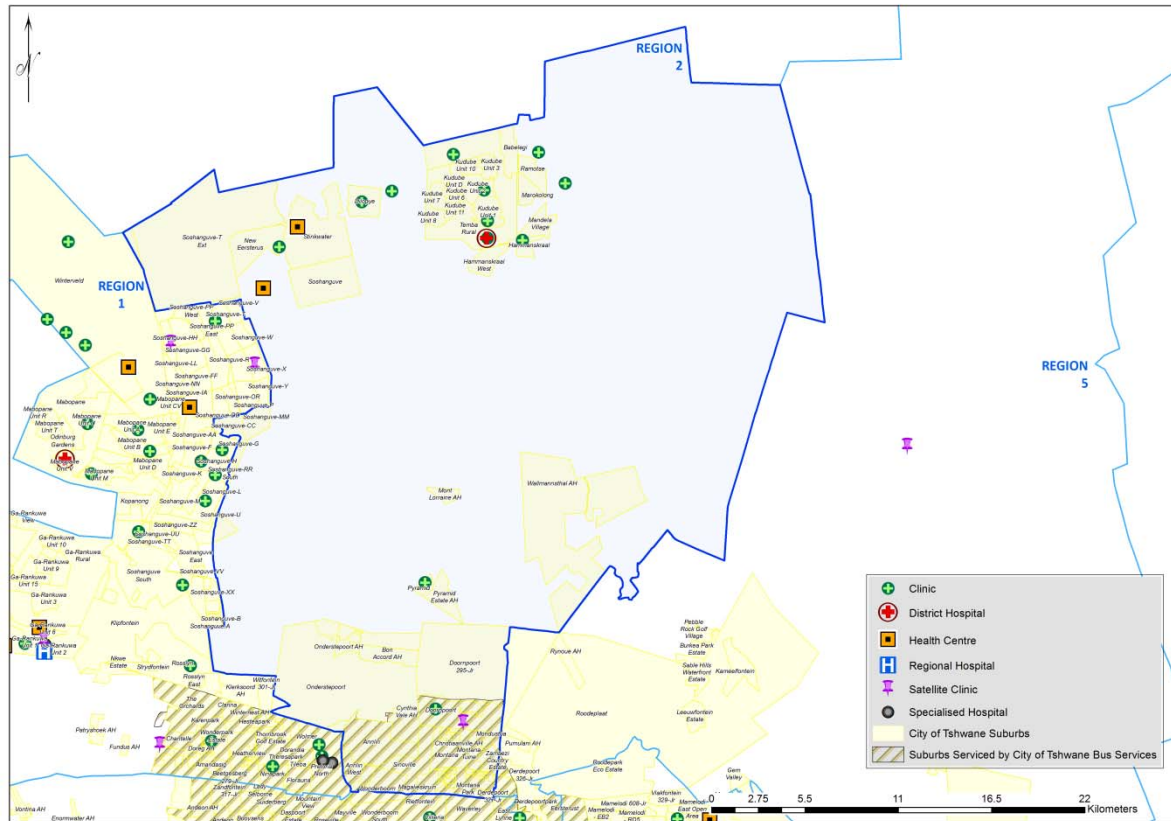
6.3.2.4 Housing

Region 2 has 18,274 people, or 20% of the population, living in informal housing. The region has housing challenges because of the presence of forty-seven informal settlements according to a regional report for the City of Tshwane published by the RSA parliament (2013). Provision of electricity and other social amenities highlighted as additional challenges in this region. As indicated previously, the housing issue in South Africa is a complex one, which needs cooperation with the public sector in order to achieve spatial justice.

6.3.2.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane Region 2

Figure 12: Distribution of health facilities in Region 2



Source: Author, 2015

Region 2 has twelve clinics, one community health centre, one district hospital and one satellite clinic, which meets the standards set by CSIR (2012) guidelines in terms of the provision of health facilities in relation to the population. The mapping of health centres; however, indicate a concentration of health facilities in the Northern part of the region compared to the Southern part of the region. This shows that spatial justice can be viewed differently at various scales for instance, while it appears that spatial justice might have been achieved at a regional scale, spatial justice might not have been achieved at a lower scale such as the ward level. It can be argued that a concentration of clinics in the Northern part of the region would be unfair to the residents of the Southern part of the region. What this map also shows is that, without adequate transportation and just distribution of clinics, some people would not have ease of access to clinics and thus, it might be preferable to view

spatial justice at a lower scale, such as the ward level, so as to properly assess spatial justice.

6.3.2.6 **Transportation**

The region consists of a high number of low-income earners who depend largely on public transport. Residents of this area rely mostly on minibus taxis and private commercial buses, which are subsidised by the government. An analysis of the transport coverage in this region showed that only 46.6SqKMs of the region, which makes up 4.23% of the whole region, is covered by the City of Tshwane bus services. The areas covered by the bus services are those that are close to the city's CBD, as seen in Region 1. The bus services do not cover the inner part of the region and areas that are home to the previously disadvantaged and the low-income earners. The residents of this region rely on alternative forms of transport, such as minibus taxis and privately run buses that are available in the region; however, the city has been making efforts to service these regions with the BRT system, which is being newly implemented. Access to schools and hospitals would also require other forms of transportation, as the analysis shows that schools and health facilities in the Northern part of the region are not accessible by the city's public transport service.

6.3.3 **REGION 3**

6.3.3.1 **Spatial context, characteristics and demographic profile**

To the North of Region 3 is the Magaliesberg Mountain range and to the east is the N4 highway. This region consists of the City of Tshwane's CBD, Brooklyn, Hatfield and the Pretoria West area. The middle and high-income groups of people are located towards the South-Eastern part for the region; whereas a majority of the low-income group are located towards the West.

Table 16 : City of Tshwane Region 3 profile

Population	585 159
Number of Households	193981
Number of Formal Dwellings	169 671
Average household size	3.02
Households with access to piped water	190 568
Households with access to electricity for lightening	182 999
Average annual household income	R188354
Households with no income	32516
Persons employed in formal sector	183940
Persons with no schooling	13323

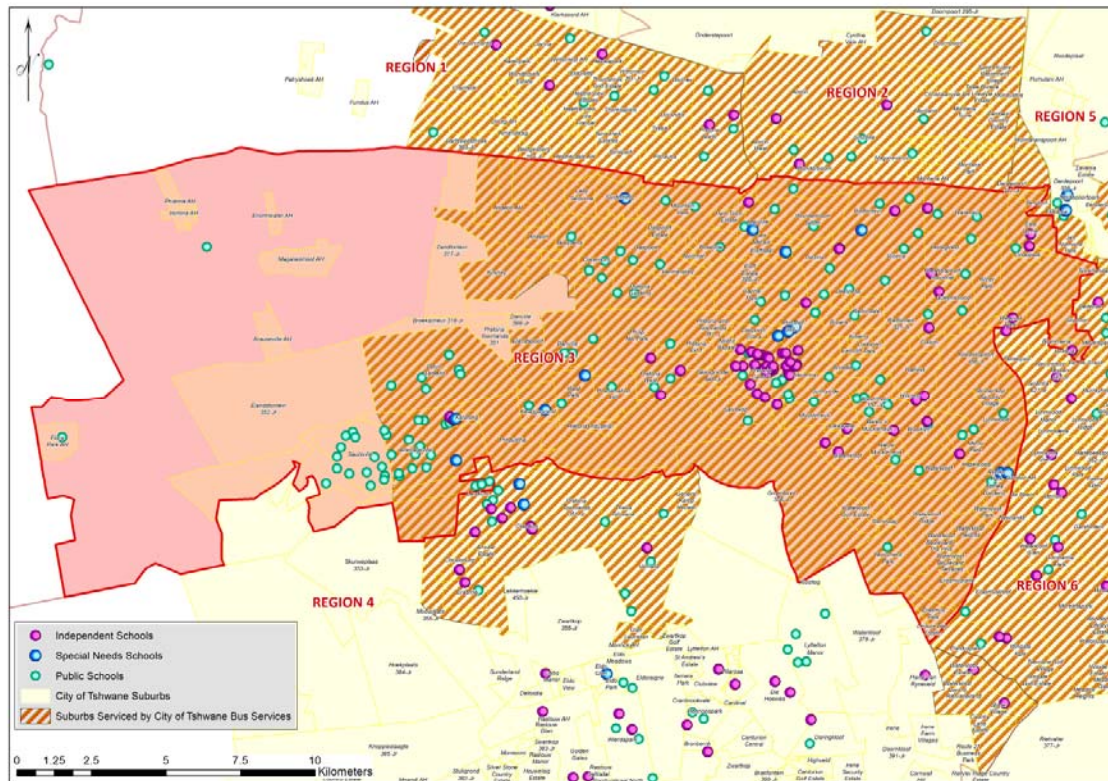
Source: Tshwane Vision 2055

A Statistics SA census (2011) estimated the population of Region 3 at 585,160 people located in twenty-three wards of the region. The areas in region 3 include the CBD of the City of Tshwane as well as Atteridgeville to the West. The region is home to a large number of people between the ages of 20 and 34, which can be attributed to the fact that the areas around the CBD have potential for creating employment; hence, young people move to this area. The Northwestern part of the region is mostly rural residential in nature coupled with extensive land uses (RSA, Parliament, 2013).

6.3.3.2 Education

The figure below presents a spatial mapping of the distribution schools in the City of Tshwane region 3.

Figure 13: Distribution of schools in Region 3



Source: Author, 2015

Education levels in Region 3 is low, with approximately 2% of the adults having no form of formal education and another 28% having education up to Grade 12. While the level of education in Region 3 is low, it is still much higher compared to other regions in the city because there is a higher population of people who completed their tertiary education than in other regions. The region has one hundred and sixty-seven schools; one hundred and ten of them are public or state funded schools and fifty-seven of them are independent schools. The concentration of independent schools in this region is the highest of all the regions in the city. The region also has a high concentration of special need schools in the area. The mapping shows an uneven distribution of schools in the South-Eastern and the North-Western part of the region. The areas in the North-Western part are rural in nature and are characterised by low-income earners and can therefore be categorised as areas of need, which means these areas should be provided with educational facilities. Further analysis

showed that the population in the suburbs towards the North-Western part of the region is low, which might be the reason for the presence of only two schools in the area. For instance, Magaliesmoot school has eight hundred and three learners, which might not be adequate enough for the provision of schools within the suburb and the school may have been provided in a central place, close to other low populated suburbs, so as to service multiple areas. The townships of Atteridgeville as well as Saulsville have a number of educational facilities and the needs of this population, with regards to provision of educational facilities, might have been met. It is clear from the brief analysis that was conducted that the mapping of spatial justice in a city can reveal the areas where services, infrastructure and investment should be directed.

6.3.3.3 Employment and income

The unemployed population by working age is estimated to be 12.8%, which is lower than Region 1 and 2 (Tshwane draft spatial Atlas, 2014). An estimated 32,516 households do not have any form of income while an estimated 200,653 people fall into the group of people with no income (City of Tshwane vision 2055, 2013). The middle and high-income groups of people are located towards the South-Eastern part for the region; whereas a majority of the low-income group are located towards the West (City of Tshwane IDP, 2014.). The statistics above, if considered in relation to spatial justice, can support the planning and development that will promote investment and economic opportunities as well as bridge the gap between the high, middle and low-income groups.

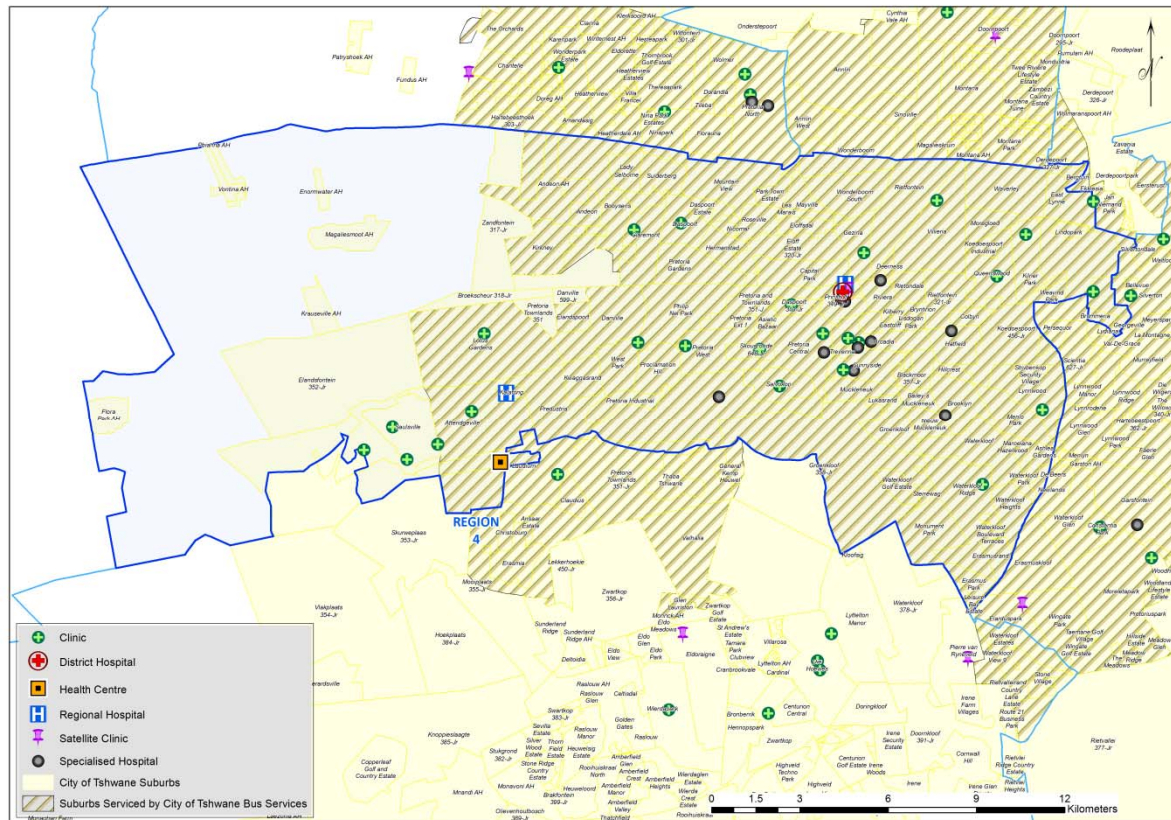
6.3.3.4 Housing

Statistics SA (2011) estimates the informal housing in Region 3 to be 24,222 units, which accounts for 12% of the dwellings in this region. Most of the informal settlements are located to the West of the region in Atteridgeville. Various housing typologies exist in this region with housing for the upper-middle and upper-income class people located towards the South-Eastern part of the region, consisting of areas such as Hatfield, Brooklyn and Lynwood. More of the middle-income housing is located towards the North-Eastern part of the region, while a majority of the lower middle-income class and low-income class housing are located towards the West of the region. This indicates that there is no diversification of housing in this region because it appears that access to housing in a particular location is based on income. The low cost housing provided for the low-income class people in Atteridgeville and Saulsville are located in areas with limited accessibility to jobs as there is no efficient form of public transport in the area. In applying the requirements of spatial justice in this area, the criteria of diversity, equity, democracy and just distribution can ensure that the future planning of the area will promote spatial justice.

6.3.3.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane Region 3

Figure 14: Distribution of Health Facilities in Region 3



Source: Author, 2015

Region 3 of the City of Tshwane has twenty-one health facilities, which is the second highest concentration of health facilities in all the regions of the city. The health centres are distributed across the region. Statistics show that Region 3 performs better than Regions 1 and 2 when it comes to employment and income. This means that people in Region 3 are better able to afford private treatment than the residents of other regions; however, the region still has more public funded hospitals than all the other regions with the exception of Region 1.

6.3.3.6 Transportation

This region has the most service coverage from the City of Tshwane's bus services as it covers over 234.9SqKMs, which is approximately 60% of the region. The region is also home

to the two Gautrain stations in the city, the metro rail, as well as the functioning BRT services of the city. One of the Gautrain stations is located in Hatfield, which is a middle-income area, while the other is located close to the Pretoria CBD. The train services are used mainly by the middle and upper-income citizens, as they are not affordable to the lower income groups and they do not cover routes where the low-income earners live. An analysis of the City of Tshwane bus services public transport route shows that it covers a majority of the region except areas to the Western and North-Western parts of the city. These areas are characterised by low-income earners who need public transport to commute. It can be argued that the public transport covers a large area of the region, but that the coverage does not include the people who actually need it, which include the people who fall within the low-income class and live towards the West. This kind of information is relevant in the application of spatial justice during the transportation planning phase as it can assist planners and decision makers in directing investment in transport towards areas where they are needed the most.

6.3.4 REGION 4

6.3.4.1 Spatial context, characteristics and demographic profile

Region 4 of the City of Tshwane is bordered by the City of Johannesburg and the City of Ekurhuleni. Region 4 has a population of 379,335 people (Stats SA, census, 2011) and consists of eleven wards. The areas towards the central urban wards have a higher density than the other areas, which is a result of the rapid development in the area. The most dominant age groups in this area vary from ages twenty to forty-four. This can be attributed to development in the area and potential employment opportunities that attract young people to the area. A large percentage of the high-income groups reside in this area.

Table 17: City of Tshwane Region 4 profile

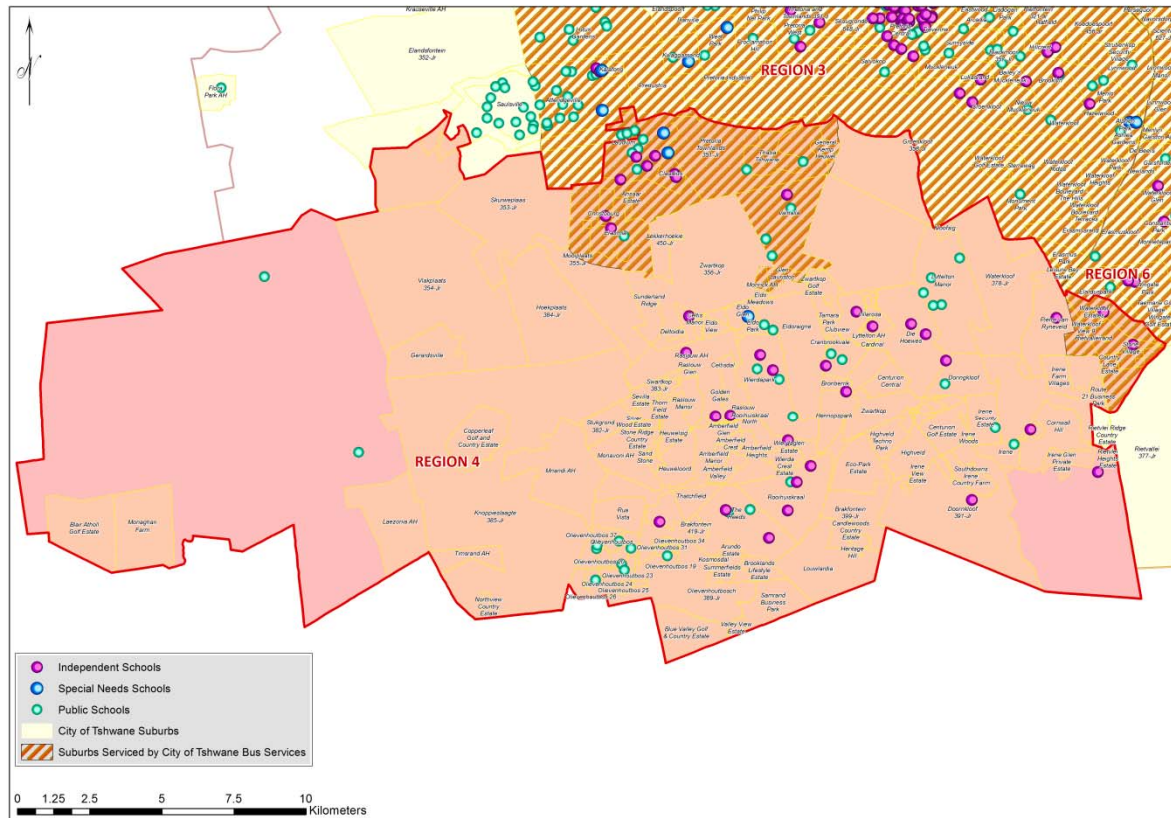
Population	379335
Number of households	129364
Number of formal dwellings	105935
Average household size	2.9
Households with access to piped water	125 604
Households with access to electricity for lightening	113853
Average annual household income	R296 014
Households with no income	14026
Persons employed in formal sector	127086
Persons with no schooling	9389

Source: Tshwane Vision 2055

6.3.4.2 Education

The figure below presents a spatial mapping of the distribution schools in the City of Tshwane Region 4.

Figure 15: Distribution of schools in region 4



Source: Author, 2015

Region 4 has a higher number of people who are literate. A higher percentage of people have completed tertiary education compared to the other regions. Region 4 has seventy-three schools. Thirty-eight of the schools are public schools and thirty-five of them are independent schools or private schools. The region also has three special need schools for the residents. From the mapping of schools, it appears that some areas towards the Western part of the region have fewer schools. However, it can be argued that spatial justice in terms of distribution of schools at a regional level might be different when viewed at a ward level.

6.3.4.3 Employment and income

The region has an unemployment rate of 10.3%, which is the lowest of all the regions in the City of Tshwane. The population of working age in the region is 282,273, while 29,127 of the population by working age are unemployed. The low rate of unemployment in this region can be attributed to the high level of literacy in this area. A total of 14,026 households in this region do not have income and a total of 116,916 people do not earn an income at all (City of Tshwane vision 2055, 2013). This region has one of the highest average annual household incomes of R296,014 per annum. The low levels of unemployment suggest the availability of economic opportunities in and around this area.

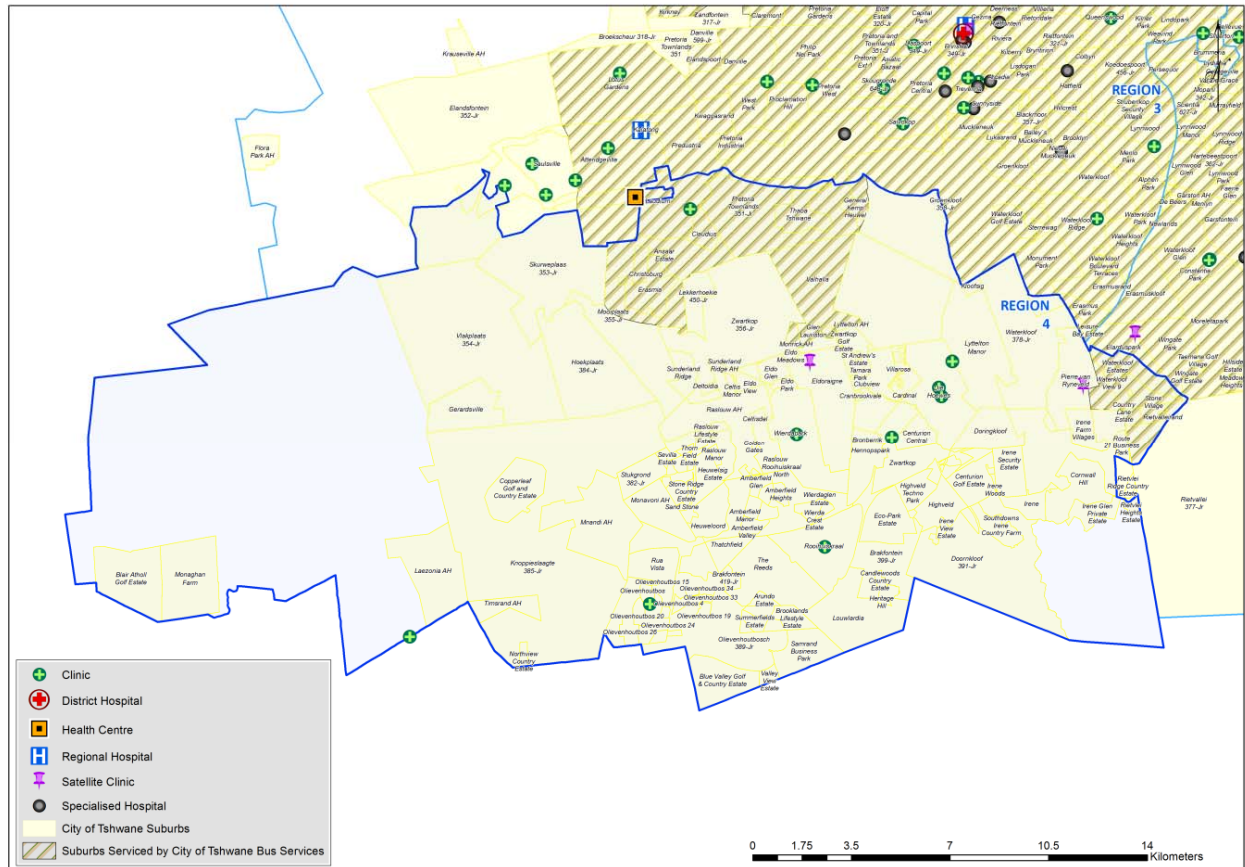
6.3.4.4 Housing

A lot of informal housing still exists in region 4 with a total of 23,341 informal houses, or approximately 18% of housing in this area being informal. Without further assessment, it is evident that housing in this region is similar to that of the other regions.

6.3.4.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane Region 4

Figure 16: Distribution of Health Facilities in Region 4



Source: Author, 2015

Six health centres are situated in Region 4. Of this six health centres, four of them are municipal aided clinics while two of them are satellite clinics. If we use the threshold population by CSIR (2012) for the location of health centres, we would be able to determine if spatial justice has been achieved in terms of just distribution. Additionally, the other criteria of spatial justice including diversity and equity can be used to assess spatial justice in this region.

6.3.4.6 Transportation

The City of Tshwane bus services covers 41.8SqKMs or 8.21% of Region 4, which means that a majority of the region is not covered by the City of Tshwane bus services. The region is home to the third Gautrain station - a mode of transport that is not accessible by the low-

income earners. The region is also home to a metro rail station, which is used mostly by the low-income groups. A majority of the population in this area rely on private forms of transport such as minibus taxis and other buses in order to access economic and social facilities, while some others rely on the train services.

6.3.5 REGION 5

6.3.5.1 Spatial context, characteristics and demographic profile

Region 5 of the City of Tshwane is mostly rural with other features that include ridges and agricultural land. The region consists of three wards with a population of 90,898 according to the 2011 Census (Stats SA, Census, 2011). Ward 99 has a higher population and lower density per hectare compared to ward 87, which has the lowest population but higher density per hectare. Region 5 is characterised by a weak spatial structure and has a large water and sanitation backlog (Tshwane vision 2055:2013).

Table 18: City of Tshwane Region 5 profile

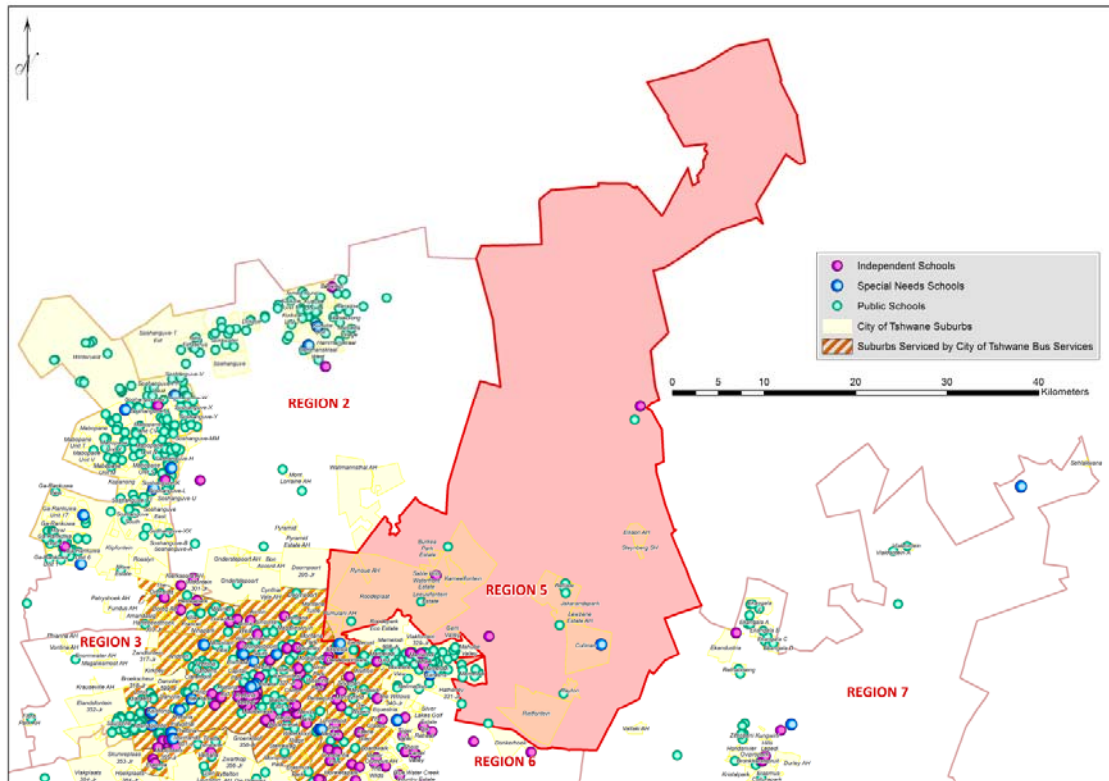
Population	90898
Number of Households	27278
Number of Formal Dwellings	19027
Average household size	3.3
Households with access to piped water	26155
Households with access to electricity for lightening	20880
Average annual household income	R120507
Households with no income	3759
Persons employed in formal sector	23566
Persons with no schooling	3895

Source: City of Tshwane vision 2055, 2013

6.3.5.2 Education

The figure below presents a spatial mapping of the distribution of schools in the City of Tshwane Region 5

Figure 17: Distribution of Schools in Region 5



Source: Author, 2015

The literacy level in the City of Tshwane Region 5 is low with 4% of the adults having no form of education and 23% of the adults having schooled equivalent of Grade 12. The region has eighteen schools, which is made up of fourteen public schools, three independent schools and one special needs school to serve a population of 90,898 people. Using the standards set out by the CSIR, it can be possible to determine whether the distribution of schools promote spatial justice and reflect just distribution; furthermore, the other criteria of spatial justice can be used to determine if spatial justice has been met in terms of education.

6.3.5.3 Employment and income

Region 5 has an unemployment level of 13.8%, which consists of 9,147 people who are unemployed out of the total of 66,147 people who fall within the parameters of the working

age population (Tshwane draft spatial atlas, 2014). It is estimated that 3,759 households in this region do not earn an income (City of Tshwane vision 2055, 2013). The region has an average household income of 120,507 ZAR with over four thousand households having no form of income. These statistics could mean that there is not enough investment and economic opportunities in this part of the city and this can help planners in promoting investment in these areas.

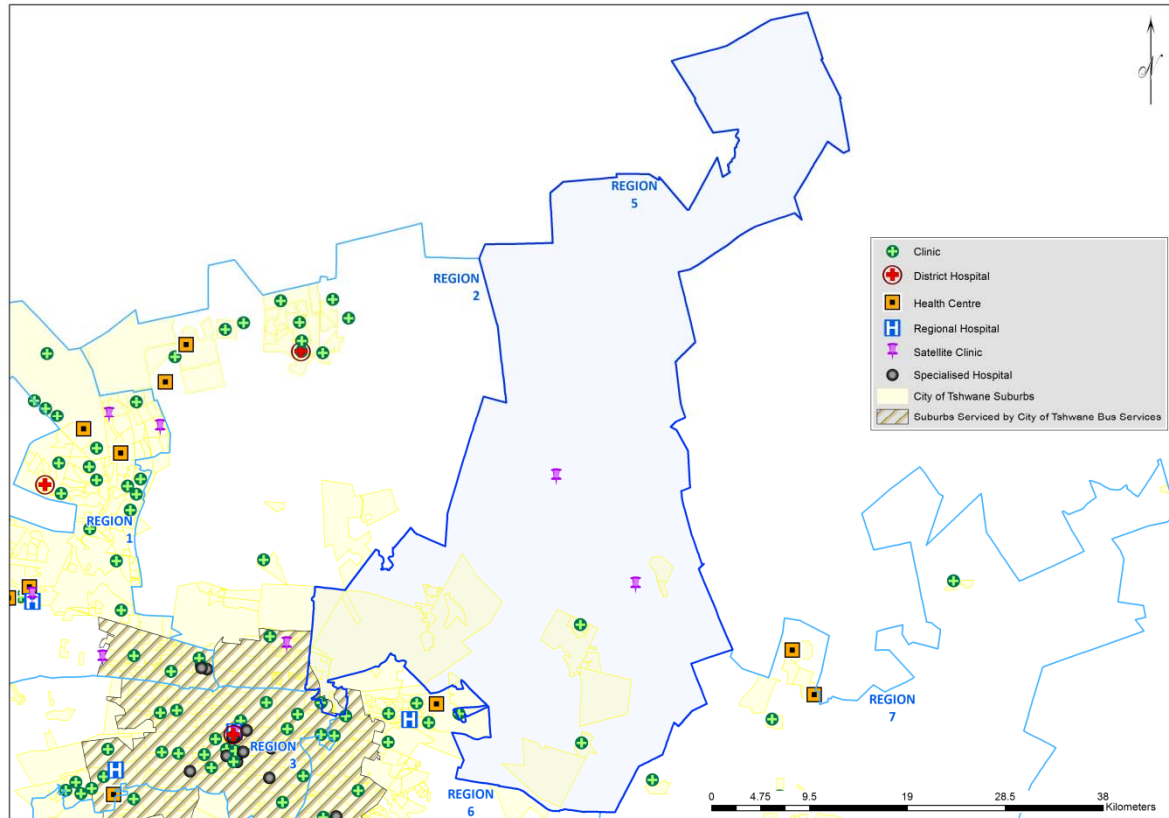
6.3.5.4 Housing

Approximately 30%, which accounts for eight thousand four hundred and fifty-two dwellings in Region 5, are informal. Most of the areas in this region are rural in nature. For spatial justice to exist in this area, the low-income earners need to have been provided with low-income housing in areas that are in close proximity to socio-economic activities. The information presented here can assist the government in creating housing interventions for the low-income people in order to achieve spatial justice.

6.3.5.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane Region 5

Figure 18: Distribution of Health Facilities Region 5



Source: Author, 2015

The region has a total of six clinics. The available data of health facilities present two stories. The mapping of clinics reveals that in order to fully achieve spatial justice, a combination of the criteria of spatial justice might be needed. For instance, while the criteria of just distribution based on the provision of social facilities for a given population might have been achieved, equity might not have been achieved as there are people who cannot have easy access to the clinics.

6.3.5.6 Transportation

An analysis of the public transport route of the City of Tshwane bus services shows that only 5.8sqkm or 0.36% of the region is covered by the city's bus services. The implication of this is that people in this region would have to depend on other forms of transport, which would

predominantly be taxis. Further analysis showed that access to schools and other public places, through the use of the City of Tshwane’s bus services are practically impossible as the only part being served by the city’s services are the areas in the region which are close to Region 3 and 6. Viewing spatial justice from this perspective, municipalities are able to plan better and provide public transport in areas where they are needed most.

6.3.6 REGION 6

6.3.6.1 Spatial context, characteristics and demographic profile

Region 6 of the City of Tshwane consist of twenty-four wards and is located in the South-Eastern part of the city which has the highest income per capita of the city. It could be referred to as the economic heart of the city. Towards the North-Eastern part is a population with little to no income. This region is developing rapidly and people in this area depend mostly on private forms of transportation, which creates a lot of traffic during peak periods. Based on this, the CTMM thinks that more road infrastructure needs to be created in this region (City of Tshwane IDP, 2014/15 review). Contrary to what the City of Tshwane thinks, the author believes that no more road infrastructure should be constructed, but that a more efficient public transport system, one that would reduce dependency on private transport, should be created. Additionally, other measures such as tolling and congestion fees can be implemented in order to discourage private transportation after an efficient public transport system is put in place. Stats SA census (2011) showed that the total population of Region 6 was estimated at 605,556 people. The previously disadvantaged areas in Region 6, which are ward 40, 85, 86, 91 and 101 have the highest population in this region. The North-Western urban areas of Region 6 have higher densities than the other regions, which are mostly low density and rural. The predominant age groups in this region are between 20 and 39 years. This indicates a youthful population and a potential workforce.

Table 19: City of Tshwane Region 6 profile

Population	605556
Number of households	202592
Number of formal dwellings	158216
Average household size	3.0
Households with access to piped water	201350
Households with access to electricity for lightening	167839
Average annual household income	R194063
Households with no income	28736

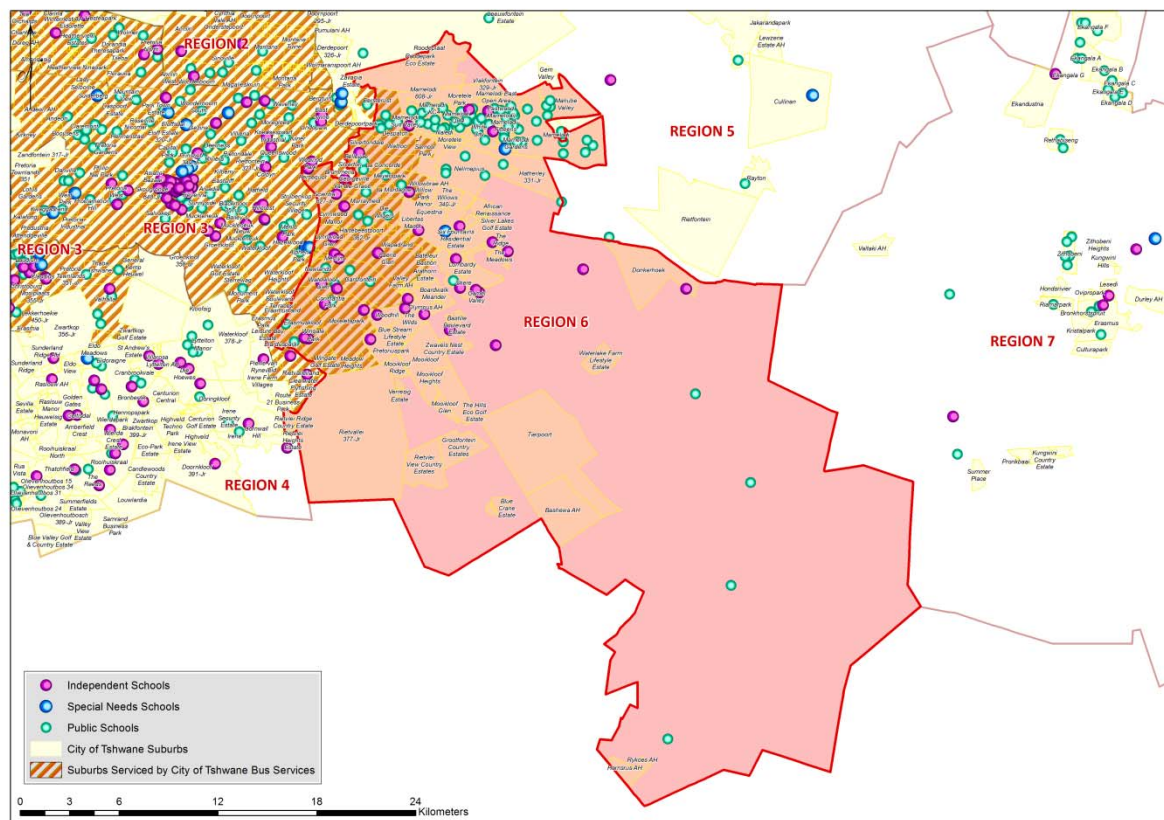
Persons employed in formal sector	194428
Persons with no schooling	18859

Source: Cot, Vision 2055

6.3.6.2 Education

The figure below presents a spatial mapping of the distribution schools in the City of Tshwane region 6

Figure 19: Distribution of Schools in Region 6



Source: Author, 2015

According to Statistics South Africa (2011), the literacy level in Region 6 is relatively low with 3% of the adults having no form of education and 26% of the adults having education up until Grade 12. The region consists of a total of one hundred and twenty-three schools, eighty-seven of them are public schools and thirty-six of them are independent schools. The region has the second highest number of private schools among the seven regions in the city. An analysis of schools within the region show that a majority of the private schools are located within the middle- and upper class suburbs, with fewer public schools in these areas. While the majority of the public schools are situated in the North-Eastern area of the region, in

townships such as Mamelodi, Nelmapius and Mahube valley, the South-Eastern part of the region has a total of seven schools, of which four of them are public and three of them are private. These schools are situated relatively far away from each other. It is evident that mapping spatial justice in terms of education can assist in determining the need for educational facilities in certain areas.

6.3.6.3 Employment and income

Region 6 of the City of Tshwane has a 16.5% unemployment rate, which is approximately 73,020 members of the total of 442,974 people that account for the number of members in the working population (City of Tshwane draft spatial atlas, 2014). The City of Tshwane vision 2055 (2013) estimates the number of households with no income to be 28,736. The region has an average household income of 192,345 ZAR. Given the unemployment rate and the number of households with no income, it can be argued that the spatial distribution of economic activities in this area is limited and in using the requirements of spatial justice, local government can plan better for this in the future.

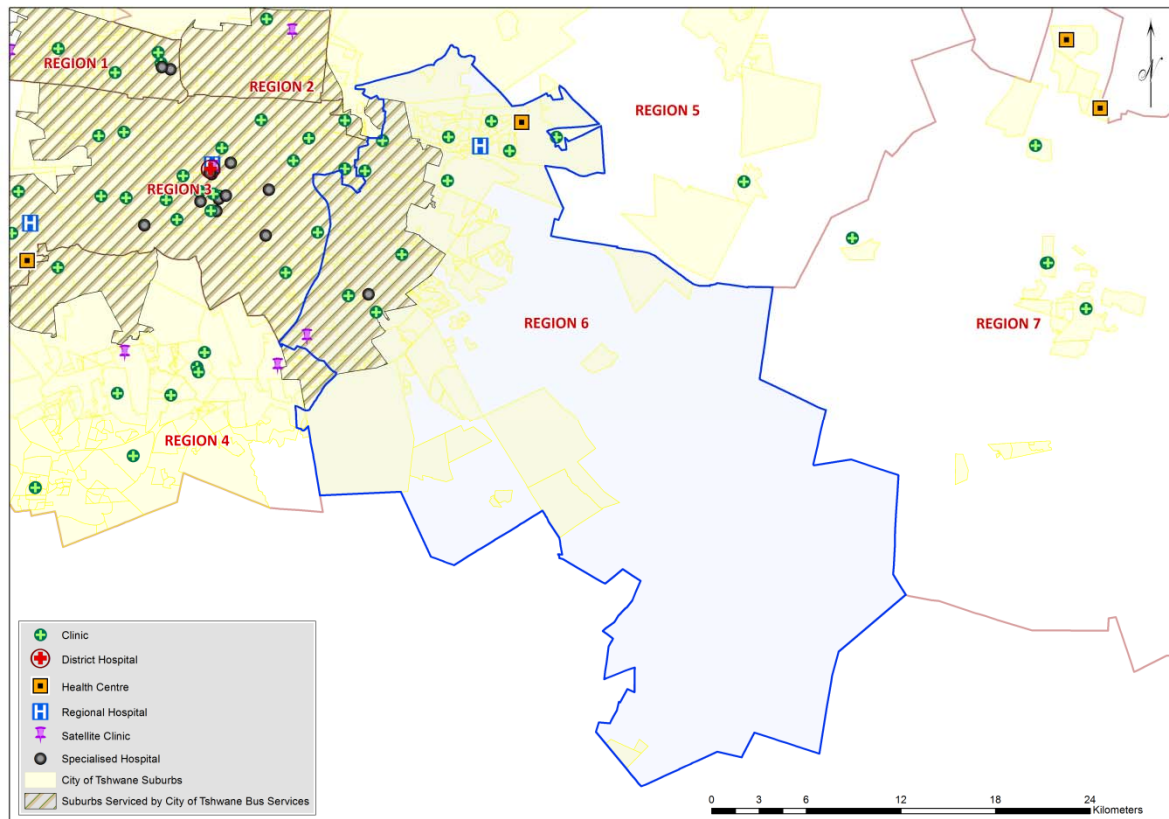
6.3.6.4 Housing

The region has a high-level of informal types of housing, which is a total of 44,377 informal houses which accounts for 22% of the total housing in the region. The informal housing is more pertinent than in the previously disadvantaged areas of the region such as Mamelodi and Nelmapius. Low cost housing, which is built by the government is still located in these areas. While people may have access to housing, they are still located far away from jobs and they do not have adequate transportation.

6.3.6.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane Region 6.

Figure 20: Distribution of health facilities in Region 6



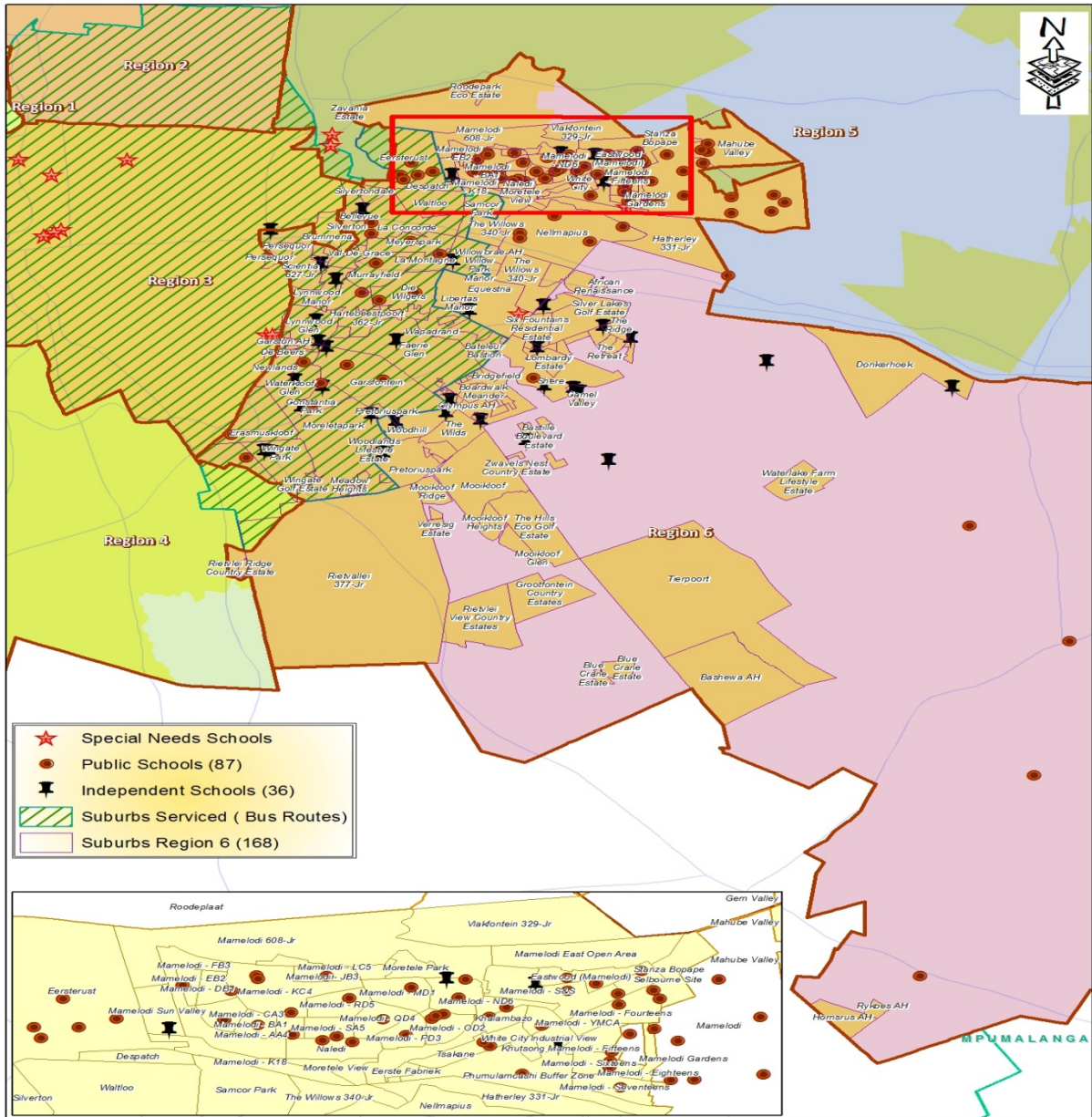
Source: Author, 2015

The region is home to ten public health centres, six of which are located in Mamelodi, one in Nelmapius and others in areas that cannot be considered as previously disadvantaged areas. The health centres include seven clinics, two community health centres and one district hospital. One can determine whether a just distribution has been achieved by using the CSIR (2012) threshold population required to provide health facilities for cities. While the provision of health centres covers a greater population of the previously disadvantaged, the other areas of the region such as ward 101 do not have a single health centre. From the above, it is clear that mapping spatial justice in terms of health reveals areas that are in need of health services.

6.3.6.6 Transportation

The figure below presents the transport analysis of Region 6 showing serviced suburbs. The relevance of this figure is to show that a mapping of transportation network against suburbs, health facilities and educational facilities can show the extent of spatial justice or injustice in a city.

Figure 21: City of Tshwane Public Transport distribution in Region 6



Source: Author, 2015

Region 6 is the second most serviced by the City of Tshwane’s public transport coverage with 88.5SqKm or 9.58% of the city being covered. From the observation carried out, it was realised that the main form of transportation for the residents of these areas were either

through taxis or the Public Utility Transport Corporation (PUTCO) buses. These people have to wait hours before gaining access to these PUTCO buses in order to get to their schools and places of work. However, two years after the observation it appears that the city is making efforts in undoing the spatial injustice in transportation by providing BRT services to residents of these areas. The metro rail also serves some townships in this area, but the problems with regards the metro rail in other regions remain problematic in this region.

6.3.7 REGION 7

6.3.7.1 Demographic profile

City of Tshwane Region 7 is the second largest in terms of its land area and it consists of four wards that are largely rural with low-income areas such as Bronkhorstspuit, Ekangala and Ekandustria surrounding the region. Despite the fact that this region has arable land for agriculture, it contributes less than 5% to the economy of the City of Tshwane (Tshwane Vision 2055, 2013). According to Statistics South Africa census (2011), the population of this area is an estimated 109,766 people, with a high number of young people between the ages of twenty to thirty-four residing in this area.

Table 20: City of Tshwane Region 7 profile

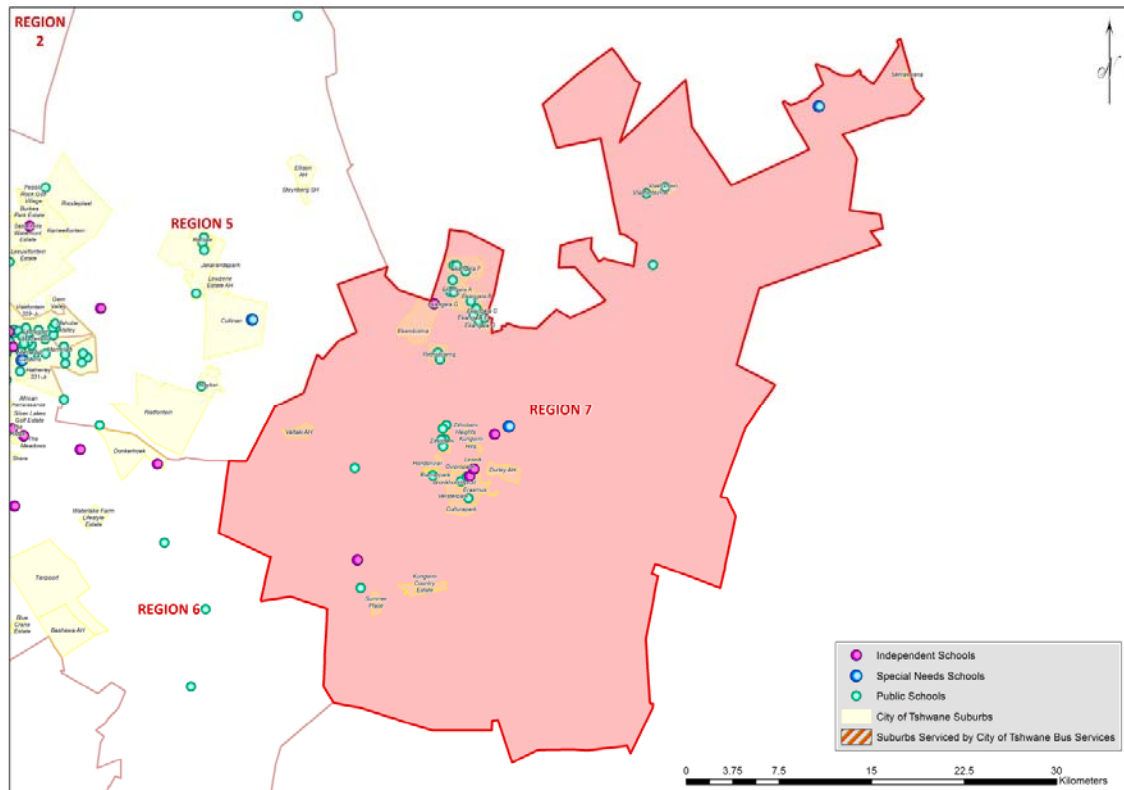
Population	109 767
Number of households	31547
Number of formal dwellings	23896
Average household size	3.5
Households with access to piped water	30455
Households with access to electricity for lightening	27846
Average annual household income	R83172
Households with no income	4298
Persons employed in formal sector	24528
Persons with no schooling	7755

Source: City of Tshwane vision 2055, 2013

6.3.7.2 Education

The figure below presents a spatial mapping of the distribution schools in the City of Tshwane region 7

Figure 22: Distribution of schools in Region 7



Source: Author, 2015

The literacy level in Region 7 is low with 7% of adults in the area having no form of education and 19% having reached Grade 12. The region has twenty-seven public schools and five independent schools. An analysis of the distribution of schools in the region shows that most of the schools are located within or close to suburbs, with few residents needing to travel from their suburb in order to get access to education.

6.3.7.3 Employment and income

The unemployment levels in the area is high with about 17.9% of the population by working age being unemployed. The area is largely rural; which could be a reason for the high unemployment. An estimated 4,298 households in the region have no income. The level of unemployment in the region points to the fact that something is wrong in the region. A further analysis of the region can reveal the causes of unemployment and how it can be addressed.

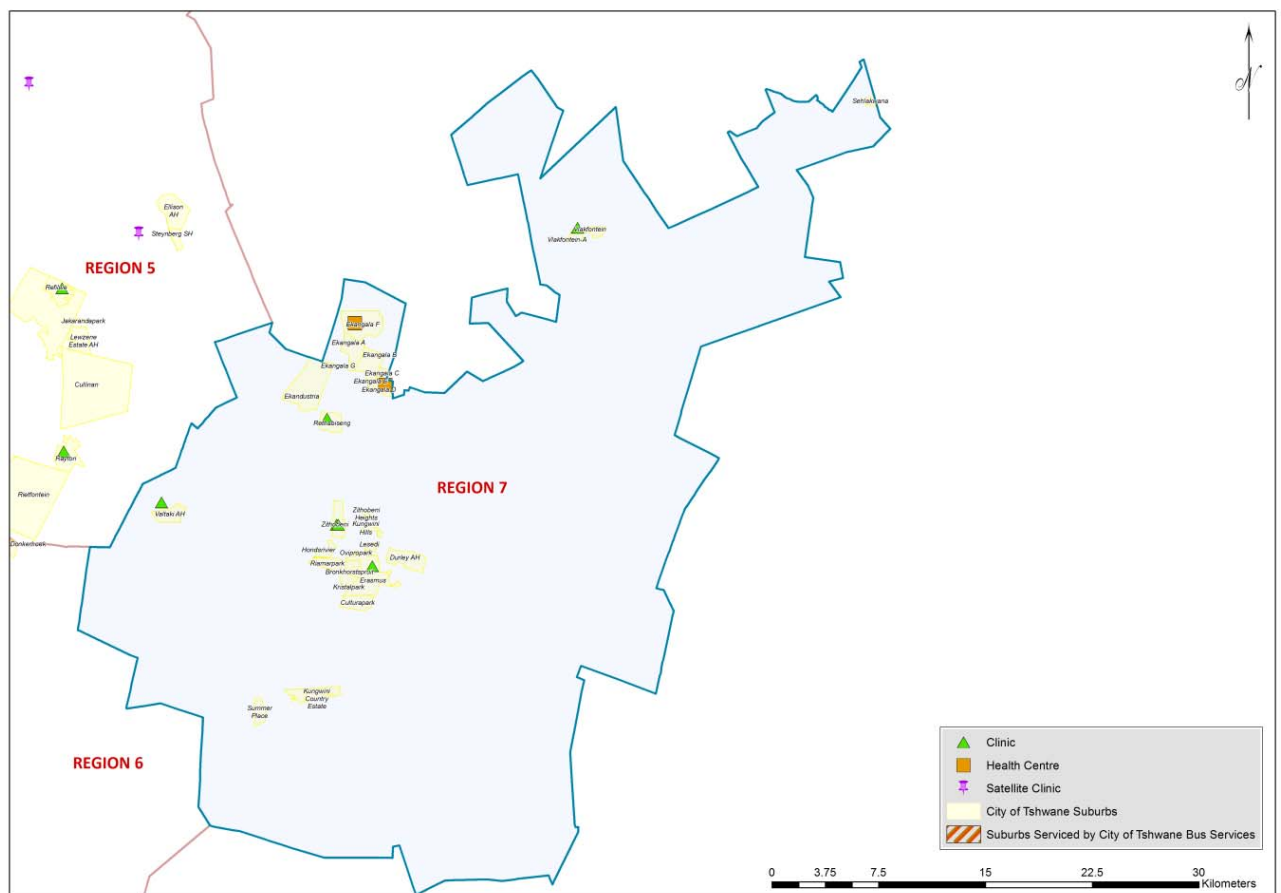
6.3.7.4 Housing

The number of informal housing in this region is estimated to be 7,170 units which account for 22% of the total housing in the region. Like the other regions, and in South Africa in general, housing has been a pressing issue and the promotion of spatial justice in our cities is a positive step toward addressing these issues.

6.3.7.5 Health

The figure below presents a spatial mapping of the distribution of health facilities in the City of Tshwane region 7

Figure 23: Distribution of Health Facilities in Region 7



Source: Author, 2015

A total of six clinics and one community health centre are available in this region and the clinics are distributed across the suburbs in the region. With the CSIR guidelines, it is possible to determine whether the distribution promotes spatial justice and also whether the other criteria of spatial justice can be used in assessing the provision of health centres

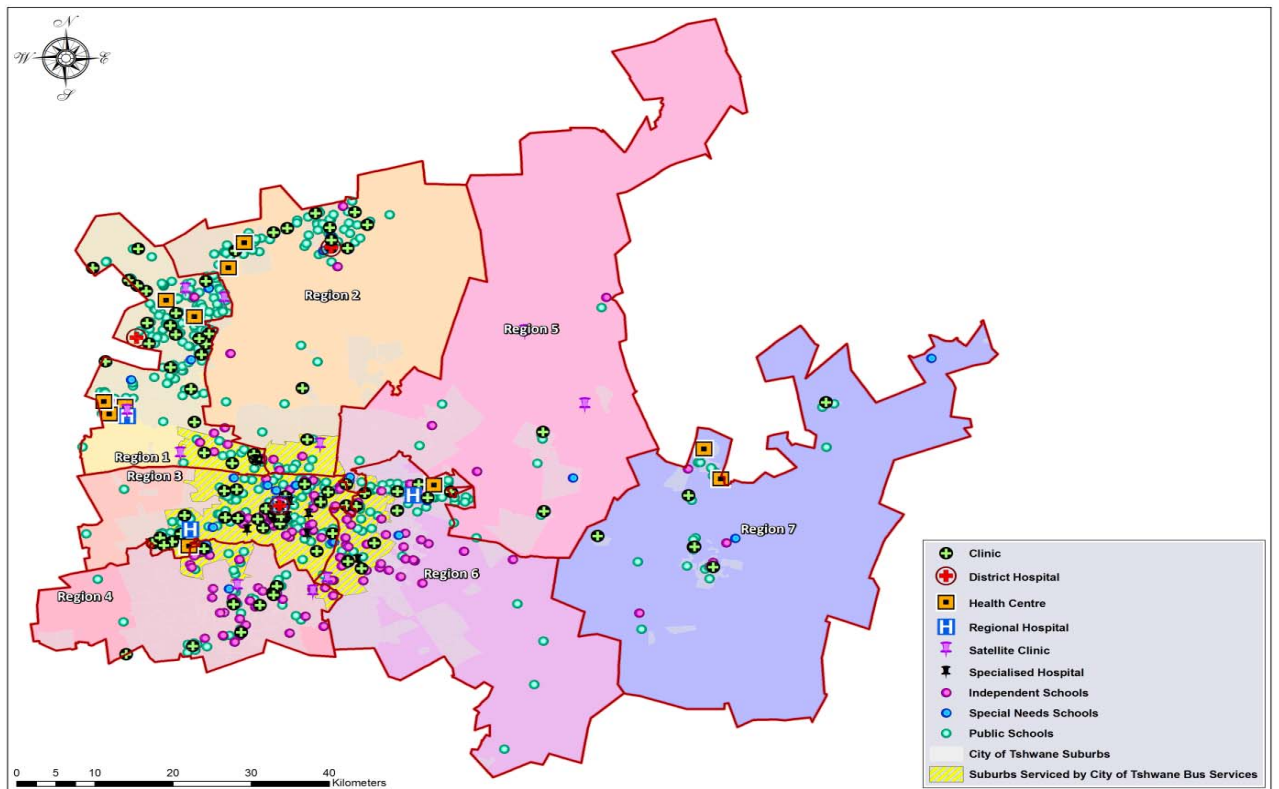
6.3.7.6 Transportation

An analysis of the City of Tshwane bus routes shows that the City of Tshwane bus services do not ply the region. The region does not have access to the municipality's bus services and mostly depend on taxis for their transportation needs. The exclusion of this region from these services are unknown from the current analysis. With an unemployment level of 17.9% and a large number of households that are low-income earners, the need for the provision of an adequate and efficient means for public transport by the City of Tshwane should be a priority.

6.4 SYNTHESIS OF SPATIAL JUSTICE IN THE CITY OF TSHWANE: EDUCATION, EMPLOYMENT, HOUSING, HEALTH AND PUBLIC TRANSPORTATION

The following diagram presents a composite map of the distribution of schools, public transport and health facilities in the City of Tshwane.

Figure 24: Spatial distribution of schools, transport and health facilities in the City of Tshwane



Source: Author, 2015

From the literature reviewed in this study, it is evident that that civil unrests and riots that occurred in the United States of America, Brazil and South Africa, can be ascribed to the spatial injustices suffered by the citizens in the distribution of, and opportunity to, access certain social valued resources such as public transport, employment, education, health and housing. An analysis of the City of Tshwane's IDP indicated that these were the main issues raised by residents of the city during the public participation process in the development of the city's IDP. This implies that in order to understand spatial justice, an exploration with respect to the availability of these socially valued resources in the city should be conducted. However, it is important to note that these are not the only areas in a city that could be analysed in terms of spatial justice because areas such as access to electricity and portable water are also important. This study; however, mainly focuses on these five key areas.

The socio-spatial analysis in the City of Tshwane was not conducted to prove the justness or (in) justness of the city, but rather assisted in:

- indicating or flagging possible gaps and future opportunities in support of spatial justice for instance on how to integrate communities and where to provide additional public transport etc.

It can furthermore provide important information for future planning, development, identification of priority projects and infrastructure and ultimately, the budgeting process of the IDP.

The study of the City of Tshwane followed a bottom-up approach by analysing the city through its regions. An attempt to understand spatial (in) justice in the transport sector was conducted by mapping bus routes within the city and calculating the distance covered by the services in each region. Other information on public transport was obtained through observation, which implied commuting, using public transport to the different areas of the city. The analysis of various documents such as the City of Tshwane IDP, the City of Tshwane draft spatial atlas as well as documents from Stats SA provided employment statistics. In analysing spatial justice in the health sector, a mapping of the various health facilities that existed in each region within the city was conducted through the sourcing of data from the Department of Health. The Department of Basic Education supplied the data for the distribution of education facilities in the form of shape files. These files were used to map out the distribution of schools using the various regions in the city. Housing and employment information were sourced from the city's IDP, the draft spatial atlas, as well as the City of Tshwane vision 2055 document. From the socio-spatial analysis of the seven regions of the City of Tshwane, it was evident that such mapping can provide important trends and gaps as well as areas that need attention in terms of more "just" investment. For instance, many areas of the city are not being properly serviced by public transport. It is evident that there exists a necessity to improve public transport, especially considering the ways in which the valued resources are distributed across the city. The mapping exercise revealed that the City of Tshwane should promote higher density residential development, as this can promote efficient use of resources rather than creating extra resources in an attempt to meet the need of the population. Higher density housing can also help in the provision of affordable housing, especially in areas of economic opportunities for low-income people. Furthermore, an intensification strategy within the city can ensure the provision of housing in areas that are well serviced and with municipal infrastructures such as the CBD. In terms of

education, it is not clear why the education levels are low, especially regarding the number of schools in the city. This shows that while mapping could be important in understanding spatial justice, other methods have to be applied in order to fully understand certain phenomena such as the quality of education. However, further research that goes beyond this analysis can be carried out so as to determine the cause of the low education in the city. Although Kain (1968) argues that discrimination in housing affects education of Black children, as they are restricted to the inferior schools thus, creating a massive concentration of poverty, but it cannot be ascertained through this research whether that is the case in South Africa. However, it opens up opportunities for municipalities and provinces to investigate the reasons for low levels of education.

The mapping also revealed that, in analysing spatial justice, it might be better to start at a lower scale such as the ward level rather than the regional scale because it is preferable and beneficial. While it may seem tedious, the outcome of conducting the analysis at a ward level is more rewarding.

The socio-spatial analysis revealed that a plethora of data is necessary in order to properly map and assess a city in terms of the criteria of spatial justice and without proper information, it would be difficult to analyse spatial justice in a city adequately. An analysis of spatial justice in a city is not a simplistic exercise, as it needs a plethora of data and analysis to be carried out in order to reveal the gaps and opportunities for development. The mapping also revealed that spatial justice is not just about mapping, but that other social and economic information is needed in order to properly analyse spatial justice. The analysis; however, in some ways indicate that planners need to view development through the lens of spatial justice and not merely through an economic lens. This can promote development that will be beneficial to everyone in a society, and especially to the disadvantaged. The socio-spatial analysis further revealed that cities can be planned from a different angle so as to specifically focus on identifying priority projects and assist in the budgeting process of the IDP.

6.5 THE IMPACT AND RELEVANCE OF SPATIAL JUSTICE FOR SOUTH AFRICA.

Now that the City of Tshwane has been examined in terms of spatial justice, a movement toward the larger national, South African context, and the progress being made in terms of spatial justice, is necessary.

During the past 20 years, various attempts have been made to undo the unjust apartheid geography that exists in the country. However, while there has been varying levels of success in different areas, more efforts are needed to address these challenges. This study attempts to provide some guidance (within the context of spatial justice), in order to contribute to the development of a more just society. Different legislations, policies and practices by the apartheid government led to segregation, racial discrimination, poor housing, inadequate and low quality education and unfair and discriminatory labour practices. It was also characterised by a biased judicial system, which was implemented to enforce these discriminatory policies. These factors, combined with the political- and economic exclusion and the racial-ethnic hostility, also restricted the mobility of Black South Africans to other parts of the country without a pass book⁷. The arrival and settlement of the Whites was initially restricted to the Cape (Ross, 1999), but there was migration and expansion of the settlement towards the Northern and Eastern parts in later years. The arrival of the British settlers placed pressure on the Bantu speaking African groups (Aliber, 2003). The result of this pressure was the forceful possession of farmlands by the Whites (Keegan, 1986). As stated by Van Wyk (2015:29) "South African land was always the centre of injustice". The Natives Law Act (1913) was used to differentiate the African rural reserves from the White farmland thereby denying the indigenes from either acquiring land or renting land in the country, which limited economic options (Hendricks, 1990). As a result of the segregation, many Black South Africans were left unemployed and lacked basic social amenities which led to poverty.

Subsequently, the Urban Areas Act (1923) gave local authorities the power to separate urban settlements according to race. In the 1950s, more men were called upon to work in mines and cities, while the women remained in the rural areas. The situation in the rural areas deteriorated as the population density increased from 60 to 110 persons per square mile (Delius and Schirmer, 2000). The supposed solution to this problem emerged between 1960 and 1970 when the apartheid government changed the reserves to ten homelands, which were then declared independent states (Aliber, 2003). These independent states or homelands lacked infrastructures and had inadequate healthcare, inferior education and inadequate land and therefore the areas were not productive as they remained dependent on government transfers. According to the "State of the Cities Report" (2004), the apartheid city was a political economy of space with two central characteristics, namely racially based

⁷ This book stipulated where a Black South African was allowed to work, and travel during the Apartheid era in South Africa. It controlled and restricted movement and freedom

planning and a political economy in which development for some occurred at the expense of the majority.

Following mounting pressures from the international scene, the apartheid government started a negotiation for a release of power in the early nineties, which led to a general election that made the ANC the ruling party in 1994. After the ANC took over power in 1994, many policies, plans and legislation were drafted so as to undo the spatial apartheid geography that existed in the country.

There was a high-level of legal and procedural complexity in South African spatial planning and land use management because there existed no uniform legislation that could guide planning and development. The Development Facilitation Act (DFA) (67 of 1995) was drafted to introduce extraordinary measures to facilitate and speed up the implementation of reconstruction and development programmes and projects in relation to land. As stated by the South African Presidency, (2010:20) *“the overall purpose of the DFA was to have in place a strong piece of legislation that would facilitate development, while apartheid development laws were being repealed”*. Decision-making became increasingly independent because local governments underwent major transformations. The primary legislative intent of the DFA was not only low-income / RDP housing development as is often claimed, but instead the legislation aimed at providing a more rational and uniform basis for land use management and decision-making within the context of conflicting laws and limited municipal capacity. The primary intent was development in the broadest sense. Other policies, plans and legislation were developed post-1994 and was intended to promote spatial justice, although, most of them did not explicitly mention justice or spatial justice. An analysis of some of those policies and legislation in chapter 5 of this study indicated the existence of overtones of spatial justice throughout. Policies and plans that were developed post-1994 did not bring much progress, despite the transformation that occurred (Coetzee, 2010).

In 2001, The White Paper on Spatial Planning and Land Use Management, Wise Land Use was introduced. It ushered a new era of principle led planning and stated that *“the principles are conceived of as first principles in the sense of general or fundamental values of a democratic and open society, on which the norms are based or from which the norms are derived. The norms emanating from the principles are understood as principles of right action, as authoritative rules or standards asserting or denying that something has to be done or has value. Both the principles and norms are focused on and correlated to the field of spatial planning and land use, but, as is the case with all principles and norms, need*

further actualization in specific, concrete contexts". The white paper proposed many principles including sustainability, equality, efficiency, integration and good governance.

In 2013, SPLUMA was promulgated and the act proposed five principles for development, which included spatial justice. Although, different and varied principles were proposed, all of them addressed spatial justice in one way or the other.

The principles were a welcome approach to planning and development; however, there was a lack of understanding how to apply these principles. As stated by the DRDLR (2017:6) *"While the principles developed present a new turn in the way spatial planning and land use management is to be carried out, little is known on the application of these principles. As a result of the lack of knowledge in the application of the SPLUMA development principles, the DRDLR have proposed that a guideline be developed that will assist municipal officials, planners, policy makers and all relevant stakeholders involved in spatial planning and land use management in the application of the principle in their various activities"*. As indicated in this research report (DRDLR, 2017), spatial justice, in terms of spatial planning and land use management, and development in its simplest format means:

- Spatial integration
- Addressing imbalances, exclusion and back logs
- Prioritising Informal settlements, disadvantaged areas
- Accessibility, connections and access
- Addressing poverty and job creation
- Land ownership, land values and tenure
- Provision of basic services where needed
- Just and fair planning and decision-making

Spatial justice is relevant because it has become an integral part of planning policies, development and tools that will be applied in the country as indicated in SPLUMA, 2013 and the NDP, 2030. Guidelines are being prepared to assist planners and relevant officials in the application of spatial justice in land development and in land management and this study moves even further by expanding it to various sectors, which can be used in implementing the NDP, 2030. As discussed in the foregoing chapters, the understanding of spatial justice is more than just an academic exercise because it possesses ambitious political, spatial and practical objectives, which makes it relevant, specifically to South Africa with its fragmented landscape.

The relevance of spatial justice is further supported by the fact that slow progress is being achieved in undoing the apartheid spatial geographies in South Africa and a clear understanding of spatial justice and how to achieve it in various sectors can assist South African cities in moving towards a spatially just landscape.

CHAPTER 7:SYNTHESIS, CONTRIBUTIONS AND CONCLUSION

7.1 INTRODUCTION – REFLECTING ON THE PREVIOUS CHAPTERS

The first chapter of the study introduced the concept of spatial justice and indicated the lack of knowledge on the concept, despite its potential in undoing unjust geographies. The second section of this chapter unpacks the research problem and further highlights the aim and objectives of the research. The research problem of this dissertation is based on two premises. The first premise is that a working definition of spatial justice needs to be reached; and secondly, that the requirements of spatial justice must be explicitly outlined in a bid to assist cities in tackling developmental challenges. In order to achieve this goal, a list of objectives was followed. Firstly, various theories on justice, space, the right to the city and related concepts were analysed and processes that led to spatial injustice were explored. This was followed by an exposition of cases and incidences of spatial (in) justice, both internationally and locally, in order to get a good understanding of the concept, followed by a content analysis of relevant legislation and policies in South Africa in order to assess the ways in which they address spatial justice and whether this was done sufficiently and to propose a working definition and requirements of achieving spatial justice. Finally, the concept of spatial justice was mapped and assessed using Tshwane as a reference city.

Chapter two of the study described the methodological approach that was applied in the research. The study was largely informed by a meta-synthesis approach, which is a qualitative type of analysis that attempts to bring together results from various but similar studies. These studies contain ideas, themes and key phrases that are similar each other which support the use of a meta-synthesis approach. The main challenge of this study was in choosing the theories or concepts that would be the most “just”, with reference to applying them to all spatial situations. Since it was difficult to select a theory that is the most just of all, it was argued that a meta-synthesis of these similar studies could be used as an attempt to solve the conundrum. This also supports the statement of Downe (2005:205) that “*bringing together studies in related area enables the nuances, taken for granted, assumptions, and textured milieu of varying accounts to be exposed, described and explained in ways that bring fresh insights*”.

The City of Tshwane was used as a reference city in mapping and assessing spatial justice by analysing policy, legislation and plans, as well as the socially valued resources of the city. Information was obtained from government planning documents such as the IDP of the City of Tshwane (2014/15 review), City of Tshwane vision 2055, Department of Education, Department of Health and other various planning related policies and legislation. Other sources of information were from direct participant observation of various phenomena within the city such as riding the City of Tshwane bus and taxis and site visitation of informal settlements and townships.

Chapter Three of the study presented a review and analysis of concepts and theories such as the concept and production of space, justice and the right to the city. The starting point in the discussion on working toward a definition of spatial justice was, to first understand the meaning of the concept of "space". The term space has been used across various disciplines, meaning many different things. Some defined space as a container and others defined it as an open place. Lefebvre's production of space made it clear that space is socially made, and that what is social is spatial and that which is spatial is social. He went on to state that space is a collection of networks that enable the possibility of social actions. After attempting to understand the broad concept of space, an analysis of various theories of justice was explored with 'Plato's republic' as a starting point in understanding the definition of justice. Plato's republic was the first attempt by a scholar to reveal the meaning of justice in the city. John Rawls' theory of justice was another important attempt at defining justice and he proposed two principles of justice. The first principle is equal liberty, which states that everyone should have an equal right to basic freedom and his second principle is the difference principle which states that social and economic inequalities should be distributed in a manner that will be advantageous to everyone, including the least advantaged of the society. David Harvey attempted to develop a theory of social justice in which he tried to reach a just distribution that will be justly arrived at by taking into consideration the importance of need, contribution to common good and merit. He concluded that the distribution of income should be done in such a way that the needs of all residents, in every territory, are met. He further argued for the distribution of resources so as to maximise inter-territorial multiplier effects and a need for the provision of additional resources to people who are disadvantaged as a result of their physical and social environment. The 'right to the city' was first introduced by Lefebvre in which he describes it as a transformed and renewed right to the urban life and not just a visiting right or a return to traditional cities. Lefebvre sees the urban as more or less the '*oeuvre*' of its citizens and a work of art that is constantly being

remade. He further describes it as the right to information, the right to use multiple services, and the right to the centre amongst other things. For Harvey, the right to the city was not just the right to what already existed in the city, but the right to radically transform it. The right to the city is a struggle against capital, which he believes has led to less production and more investment in stock shares, property rights, intellectual property rights, assets and properties. This increased the value of assets and property prices which rendered the city more expensive. He believes that the right to the city can be taken from residents in a city by actions of the market, violence or illegal means. When looking back at the apartheid era in South Africa, it can be argued that the right to the city of the residents in South Africa was threatened by illegal means and through the relocation of Black people to townships. It is somewhat ironic to note that almost two decades since the apartheid era, the right to the city of the people are still being taken by a new force, namely the “market”. For Soja (2010), the concept of spatial justice can be an intentional and focused concentration on the spatial aspect of (in) justice. He continually emphasises the fair and equitable distribution of socially valued resources in space and the opportunities to utilise them. This involves the fair distribution of education, housing, transport, employment and health. In Fainstein’s *Just City*, she proposes three criteria of justice, namely that of equity, democracy and diversity. She believes that these three criteria should guide public policy and planning.

The research continued to examine various incidence of spatial (in) justice in order to allow the reader obtain insight and understanding as to what spatial justice implies, as this could assist in developing the requirements and determinants of spatial justice. In a further attempt to improve the understanding of spatial justice, the author also explored (1) the processes that lead to unjust geographies, (2) incidences of spatial (in) justice in the United States of America and South Africa, and (3) relevant court cases relating to spatial injustice. This chapter also revealed the importance of health, transport, education, housing and employment in the achievement of spatial justice. In some ways, this chapter succeeded to stimulate the reader’s perception on the idea of spatial justice. It is hence argued that an improved understanding of spatial justice can assist countries and municipalities, as well as development professions, in improving planning, decision-making and budgeting processes in order to make urban and rural regions more just. It can furthermore also identify typical unjust areas and practices and possible methods of measuring and prioritising spatial justice in a particular urban region.

Chapter four of the study proposed a working definition of spatial justice as well as the minimum requirements needed to achieve spatial justice in urban and rural regions. These

minimum requirements are derived through the meta-synthesis of the readings. It is now argued that these requirements can assist officials involved in spatial development projects to promote spatial justice, as required by the NDP, 2030 and SPLUMA,2013.

Chapter five went a step further and assessed spatial justice in the City of Tshwane through a content analysis of the IDP and policies and legislations that guide the development of the plan, using the requirements of spatial justice as it had been developed throughout the study. This section is critical in that the policies and plans developed for a city actually shape the way in which the city come into being because they guide planning and development. It can be argued that the achievement of spatial justice in a city would begin with the policies, plans and legislations that guide the development of the city. The content analysis examined how spatial justice is reflected and whether this was done adequately. The section of the thesis also discussed the processes involved in the preparation of the IDP, which is the plan that guides planning and development in the City of Tshwane. The process for the development of the IDP is critical because spatial (in) justice can be reflected at the very beginning of the development of the plan if some requirements are not followed. This would imply that the process for the development of the IDP can form the foundation of spatial (in) justice in the city. A review of the budget allocation (which results from the IDP), within the City of Tshwane was also carried out as it is also critical to the achievement of spatial justice in the City of Tshwane. The results of the analysis of the Tshwane's IDP and relevant post-apartheid policies and legislations indicated that many of the requirements of spatial justice (as discussed above) were present in policies and legislations in some way or the other. It should be noted that the term "spatial justice" was never explicitly mentioned in planning documents, apart from SPLUMA 2013. This comes as no surprise because most policies and legislations (post 1994) were drafted to undo the (un)just apartheid geography and planning that had previously existed. This however brings to the fore an important issue, namely, how spatial justice and its components should be addressed and framed within the policies and legislation in order to ensure that these components are sufficiently guided and monitored by policies and plans. To this end, there should be no doubt that current plans and policies in South Africa do not have the required content to effectively address spatial justice. Even SPLUMA 2013, which introduced this principle, is very vague in its descriptions of it and does not provide much guidance on how to achieve it. It is for this reason that the DRDLR embarked on a project to provide guidelines on how to apply the principle of spatial justice and other principles.

Chapter Six of the study focused on the City of Tshwane and the socio-spatial analysis and spatial mapping of justice indicators in the various regions in the city, in an attempt to measure spatial justice. The CTMM implemented the regionalisation of the City of Tshwane so as to bring service delivery closer to the people. In other words, the regionalisation was an attempt to help the city in performing better by bringing services in closer proximity to the residents of the city and to provide services in previously neglected areas.

The socio-spatial analysis of the seven regions of the city focused on the spatial distribution and the impact of health, employment, public transport, education and housing. The analysis revealed that the mapping and assessing of spatial justice in a city assists in identifying areas of neglect and gaps in the equal and just provision of services. A socio-spatial analysis, using the requirements for spatial justice, will enable South African cities to plan better, assist them in identifying priority projects and facilitating the budgeting process of the IDP.

7.2 BRINGING IT ALL TOGETHER

Going back to where it all started, the term “spatial justice” initially caught my attention, when I first noted the reference to this construct in the Spatial Planning and Land Use Management Bill (SPLUMB), 2012. Before then, I knew nothing about the concept of spatial justice. As a planner interested in, and involved with, space and spatial planning and a proponent of justice (in its broadest sense), I was curious to learn more about the terms [spatial] and [justice] and more specifically the relationship between the spatial and justice. This inspired me to conduct a brief study of these concepts and I soon realised that very little information existed and that there was no clear definition of this construct. At the time, I thought it would be a dangerous terrain to venture into because of the limited research available on this topic and the ongoing debates, which I did not think I qualified to partake in. I realised; however, that it is necessary to venture into the concept of spatial justice in a South African context because of the fact that the country has long been trying to undo the apartheid geographies that had existed since 1994.

In 2013, I decided to enhance my understanding of the concept. The first and perhaps the only academic reference I initially found on spatial justice was the work of Soja (2010), entitled “Seeking Spatial Justice”. After one year of reading various articles and books, I realised that there existed a need to define spatial justice by using other justice related concepts and indicating how such concepts relate to space and urban regions. While I had this ‘fantastic’ idea in my head, I was somewhat unclear about the methodology needed to execute such an endeavour. After a few months of research, I had a ‘eureka’ moment where I thought I had finally found the methodology for my study. The methodology involved a triangulation of various theories. However, my eureka moment was short lived when I realised that this would not give me the answer I was looking for. After weeks and months of further research and a progress meeting with the research panel, I started exploring the possibility of using a qualitative meta-synthesis approach. The meta-synthesis approach appeared to have the solution for defining spatial justice by bringing together similar and various discourses and theories on the subject. The conundrum to follow was how the theories would be selected, given that the methodology requires a selection of various relevant studies. After reading various text books, I began to select the theories and concepts, which I thought would be relevant and related to the subject matter and specifically to the spatial justice debates. I was initially particularly attracted to the ‘Just City Theory’, which draws on the works of different scholars including Rawls (1971), Iris Marion Young (1990), Sen (1999), and Nussbaum (2006). After the selection and reading of these

concepts and theories, I started gaining a better understanding of spatial justice. These studies further enabled me to select other discourses relating to spatial justice across the world. I also started looking at some legal cases related to spatial justice.

The more I read, the more I began to realise that the term justice, strongly related to aspects such as the provision, accessibility and opportunity to use socially valued resources. Most theories also indicated the necessity of these socially valued resources for the least advantaged of the society. For me, the least advantaged, or the previously disadvantaged as it is known in South Africa, became most important in the quest for spatial justice. These previously disadvantaged or disadvantaged people, are the ones that need socially valued resources in view of the fact that they have never had, or currently have only limited access to such resources. For me, this somehow implied that these vulnerable groups (within the context of justice) should receive preferential treatment and attention when it comes to providing needed and basic resources.

In the literature review section, I also explored the processes that lead to spatial (in) justice and incidences of spatial (in) justice in an attempt to expand the understanding of this construct. These readings and discourses, when meta-synthesized, began to frame some definition of spatial justice and the requirements needed for achieving them.

In a further attempt to understand spatial justice, and more specifically the spatial relevance or spatial impact of justice, I conducted a content analysis of policies and legislations guiding the City of Tshwane's IDP. This revealed that, while the idea of these policies and plans might have been based on a spatially just premise, they do not contain enough details to actually achieve spatial justice. A socio-spatial analysis of the city also revealed the opportunities and gaps that could be exploited in achieving spatial justice in the city. Additionally, it revealed that with a socio-spatial analysis, a city is able to plan better in the provision and allocation of socially valued resources and infrastructure where they are needed. Like Soja (2010:6) stated, the exploring of the spatiality of justice and its expressions in struggles over geography is not just an academic exercise because it has political and practical objectives. This study intends to give practical solutions to the problems being faced in South African cities. The following sections discuss the findings and contribution of this research

7.3 RESEARCH FINDINGS

Although this study resulted in a myriad of new insights and findings, the most important findings that are specifically relevant to the specific focus of this study were extracted and grouped under the following headings or main themes:

Exploring the fragments of spatial justice in an attempt to improve the understanding and application of spatial justice.

It became obvious from the study that there is a gap in the knowledge base and a lack of understanding of the construct of spatial justice. As presented later in this section, the study revealed the importance of respecting and applying spatial justice in an attempt to create just and quality urban- and rural regions. Although there are various viewpoints on this construct, it is evident from the study that spatial justice can be associated with mainstream thinking on constructs related to diversity, equity, democracy, just distribution and the benefit of the least advantaged.

If we look at spatial justice within the context of the urban landscape, this construct is strongly associated with the just distribution and allocation of basic services and needs with specific reference to housing, education, employment, health and public transport.

For planners and city leaders it is important not only to understand these constructs, but also to understand the relevance of these factors within the context of space, or the urban region, and hence spatial planning and land use management. As an example, a principle such as equity relates to the fair allocation of resources. These aspects were broadly discussed in chapter 6 and subsequently “tested” through a socio-spatial analysis in the various planning regions of the City of Tshwane. This chapter also presented the fragments of spatial justice and the relational and reciprocal linkages with justice, the people and space. It is important for planners, city leaders, policy makers and decision makers to understand these linkages. Apart from just understanding the fragments and theories of spatial justice, it is also important to understand how to apply or implement these principles in an attempt to create more just societies, spaces and cities. Chapter Six, which also drew on a research report (DRDLR, 2017), presents a number of associations and indicators of spatial justice in terms of spatial planning, land use management and development, *viz*:

- Promoting spatial integration
- Addressing imbalances, exclusion and back logs

- Prioritising informal settlements and disadvantaged areas
- Improving accessibility, connections and access
- Addressing poverty and job creation
- Securing land ownership, land values and tenure
- Provision of basic services where needed
- Promoting just and fair planning and decision-making

In a further attempt to explore the fragments of justice and to gain an improved understanding of this construct, a working definition for spatial justice was drafted, which can form the basis for future explorations and theorising.

This definition is framed as follows:

The spatial distribution and allocation of a diverse range of resources, services and opportunities through the criteria of democracy, equity, diversity and just distribution in all spaces and communities of an urban/rural region; with specific reference to socially- and culturally valued priorities and basic needs in terms of education, employment, transport, health and housing; with focus on the disadvantaged and impoverished communities that have previously been denied access to, and/or benefits of such opportunities and basic needs.

Social actions can undo spatial injustice in our geographies.

From the literature reviewed in this research, it is evident that the social is shaped by the spatial as much as the spatial is shaped by the social. If we agree that justice is associated with the social (or people), and that there is a strong relationship between space and the social (people), this statement strongly emphasises the link between the spatial and justice and the relevance of [spatial justice]. As Lefebvre (1991) put it, space does not just exist, it is socially produced and Soja (2010) stated that the spatial shapes the social as much as the social shapes the spatial. This implies that space is socially produced by means of social actions and since it is socially produced, it can be socially changed. If space can be socially changed, then the apartheid geographies that emerged as a result of the social production of space can therefore be reproduced or altered socially. This implies that the spatial injustice embedded in our apartheid spatial landscape can be socially reproduced or adjusted in order to undo the injustices in them.

Although reference in this context is made to apartheid geographies, especially in view of the South African context, the above argument is applicable to any other form of spatial inequalities and spatial fragmentation, which are also visible in other parts of the world. In other words, the “production” and provision of appropriate spatial geographies and landscapes and the altering and restructuring of such landscapes, or urban and rural regions, can assist in producing just societies. This brings to the fore the need for urban planners and urban policies to “justify” planning processes and policies so as to recognise the relationship between (Soja and Lefebvre’s) people and space and space and justice (authors interpretation). This relationship is also highlighted by the Tshwane section that indicates the relevance of the just and fair distribution of socially valued services, specifically to disadvantaged members of society.

Theories of justice that apply to spatial situations have related concepts.

The findings from the research revealed that most theories of justice that apply to spatial situations contain elements that relate to each other. For instance, the concept of social justice and the city, the just city and Rawls’ Theory of Justice all advocate for the distribution of socially valued resources to the least advantaged of the society. If we also look at “the right to the city” concept and the discussion around it, we can argue that it is directly related to spatial justice. The Cape Town case, where people were evicted from the city to make space for the 2010 Soccer World Cup and consequently were relocated to tin houses outside the city, supports this notion. One would have expected the City of Cape Town to have learned from the embarrassing experience of District Six some years ago, when a unique culture group was also forcefully relocated from their historical settlement in order to make way for new city developments. This is a clear example of how people (and specifically vulnerable people), were denied “the right to the city” and how such basic rights were taken from them by an action that could be called spatial injustice. Perhaps, one could also add here that unjustified planning actions and decision-making, or stated in simple terms “injustice”, show the relationship between these related concepts. In short, all theories of justice that apply to spatial situations advocate for a spatially just city one way or the other. The accumulated effect of many such incidences ultimately results in the making of unjust cities and the community has to pay the price and suffer. This clearly indicates how easily a poor understanding of spatial justice and ignorance of the concept can lead to inequalities, social fragmentation and even community uproar. This emphasises the need for city leaders and planning professionals to think differently about justice, especially in terms of spatial justice.

Spatial justice can be achieved through collaboration in a city.

The study also revealed that the concept of spatial justice is relevant to almost all disciplines, and an aspiration to achieve spatial justice in a city can only be done through the collaboration of various sector departments and role players. It should be noted that sectors such as health, education, transport, housing are related and dependant on each other, hence the need for an integrated and collaborative approach. This emphasises that the concept of spatial justice cannot be achieved by one professional, one role player or a single department, but that this goal, of creating just societies can only be achieved through the cooperation of planning professionals, engineers, sociologist, lawyers, and political office holders through the development of policies and legislations aimed at promoting spatial justice. This implies that spatial justice is achieved through a collection of actions of various responsible people who respect and apply the principles of spatial justice.

Apart from the collaborative approach aimed at involving all sectors and disciplines in planning and development, the involvement of communities and stakeholders in the planning and development of the city are equally important. Communities can play a major role in the planning process and they can provide the function of a watchdog so as to ensure that spatial justice is respected and that communities will not suffer the consequences of 'unjust' planning and decision making. Although participatory planning is required in planning legislation in South Africa (MSA 2000 and SPLUMA 2013), many planning processes and related decision-making processes in the country are still unsuccessful in their attempts to ensure meaningful, democratic and fair consultation processes and this often results in spatial injustice, as is visible in many landscapes across the country. However, it is important that sufficient guidelines, criteria, norms and standards be developed in order to guide planners, city leaders and decision makers in the process of participatory and collaborative planning in an attempt to build just and quality urban and rural regions. The current (2017/18) initiatives by the National Department of Rural Development and Land Reform in South Africa will hopefully be a major step forward in the development of such guidelines.

South African policies and legislation have hints of spatial justice, though, not sufficient

It is important to note that, despite the unjust nature of South African geographies, the principles, policies and legislation that guide planning and development and sector developments, do not sufficiently address the criteria of spatial justice. Although the NDP

(2011) and SPLUMA (2013) refers to the principle of spatial justice, it is still not presented and unpacked in way that could guide just planning and decision making. Again, the current (2017/18) initiatives by the National Department of Rural Development and Land Reform in South Africa will be a major step forward in order to develop such guidelines. The challenge however, and as stated previously, is that spatial justice requires collaborative planning and consultation with communities. In South Africa, with its three tiered government system, various sector departments at the three levels of government are involved with planning and development and the creation of urban and rural landscapes and communities. All of these departments are responsible for providing just spaces and communities. It is obvious from this research and experience with these departments that there is a lack of understanding of spatial justice and the corresponding roles of these departments in creating just cities. A review of sector legislation and policies also indicated a lack of reference to spatial justice.

Spatial justice in a city can be determined by the ways in which employment, education, transportation, health and housing are provided and made accessible, distributed and maintained in all parts of the city and how these factors are integrated.

In trying to understand spatial justice, it is pertinent to note that the lack of, and inequality in, the distribution of certain services such as employment, education, transportation, health and housing can lead to spatial (in)justice. These resources are important in a city and complement each other. The literature revealed that unrests, protests and riots in the United States of America and in South Africa were largely spurred by inaccessibility to these resources, or the so-called socially valued resources. It is now argued that, in order to achieve spatial justice, it is necessary to prioritise and provide these resources to the population in all parts of the city and especially to neglected and impoverished communities who are most in need of such resources.

Mapping and assessing spatial justice in a city can guide city planning, development and infrastructure investment.

The findings from the research, in the first instance, revealed that it is possible and highly appropriate to analyse socio-spatial data and the distribution of socially valued resources. It became evident that such an analysis can assist planners and decision makers and development professionals in other sector departments to (1) plan and allocate resources in a just way to reach all parts of the city and all communities and (2) to actually measure and monitor spatial justice performance e.g. by the mapping of areas where infrastructure or socially valued services should be provided. It also revealed that while mapping and

assessing spatial justice can guide development and infrastructure investment, certain aspects of spatial justice cannot be spatially mapped, but should be measured in other ways, for instance by analysing the budget allocations in a city in order to assess where and when resources will be provided.

Just cities are built on just policies.

An important factor to note in the creation of spatially just cities is to look at the relevant policies and legislation that guide planning and development of the city. While SPLUMA is a step in the positive direction in the creation of just cities, the application of this principle needs to be explored further in other areas such as transportation, health, human settlement, education and economic development. Imagine a city that is guided by the principle of spatial justice in all of its planning and development activities. A spatially just city is only as good as the policies and legislations that guide planning and development in that city. This emphasises the need for planning professionals and decision makers to fully understand the policy and the principles related to a spatial justice policy, but also how to respect, implement and monitor such principles.

The result of a spatial justice analysis can vary depending on the level that it is analysed.

The study analysed spatial justice at a city/regional level; however, it was realised that while a city could appear to be spatially just at a regional level, it can be unjust at a ward level or in certain local areas of the city. Creating just spaces or spatial justice in urban or rural regions, ultimately imply that the focus of analysis or service delivery should be directed to the lowest level, or the local community, where the impact of services and opportunities (or justice) is most felt and most needed.

Policy rationality and political power.

The literature is rife with references to planning and power. Although this did not form a core part of the study, it became obvious from the study of related literature that fair and just policies that are intended to develop just cities can be dominated by unjust or unfair decisions, which could be politically or power motivated. The case studies presented in previous chapters on e.g. the South African apartheid, Cape Town and Los Angeles, for instance provide some indication of how unjustified and almost ridiculous political decisions have resulted in discriminatory practises, flawed decisions and ultimately fragmented landscapes and frustrated communities.

7.4 CONTRIBUTION OF THE STUDY

The contribution of a study to the existing body of knowledge or debates is by far one of the most important or critical aspects of a doctorate thesis. This study, for me, has become more than an academic exercise. Apart from the academic contribution, it has important practical objectives that can change any spatial landscape if implemented and monitored properly. The contribution of this study is presented as follows:

Filling a gap in the knowledge base of urban planning

The discussions and findings presented in section 7.3 above bring to the fore a number of new insights and new knowledge on the concept of spatial justice, specifically within the context of urban planning. There exists no doubt that the meta-synthesis of various discourses has provided new knowledge and acumen, which could fill a major gap in the knowledge base of urban planning science and methodology. I believe this contribution is an important one as it allows readers to fully understand the concept of spatial justice, which can open up new ways of thinking or even open up new ideas on how spatial justice can be conceptualised.

First real attempt to open up a debate on the definition of spatial justice in planning.

This study is the first real attempt in the field of Town and Regional Planning to frame a working definition of spatial justice through conducting a meta-synthesis of various concepts such as the just city, right to the city, production of space, territorial social justice and principles of justice. A previous attempt was made by Pirie (1983), using the concepts of territorial justice and social justice, to reach a concept of spatial justice, but it did not go much further than that. Soja (2010) brought the dialectic back on the agenda and has since raised many debates on the concept of spatial justice. Budlender and Royston (2016:7) argued that *"...practical definitions of the concept remain elusive, which simultaneously renders the state unaccountable to this principle and hinders attempts to use the concept to concretely set policy agendas"*. My contribution to this debate is that the theories that are analysed in the literature contain a spatial aspect and most of them try to achieve the same objective. This thesis, in many ways, succeeded to present a working definition, which could form the basis for future research.

First attempt in developing requirements and guidelines for achieving spatial justice

Presently, there are no requirements and guidelines for the application of spatial justice in South Africa. This thesis, which presents such requirements and guidelines, can play a major

role to contribute to the refinement of policies, principles, norms and standards in South Africa, but also elsewhere in the world.

The study is also the first attempt to develop the requirements and guidelines of spatial justice as required by the South Africa NDP, 2030. The NDP, 2030 states that *“all spatial development should conform to the following normative principles and should explicitly indicate how they would meet the requirements”*. Pirie (1983) attempted to define spatial justice, but did not go far. Soja (2010) attempts to explain the concept of spatial justice but did not give requirements that need to be followed in order to achieve it.

The research provides guidance for policy formulation in different sector areas of a city. With the requirements of spatial justice, policy makers can ensure that spatial justice is being achieved through the requirements in the development of policies. As highlighted by Fainstein (2010), the intent of most policy analysis based on what works in relation to producing certain things such as jobs and housing, without investigating the wider objectives of these policies. Taylor (1991:19) states that *“social science explanation.... has generally shied away from invoking moral ideals and has tended to have recourse to supposedly harder and more down factors”*.

The study can also assist the South African government and local authorities in understanding and applying the principle of spatial justice in their policies, legislation and plans.

Putting policies and plans to a spatial justice test.

The study opens up opportunities of putting policies and plans to a spatial justice test before they are approved, which would mean that policies and plans that do not pass the spatial justice test cannot be approved and would be subject to further review before being approved or implemented. This kind of test would be a first of its kind and would definitely be a perfect way in undoing the injustices embedded in South African geographies.

7.5 TOWARDS A MORE SPATIALLY JUST SYSTEM

As discussed in the foregoing chapters, spatial (in)justice can be viewed as an outcome and a process. As an outcome, it can be viewed as geographies that are just or unjust and as a process, it can be viewed as what brings about these unjust geographies and even unjust practices. This implies that there should be a need to implement spatially just processes and practices in order to achieve spatially just outcomes. In order to achieve spatial justice in South African cities and regions, I believe that the following institutional directives need to be considered;

Planning practice and planners: The planning practice in South Africa and other parts of the world are usually regulated and each of them have their codes of conduct and unique principles. While the planning organizations in some countries require planners to write various tests and exams on ethics and professionalism after which a professional exam is written before attaining their professional registration, in South Africa, planners are not required to take courses and exams on ethics and professionalism of the planning practice. The current process of applying for professional registration in the planning field involves planners completing forms and recording their professional registration, although, recently, there has been discussions to implement a compulsory professional exam. If we look at the case of Tswelopele non-profit organisation and others vs. city of Tshwane Metropolitan Municipality (303/2006) [2007] zasca 70; [2007] sca 70 (rsa); 2007 (6) sa 511 (sca) (30 may 2007), we can argue that planners do not understand their role in ensuring spatial justice in a city. The case does not only reflect spatial (in) justice, but also the unethical behaviour of municipal planners. The way we plan and think has to change to one in which everything we do leads us to ask if it would promote spatial justice or not. I would propose that the planning practice, spearheaded by the governing body, reorganizes and instil in planners, their duties and roles to the community through a simple but compulsory multiple choice ethics and professionalism course that contains elements of spatial justice. After this test, planners should be required to sign and commit to promoting spatial justice and putting the need of the people first before full registration is attained. This process, should be part of the professional registration procedure. Though the planning body in South Africa has a code of ethics, this does not address spatial justice and planners are not required to sign off on this. Planners have a major role to play in achieving spatial justice, it is therefore important that these changes take place so as to change the mind-set of planners.

Developing more inclusive and appropriate just policies - There is no doubt that there is a plethora of policies that exist in South Africa. However, it appears that progress in undoing spatial injustice in the country has been rather slow and not enough is done by authorities and planning institutions to excel this. Additionally, the research revealed that policies in South Africa are not necessarily built around the concept of spatial justice. To make progress in realizing spatial justice, it would be necessary for planning policies, as well as all policies in related development sectors (e.g. housing, transport, etc.), to be developed around the concept of spatial justice. This implicitly then

implies that these sectors will also have to manage and monitor the ways in which spatial justice are being addressed.

Respecting and responding to the voices of the community - Since the advent of democracy, various attempts were made to support community participation in planning and to ensure effective and meaningful consultation. This notion became embedded in various policies on all levels of government and in various sectors. In spite of the fact that much research was done on this, community participation as a democratic planning tool is still not performing as it could be in South Africa, see Coetzee 2012. This neglect of proper consultation often leads to corruption and unjust practices and spaces.

The way in which stakeholders are consulted therefore needs to be reviewed. More people should have a voice in the development of policies, as well as the implementation of policies and planning and development processes in general. Democracy in all its facets needs to be respected and actioned. This implies more focused attention to community consultation processes...but more so listening to, respecting and responding to the voices of the community, and the often vulnerable people who are affected by planning and development, as well as the people living in predominant spatial unjust situations and geographies. This study brings to the fore a different “spatial justice turn”, orientation or emphasis on the way in which government and development professions should engage with communities, specifically within the context of the working definition on spatial justice as presented in this thesis.

In view of the delimitations and focus of the study, it was not the purpose to specifically follow an epistemological approach and to explore epistemic justice in an attempt to understand the voices of those who are being affected, or will be affected by spatial injustice. However, it is hoped that this reading will inspire other scholars to further explore this important aspect of spatial justice.

Building Capacity – The lack of capacity remains a serious issue affecting planning and development in South Africa. The Development Planning Commission (1999:15) highlighted the lack of capacity as one of the main issues facing the planning system in South Africa. The commission noted that the lack of experience was a problem in the local, provincial and national sphere of government. Recently, the Department of Rural Development and Land Reform (2016) carried out a needs analysis of municipalities across the country to determine their readiness for the implementation of SPLUMA. The analysis revealed that there was a lack of human and financial capacity to carry out their spatial planning and land use management activities. From the above, it can be argued that achieving spatial justice would be a difficult task without the necessary human and financial capacity. To achieve spatial justice, there would be a need to build capacity on various issues affecting planning and development in the country, especially, spatial justice. The understanding of spatial justice by planners in the private and public sector would be important in achieving spatial justice in our cities. Training should focus on knowledge, interpretation and application of spatial justice.

Planning processes – The various components of the planning processes, such as the compilation of SDFs or development applications should include and consider how a particular planning process or development outcome could support and enhance spatial justice. Plans, policies and development applications (and specifically SDFs) should indicate and provide evidence that a specific plan, policy or development proposal have been compiled or drafted through a proper process that considers all the elements of spatial justice. In the case of e.g. SDFs and policies, specific attention should be given to capacity building and skills development for councillors, decision makers, officials and also the community to help them understand the concept of spatial justice and how it can be achieved. To this end it is important that a new policy or SDF plan should as part of its implementation section, indicate the details of training sessions to the various role players in order to build capacity, improve understanding and build skills to those people that will be affected by the plan, as well as those people that have to use, interpret, implement and review the plan. It is however inspiring to note that the National Department of Rural Development and Land Reform (RSA), is currently (2018) in the process to develop guidelines on how to apply and respect the SPLUMA principles, and how to develop specific norms and standards for the SPLUMA principles. As stated earlier on in this script, spatial justice is one of the core principles. What is more important and challenging however is to ensure that all role players (planners, decision makers, sector departments) effectively apply and respect these principles. Again the need for ongoing communication, consultation, training and monitoring cannot be over-emphasised.

Developers: Developers have a big role to play in the realization of spatial justice. Land development applications should indicate how spatial justice would be realized in the new developments, either by provision of inclusionary housing, proximity to economic opportunities, access to public transport etc.

It is obvious that there are many facets informing spatial justice. If our country can reach a point where all role-players think, work and imagine in terms of how to promote and create spatial justice, there has to be no doubt that such a collective approach (the sum of the parts), will result in more just societies, just cities, just rural areas, happy communities and a more spatially just landscape in general. The long term spin-offs of such an outcome would be priceless.

To this end, it is hoped that this study, and the voices emanating from this study will be heard and respected by those that are able to make the spatial justice turn in the planning and development landscape of this country and its peoples.

7.6 **BASIS FOR FURTHER RESEARCH**

The research used a meta-synthesis in an attempt to reach a working definition of spatial justice. This potentially opens up more debates on how spatial justice can be defined and other methodologies that could be used to conceptualise spatial justice. Studies can be carried out on alternative ways in which spatial justice can be defined in the future.

The study opens up room for scholars to propose other criteria and requirements for the achievement of spatial justice in a city. The study opens up opportunities and ideas in exploring and defining other development principles in SPLUMA.

The study also opens up the possibility for going a step further in evaluating cities in order to determine if they meet the criteria and requirements of spatial justice.

7.7 CONCLUSION

Since 1994, the South African government has been trying to undo the unjust apartheid geographies that came into being as a result of apartheid planning and policies that separated Black Africans and culture groups from cities and economic opportunities. While the South African government has put in considerable effort in undoing the apartheid geography that exists in the country, many South Africans still live in various kinds of unjust circumstances. The NDP, 2030 highlighted spatial justice as a normative principle to be applied in spatial development, but left it to development officials to indicate how the requirements should be met. SPLUMA, 2013 also proposed spatial justice as a development principle to guide planning, but did not indicate how it can be applied. The awareness of spatial justice as a concept that can undo our geography is a welcome one in the planning fraternity; however, the concept remains vague. While the concept of spatial justice might be relatively new, various incidences of spatial injustice have existed for many years. Understanding the concept could therefore be a way of finally undoing the spatial injustice that is embedded in many cities across the world. The study revealed that the incidences of spatial justice are not unique to South Africa. Cities across the United States of America and Europe have experienced, and are still experiencing, some form of spatial injustice. It is important to note that the injustice in cities existed in a spatial dimension and that the word spatial injustice was seldom used. Words such as justice, social justice, right to the city and just city were used to describe the injustices that is experienced in space. In understanding the concept of spatial justice, professionals and practitioners will be able to readily identify incidences, and propose solutions, that can address spatial injustice issues. In addition to this, it can assist in developing and implementing spatially just policies and plans; however, without a definition of the concept and the requirements for achieving it, the concept remains a problem. In a bid to understand, define and propose the requirements for spatial justice; what the concept meant, incidences of spatial injustice, processes that lead to unjust geographies, court cases and spatial justice, various related theories were studied and compared. It was realised that a meta-synthesis of these various theories, discourse, and readings needed to be conducted as they contained similar concepts, which lead to one concept, namely spatial justice. The incidence of spatial injustice according to the readings indicated, among other things, that the lack of access and opportunities to basic services such as education, housing, transport, health, employment is the leading cause of spatial injustice in cities in United States of America, Europe and South Africa. In short, spatial justice was defined as the spatial distribution and allocation; of a diverse range of resources,

services and opportunities through the criteria of democracy, equity, diversity and fairness in all spaces and communities of an urban/rural region; with specific reference to socially and culturally valued, priorities and basic needs in terms of education, employment, transport, health and housing; with focus on the disadvantaged and impoverished communities that have previously been denied access to, and/or benefits of such opportunities and basic needs. For a city to achieve a spatially just status, the requirements for spatial justice need to be respected (Adegeye and Coetzee, 2018).

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