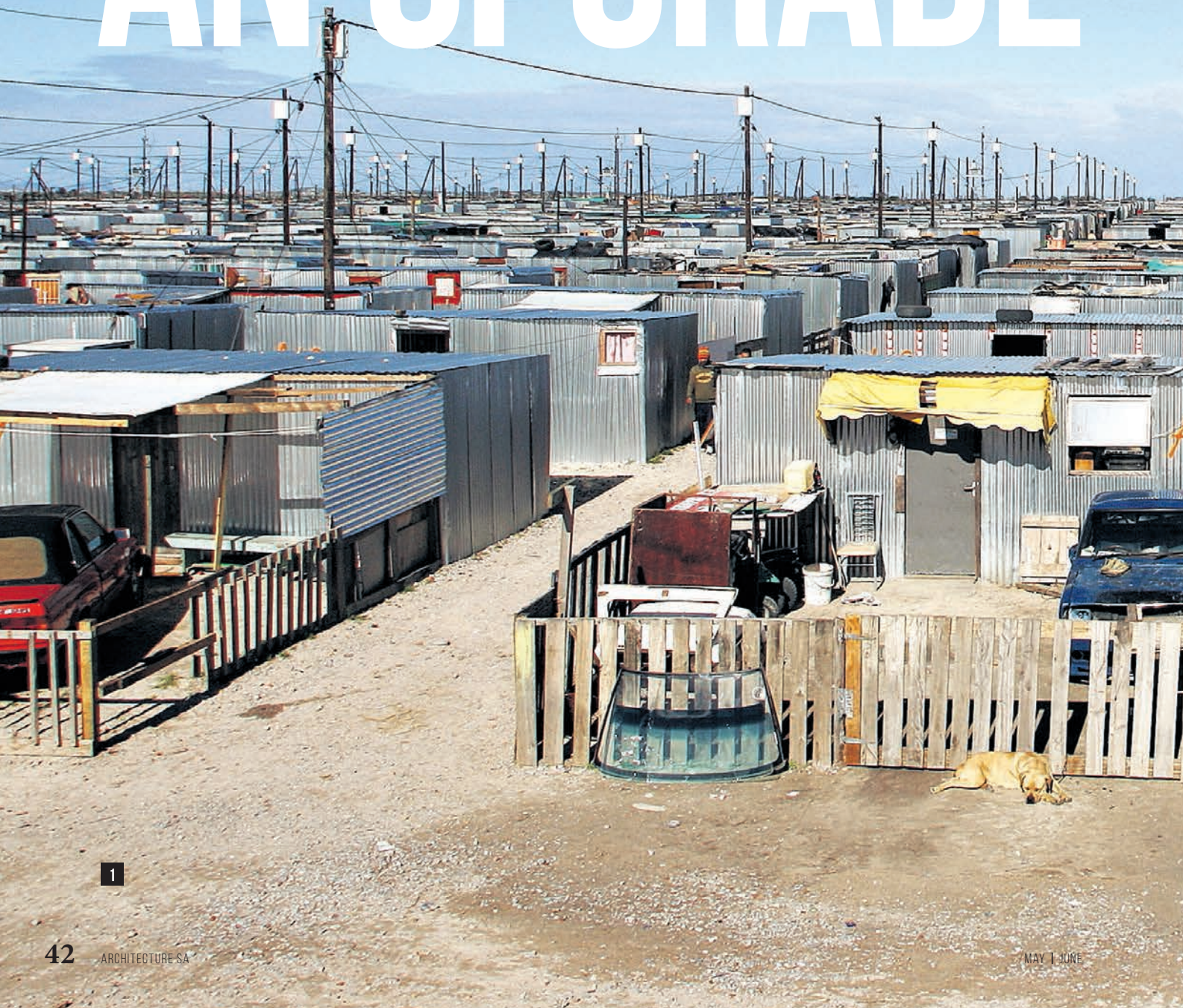


PART 1

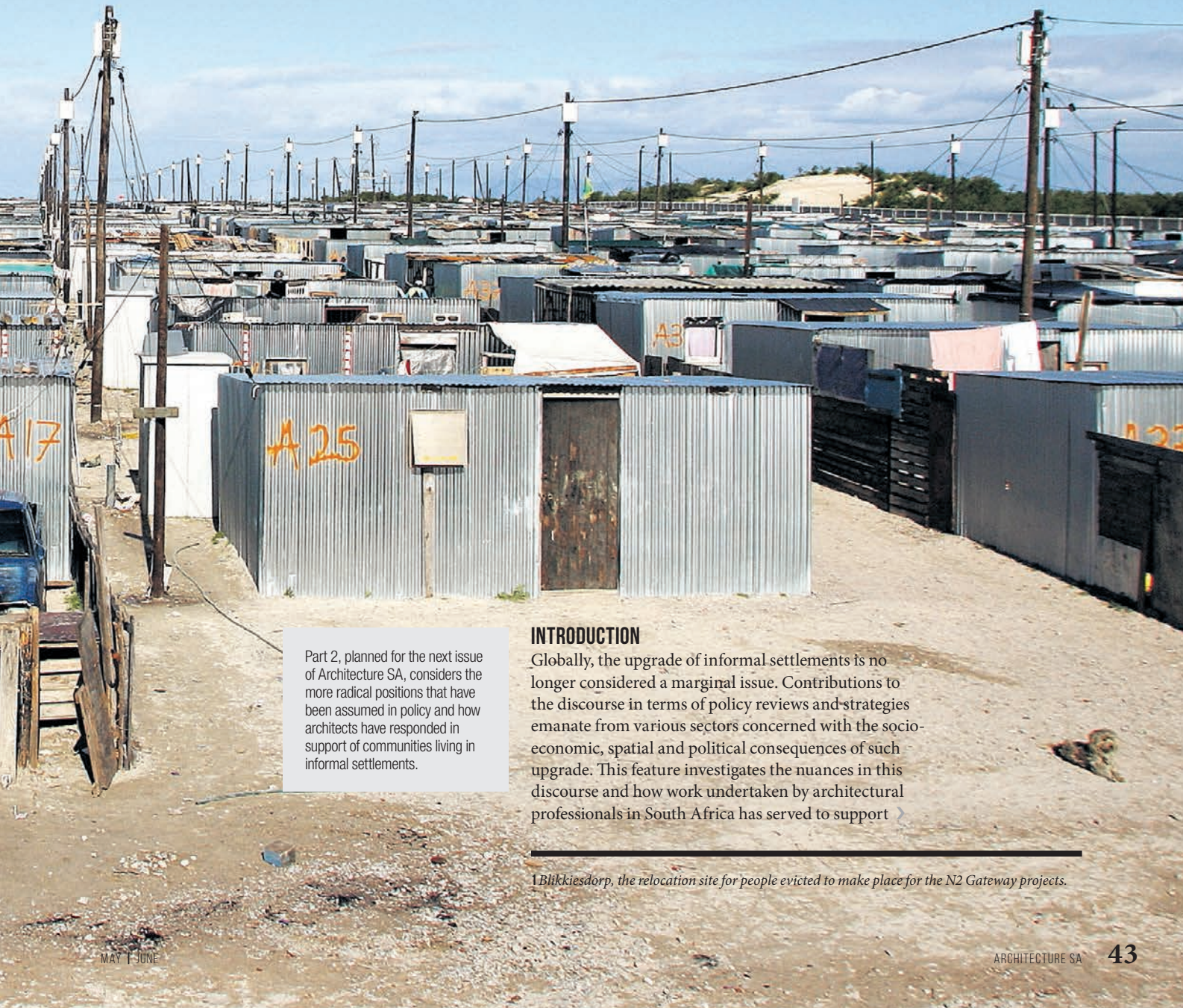
INFORMAL SETTLEMENTS: AN UPGRADE



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Our discipline can either be complicit with, or mobilise against, the currency of socio-political power. Disentangling the discourse and biased perspectives surrounding informal-settlement upgrade can help the profession start meaningfully engaging with informal urbanism.

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Part 2, planned for the next issue of Architecture SA, considers the more radical positions that have been assumed in policy and how architects have responded in support of communities living in informal settlements.

INTRODUCTION

Globally, the upgrade of informal settlements is no longer considered a marginal issue. Contributions to the discourse in terms of policy reviews and strategies emanate from various sectors concerned with the socio-economic, spatial and political consequences of such upgrade. This feature investigates the nuances in this discourse and how work undertaken by architectural professionals in South Africa has served to support >

¹ Blikkiesdorp, the relocation site for people evicted to make place for the N2 Gateway projects.



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**THE FUNDAMENTALLY
INDIVIDUALIST NATURE OF
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SETTLEMENT UPGRADE**



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particular perspectives on informal-settlement upgrade. The argument is forwarded that the architectural profession could make a positive contribution to the issue by undertaking a critical stance on the role informal settlements play in emergent urban processes, thereby engaging at a meaningful level of transformation.

Despite South Africa's progressive policies indicating the current government's commitment to in-situ upgrade, the architectural profession has been omitted as a resource that could be made available to these endeavours. The reason for such omission seems to stem from a lack of clarity in the profession regarding its conceptual position, as the view of informal settlements ranges from pejorative to a radical confirmation of the right to the city. According to Huchzermeyer (2011), this confusion stems from a negative connotation in the terminology, as 'slums' or 'informal settlements' are perceived as an antithesis to an aspired norm, establishing within such perception a moral imperative to eradicate, eliminate or upgrade such settlements.

Due to their normative impacts in shaping the ideas and values of society on a tangible level, disciplines such as planning and architecture cannot afford to disregard their complicity in, or mobilisation against, the currency of sociopolitical power. In an interview with Der Spiegel (2011), the architect Rem Koolhaas suggests architecture has become limited in its range, losing its role as a 'decisive and fundamental articulation of a society.' The argument is that architecture has the ability to engage in politics in terms of the space-time sensorium, offering resistance to a context of severe imbalance. In



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its organisation and determination of spatial relations in the city, the opportunity exists for architecture to offer, or comment on, social direction. For this to occur, however, critical reflection is required to disentangle the fundamental predicament of architecture as servant to power (Awan, Schneider & Till, 2011; Spencer, 2011; Van Toorn, 2007). The call is to engage with the messy, often controversial conditions necessary for freedom and the establishment of true democracy.

The prevalence of informal settlements poses a critical question regarding the democratic underpinning of a country such as South Africa, rendering the upgrade discourse politically contentious. For the architectural profession to engage in this discourse, its institutional position within the political context must be considered. Firstly, there ought to be recognition of the fact that the profession is implicated in the formal processes, supporting and perpetuating the current power balance through its own formalised mechanisms and structure. Secondly, its impotence in terms of challenging the power balance should be recognised. This stems from both its exclusion from government structures, where no allowance is made for architectural fees or service, as well as its own limitations, such as maintaining an elitist position, with no culture of pro-bono work or community architecture and little engagement with the political aspect of the problem at an educational level. The fundamentally individualist nature of architectural engagement effectively undermines the potential to engage in the collective power struggles required in the discourse on informal-settlement upgrade.

It is therefore argued here that for the profession of architecture to establish its potential contribution to the discourse, it is important to unravel the nuances regarding perspectives on informal-settlement upgrade.

SOUTH AFRICAN POLICY LANDSCAPE

Our policy landscape boasts an impressive array of legislation that appears to embrace a progressive approach towards the in-situ upgrade of informal settlements. Despite these intentions, however, informal settlements are increasing rapidly (Department of Human Settlements, 2013a) and are accompanied by an increased level of service-delivery protests, due to the continued lack of policy implementation (Pithouse, 2009; Von Holdt, Langa, Molapo, Mogapi, Ngubeni, Dlamini & Kirsten, 2011).

The central theme emanating from the South African policy genealogy, despite its apparently progressive overtones, remains that of the state as provider. From the ANC's 1955 Freedom Charter to the 1996 Constitution, the right to adequate shelter has been seen in the light of an obligation by government to satisfy that demand. In the Department of Human Settlements Annual Report (2013b), the focus remains on the government as the main employer, with the private sector in its service. The beneficiary communities are treated as passive recipients with no control over the decision-making process. Although much is said about participation

FRAMING THE DISCOURSE IN THIS WAY SERVES TO DETERMINE HOW WORK UNDERTAKEN BY ARCHITECTURAL PROFESSIONALS EFFECTIVELY SUPPORTS THE STATUS QUO OR PROMOTES A CRITICAL VIEW OF THE CURRENT BALANCE OF POWER TOWARDS SOCIAL TRANSFORMATION

(Ibid, 2013a), the essential model remains one in which the power relations between government, civil society and the beneficiary communities remain heavily weighted towards government as the ultimate providing authority.

Within the policy landscape, significant shifts towards the acknowledgement of informal settlements and the need to address ways of achieving their upgrade have been noted. From having no policy with regard to informal settlement upgrade prior to 1994 (Huchzermeyer, 1999), the National Housing Policy now boasts various instruments through which informal settlements can be approached, including the National Upgrading Support Programme (NUSP) established in 2009 and the recent enactment of the Spatial Planning and Land Use Management Act (SPLUMA), in which the upgrade of informal settlements is expressly stated in Section 7a(ii) (Department of Rural Development and Land Reform, 2013c).

Despite this progress, however, the prevalence of violent service-delivery protests (SABC, 2015; Tissington, 2011a: 89, 90, 93; Von Holdt *et al*, 2011) suggests that there remains a significant disjuncture between that which is promised in policy and that which is implemented in practice. Defensiveness on the part of government officials results in an escalation of violence in the expression of grievances, in turn leading to reported incidents of police brutality and violent response to protests: 'Instead of responding to these grievances, the main focus seems to be on dealing with the instigators of the violent crime who are perceived as aggrieved ANC people who are using the collective violence to settle scores or regain their power' (Von Holdt *et al*, 2011:123).

Pithouse (2011) proposes that such service-delivery protests are indicative of an even deeper expression of a frustrated democracy, where the notion of equating the installation of water and electricity does not necessarily resolve the need for social justice and inclusion.

Huchzermeyer (2011) points to the highly contentious use of the word 'eradication' in the context of the United Nations Millennium Development Goal Seven Target 11 (MDG), where the vision of slum-free cities became >

2 Children walk between the zinc houses that were built in Delft, about 30km from Cape Town, as a 'temporary' relocation area before people are moved to houses. 3 Blikkiesdorp, community library. 4 Jacqueline Joseph in her home in Blikkiesdorp. She has been living there for over two years, after being evicted from the Symphony Way homes.

a global aspiration. In South Africa, politicians continue to call on the 1955 Freedom Charter, with the minister of human settlements, as well as her deputy, stating that ‘slums shall be demolished’ (SA, 2015a; SA, 2015b). Such rhetoric remains evident also at the municipal level, where the mayoral committee member for housing considers ‘the eradication of informal settlements one of the major challenges of his portfolio’ (City of Johannesburg, 2015).

This antagonism towards informal settlements speaks of the political hegemony of the ruling African National Congress (ANC), which does not tolerate the potential threat inherent in grassroots community organisation found in such settlements (Pithouse, 2009). Although the government-supported NUSP claims to base its approach on incremental upgrading, with an emphasis on services, tenure and empowerment (NUSP, 2015), examples of municipalities that treat the urban poor unlawfully in terms of violent evictions, demolitions, forced removals and repression of community organisations speak of a fundamental disjuncture between progressive policies and repressive politics:

One of the reasons for the contradiction between the law and formal policy positions on the one hand, and the altogether more grim reality of state action on the other, has been that for some years key figures in the national political elite have promoted an anti-poor discourse about clearing or eradicating slums that has, in practice, had more influence on state officials and much of civil society than the formal policy and legal commitments to which the state is bound in principle (Pithouse, 2009: 2).

From this discrepancy between policy and implementation, it becomes important to determine how the various stakeholders view informal settlements in the first instance, so that their perspective regarding upgrade practices may be better understood. Framing

the discourse in this way serves to determine how work undertaken by architectural professionals effectively supports the status quo or promotes a critical view of the current balance of power towards social transformation.

PERSPECTIVES ON INFORMAL SETTLEMENTS AND IN-SITU UPGRADING

The following categories can be read in conjunction with Huchzermeyer and Karam’s range of policy approaches (2006: 20-25) to distinguish fundamentally biased perspectives on informal settlements that influence upgrade strategies:

- A *pejorative* view in which poverty, despair and hopelessness are considered to be central to the prevalence of informal settlements – the antithesis



to a desired utopia: forced evictions, eradication and demolition would be considered.

- A *problem-based* view in which positivist intervention is required for regularisation: a solutions-driven approach would be embraced, with the ultimate aim of replacement with norms and standards that are representative of the mainstream (dominant) value system.
- A *pragmatic* view in which informal settlements are seen as temporary sites of transition towards ultimate inclusion into mainstream society and economy: consensus-based improvement and regularisation would be considered, embracing an incremental approach towards formalisation.
- A *radical* regard of informal settlements sees them as sites of sociopolitical resistance to the status quo; volatile and essential to an insurgent citizenship: it would favour an in-situ, organic assertion of power parallel to development on terms established by the residents of the informal settlement themselves, thereby establishing an alternative and authentic expression of identity.

PEJORATIVE VIEW: ERADICATION AND REMOVAL

In the South African history of human settlements, the pre-1994 governments assumed a decidedly pejorative view with regard to informal settlements. The 1934 Slums Act allowed for forced removals (Huchzermeyer, 1999), there was the Prevention of Illegal Squatting Act of 1951, Sophiatown was demolished in 1955, Cato Manor was demolished between 1958 and 1960, and District Six was demolished between 1968 and 1982 (Huchzermeyer, 2011).

Within such a context, slums or informal settlements are defined as ‘housing unsuitable for improvement, and thus to signal a first step towards demolition’ (Huchzermeyer, 2011: 5). Although post-1994 intentions are ostensibly aimed at a far more progressive approach to

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THE N2 GATEWAY HOUSING PILOT PROJECT IN CAPE TOWN SERVES AS AN ILLUSTRATION OF SUCH A PEJORATIVE POSITION ASSUMED BY THE POST-1994 GOVERNMENT

human-settlement processes, Fieuw (2011) states that the response to informal-settlement upgrade in Hangberg, Cape Town, is a representation of the inherent inability or unwillingness of the provincial government to successfully facilitate a democratic process towards upgrading. Rather, it displays an inclination towards violent control after several failed attempts at multi-sectoral negotiations.

In its judicial challenge to the KwaZulu-Natal Elimination and Prevention of Re-Emergence of Slums Act 6 of 2007, the shack dweller movement Abahlali baseMjondolo revealed a serious ambiguity within the post-1994 government regarding its view on informal settlements (Huchzermeyer, 2011; Tissington, 2011a, 2011b). According to Huchzermeyer (2011), the actual definitions of the terminology are not the primary concern, it is the simple interpretation of slogans such as 'slum-free cities' or 'cities without slums' that tend to belie an implicit attitude to informal settlements, eventually influencing policy direction and decision-making on the ground, as attested to by the resurgence of punitive legislation.

Tissington and Royston (2010) similarly report that since 2004, 'informal settlements have been characterised as sites of illegality, and shack dwellers treated in a heavy-handed and undignified manner.' Such a continued manifestation of aggression towards informal settlements questions both the authority and the validity of the state as representative of its citizens. It is for this reason that a largely pejorative view can be identified in incidents of intimidation and political arrogance from state authorities: 'They (ANC government) will never dirty their hands by negotiating with poor people' (Zikode in Pithouse, 2013).

ROLE OF ARCHITECTS IN PEJORATIVE VIEW

The N2 Gateway Housing Pilot Project in Cape Town serves as an illustration of such a pejorative position assumed by the post-1994 government. It also illustrates

a particular role assumed by the architectural profession in this context that may be regarded as serving the existing power structures uncritically.

Three tiers of government under the leadership of the ANC – the provincial government of the Western Cape, the National Department of Housing and the City of Cape Town – collaborated to initiate the N2 Gateway Housing Project in March 2005 (SAIRR, 2009). The project was to be spread over a large area on various sites. The most visible was to be constructed along the N2 highway between the city centre and Cape Town International Airport, replacing the existing informal settlement with formalised rental housing (Dennis Moss Partnership, 2014; Dewar, 2008; Garner, 2005; Mammon & Ewing, 2005; SAIRR, 2009).

Scholars warned, however, that the preparation for the 2010 FIFA World Cup accounted for the urgency to replace the unsightly informal settlements along the freeway with visible signs of progress (SAIRR, 2009; Parliamentary Monitoring Group, 2009; Newton, 2009; Miraftab, 2009). It was meant 'to throw a blanket over quite a number of these existing informal settlements along the N2 and that concept came from the political level' (Parliamentary Monitoring Group, 2009).

Urban Design Frameworks and architectural designs were developed as part of the strategy to implement this project in a short space of time. Many of these designs were acknowledged by professional bodies, such as the Cape Institute for Architecture by bestowing them with Merit Awards (AGC Architects and Development Planners, 2014; CNdV Africa, 2014; Dennis Moss Partnership, 2014; Garner, 2005). Critique leveraged at the N2 Gateway Project, however, exposed these >

5 Angry residents voiced their unhappiness about slow provision of housing, poor service delivery and crime. 6 Buffalo City residents protesting for better housing developments.

intentions to be naïve, at best, and callous in the cover-up of inhumane eviction strategies, at worst (Huchzermeyer, 2011). Large-scale eviction orders reminiscent of the apartheid era were granted by the Cape High Court, with such evictions pursued by police, private security firms and dog units (Miraftab, 2009).

Swilling (in Isandla Institute, 2007) points to the dichotomy inherent in the N2 Gateway Project, where the 'world of technocrats, which talks about space, land, planning, infrastructure, hard stuff, buildings that crack or cost certain amounts to rent' fails to meet the world of everyday struggles for survival, as expressed in the informal settlement. This resulted in limited integration of economic activities, low densities, urban fragmentation

and limited opportunity for variety or incremental growth or expansion – all contrary to the stated intention of the Urban Design Frameworks or the participation processes.

Dewar (2008) elucidates the problems encountered in the project – from units that were too expensive for the target market to geotechnical information indicating that the land was not suitable for construction, and

inadequate relocation processes that led to large-scale disputes with the affected community. He argues against the eradication of the informal settlement: 'By identifying the problem as the eradication of informal settlements, there is a grave danger that, in the longer term, the "cure" is worse than the "disease"' (Ibid: 34).

Effectively, the spatial design disciplines actively contributed to the promotion of this pejorative approach to the informal settlements, with utopian visions of gentrified neighbourhoods providing the marketing tools to garner the funding and political will that contributed to the fast-track approach to the construction. This example therefore provides evidence of urban professionals assuming an uncritical position regarding existing power structures.

PROBLEM-BASED VIEW: FORMALISED SOLUTIONS

Returning to the UN-Habitat definition of slums (2007), in which focus is placed on their prevailing inadequacies, it is significant that the South African National Housing Code Part 3 (Department of Human Settlements, 2009b) has assumed the same definition:

Informal settlements typically can be identified on the basis of the following characteristics:

- *Illegality and informality;*
- *Inappropriate locations;*
- *Restricted public- and private-sector investment;*
- *Poverty and vulnerability;*
- *Social stress (Ibid: 16).*

THESE APPARENTLY CHAOTIC URBAN AGGLOMERATIONS THAT DEFY ZONING AND OCCUPATION LAWS REPRESENT LOCI OF RESISTANCE TO POLITICAL CONTROL, WHICH IN ITSELF PRESENTS A CONUNDRUM FOR THE CURRENT ANC GOVERNMENT

It could be argued that both the Reconstruction and Development Programme (RDP) that focused on the roll-out of houses to address the housing problem and the UISP to address the informal-settlement problem have this fundamental perspective in common: in both cases, an urban-growth phenomenon is categorised as a problem requiring a requisite solution. Here it is interesting to interject with one of John FC Turner's observations with regard to housing programmes in general: 'The moment that housing, a universal human activity, becomes defined as a problem, a housing problems industry is born' (Turner, 1976: 4).

Indeed, herein lies a fundamental aspect of the South African policy scenario. The shift from an approach that was focused on the delivery of houses to meet quantifiable targets towards the policy of informal-settlement upgrade did not include a shift in perception beyond the consideration of informality as problematic.

So what, then, is this problem from the state's perspective that results in such elaborate machinery designed to solve it? Typically, these apparently chaotic urban agglomerations that defy zoning and occupation laws represent loci of resistance to political control, which in itself presents a conundrum for the current ANC government. Prior to the 1994 elections, much of the ANC liberation politics thrived in such conditions, where alignment between political ambition and the plight of the poor was clear (Pithouse, 2008: 70; Von Holdt *et al*, 2011: 123). Yet, according to Huchzermeyer (1999) and Pithouse (2011), the notion of development being driven by ordinary citizens was rapidly abandoned in the negotiated transition to democracy: 'What had been rendered as political, and therefore subject to political discussion and action during the struggle against apartheid, was rendered, by mutual agreement between old and new elite, as technical, and therefore a matter for experts, at the dawn of parliamentary democracy' (Ibid).

The problem from the ANC's perspective, therefore, resides in the fact that their promise of social equity and empowerment for all citizens has been diluted into a problematising of segmented tangible outcomes. In this oversimplification of their democratic mandate, they have created for themselves the task of Sisyphus: The more houses the government delivers, the larger the backlog becomes; the more they support the upgrade of informal settlements, the more ubiquitous they become, increasingly fuelling dissatisfaction and disappointment in the citizenry (Pithouse, 2011; Tissington, 2011a; Von Holdt *et al*, 2011). ■

PART 2 CONTINUES IN EDITION 86.

REFERENCES

Refer to <http://www.businessmediamags.co.za> for a full list of references. In the second part of the article to be published in ASA 86 all the references will be included.