DOCTOR PHILOSOPHIAE

GOVERNMENT HOUSING RECTIFICATION PROGRAMME AND

PRACTICE IN SOUTH AFRICA: A CASE STUDY OF THREE SELECTED

EASTERN CAPE COMMUNITIES

STUDENT: MR GASTER GILBERT SHARPLEY

STUDENT NUMBER: 3314478

SUPERVISOR: PROFESSOR GREG RUITERS

UNIVERSITY OF THE WESTERN CAPE (UWC)

SCHOOL OF GOVERNMENT (SOG)

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DECLARATION

I, Gaster Gilbert Sharpley with student number 3314478 hereby declare that this thesis for the Award of the degree of Philosophiae Doctor is the result of my effort and it has not been presented in any University or institution for any degree. All references were duly acknowledged.

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GASTER GILBERT SHARPLEYi

ACKNOWLEDGEMENTS

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DEDICATION

Richard Spalding

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poor planning due to the desire to deliver mass housing in the shortest time. The

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LIST OF ACRONYMS AND ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
ANC	African National Congress
BBBEE	Broad-Based Black Economic Empowerment
BNG	Breaking New Ground
CIBD	Construction Industry Development Board
COSATU	Congress of South African Trade Unions
CRO	Community Resource Organizations
DA	Democratic Alliance
DHLGTA	Department of Housing and Local Government Traditional Authority
DoHS	Department of Human Settlements
EC	Eastern Cape
ECDoH	Eastern Cape Department of Housing
EPHP	Enhanced People's Housing Process
FBW	Free Basic Water
HDA	Housing Development Agency
HIV	Human Immuno-deficiency Virus
HSDG	Human Settlement Development Grant
HSRC	Human Science Research Council
HWP	Housing White Paper
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Integrated Development Plan
IRDP	Integrated Residential Development Programme

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IRR	Institute of Race Relations
ISP	Institutional Subsidy Programme
ISUP	Informal Settlement Upgrading Programme
LED	Local Economic Development
MEC	Member of Executive Council
MDG	Millennium Development Goals
MIG	Municipal Infrastructure Grant
MSA	Municipal Systems Act
MTSF	Medium Term Strategic Framework
NASHO	National Association of Social Housing Organizations
NDA	National Development Agency
NDoH	National Department of Housing
NDHS	National Department of Human Settlements
NDP	National Development Plan
NGOs	Non-Government Organizations
NHBRC	National Home Builder's Registration Council
NHFC	National Housing Finance Corporation
NHSS	National Housing Subsidy Scheme
NURCHA	National Urban Reconstruction and Housing Agency
NUSP	National Upgrading Support Programme
PACO	Project Approval Committee
PCAS	Policy Co-Ordination and Advisory Services
PHP	People's Housing Process
PFMA	Public Finance Management Act

RDP	Reconstruction and Development Programme
SA	South Africa
SABS	South African Bureau of Standards
SACN	South African Cities Network
SACP	South African Communist Party
SACSIS	South African Civil Society Information Service
SAHRC	South Africa Human Rights Commission
SANS	South Africa National Standards
SCM	Supply Chain Management
SERI	Socio-Economic Rights Institute
SHF	Social Housing Foundation
SHP	Social Housing Programme
SHRA	Social Housing Regulatory Authority
SIU	Special Investigative Unit
StatsSA	Statistics South Africa
UDF	United Democratic Front
UISP	Upgrading of Informal Settlements Policy
UN	United Nations
UNDP	United Nations Development Programme
USDG	Urban Settlement Development Grant

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ABSTRACT

In 1994, democratic South Africa adopted the Reconstruction and Development Programme (RDP). The construction of houses for the poor was framed as a fundamental measure of restoring the dignity of the poor and as a victory for rational policy making in South Africa. The mass building of free housing was intended to address homelessness, reduce informal settlements and promote social change through home ownership. But, within the first five years, serious defects emerged in a large number of houses. In 2006, this resulted in the Department of Housing introducing a Rectification Programme that was intended to be for a limited period, but was extended due to the unprecedented number of defective houses. This study covers three rectification sites in order to probe the hidden costs, human consequences, and the contradictory policy processes and politics of accountability in public housing. The sites cover projects in an urban, rural and Peoples Housing Process (PHP), thereby covering the broad spectrum of housing delivery. The study involved quantitative and qualitative research with beneficiaries, practitioners and politicians. The popular perception is that rectification is the outcome of shoddy workmanship, but the study proves that there are several other underlying considerations that drove the programme, including the framing of the housing "problem", homeownership as a paradigm and resulting issues of house maintenance. The rectification of RDP homes is a metaphor for misdirected policy and implementation failures in South Africa.

Key words: RDP housing, rectification, policy process, Eastern Cape.

CHAPTER ONE: INTRODUCTION TO THE STUDY

Introduction

A modern house is a durable structure, which shapes people's lives and their place in the social hierarchy. Creating a sense of belonging and financial worth, a house is meant to last at least a generation, but the poor often experience rapid physical deterioration of their homes while the opposite happens for the wealthy. Towards the end of apartheid in South Africa, public housing for blacks could not cope with the demand resulting in the large-scale proliferation of shacks in both major cities and in rural areas. The South African post–apartheid government embarked on a Reconstruction and Development Programme (RDP) that included the construction of over three million houses for the poor based on the fundamental conviction that owning a house was 'basic human right'. This housing policy allows for the transfer of a state funded serviced site and basic dwelling to qualifying applicants and the panacea of homeownership as one means to address poverty. The National Department of Human Settlements refers to the programme as the Housing Subsidy Programme, however, it is popularly referred to as RDP housing.

The delivery of RDP houses aimed to facilitate a planning policy shift towards integrated human settlements in areas, which would ultimately provide convenient access to amenities that offered access to economic and social amenities. The programme was also aimed at creating social cohesion and sought to integrate all spheres of government through the Integrated Governmental Relations (IGR) framework. Along with the introduction of the RDP came raised expectations from

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communities who were inclined to understand the RDP as the provision of benefits and opportunities. This expectation of the RDP was interpreted as a better living environment, improved services and enhanced life chances. The programme has been the source of significant community unhappiness due to the quality of the houses being constructed. According to (Khan & Thring 2003: 18),

> despite the considerable modifications and revisions to the housing policy over the years, concerns related to quality, efficiency, effectiveness and sustainability of housing programmes still define and frame discussions.

As Khan and Thring (2003) explain, the housing policy is centred upon the concept of public-private-social partnerships. The path chosen was RDP houses that in the main were built by small scale contractors – labelled "emerging contractors" with little regulation of the quality of materials and finished houses and in many cases bigger contractors had subcontracted to smaller ones (Bradlow et al., 2011). However, these problems have resulted in government rebuilding or fixing a large number of the houses through a policy called "Rectification". More than half of the 600 000 houses built for the poor since 1994 and 1999 are 'substandard' (Housing Minister, cited in Khan and Thring 2003). Numerous structural defects observed on subsidized low-cost houses built between 1994 and 2010 have eventually forced the National Department of Human Settlements (NDoHS) to embark on the Rectification Programme. The Rectification Programme is defined by the national Department of Human Settlements (DHS, 2012) "as a process of correcting *structural* and other defects on state-funded low-cost houses that do not meet the technical requirements specified by the National Home Builders Regulatory Council (NHBRC)".

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A government survey conducted in 2010 revealed that a third of all people allocated RDP houses were unhappy with the size and quality of houses provided. About 31 percent of 1.8 million people who received the houses regarded them 'as very weak'. The survey found that most complaints were in the Western Cape at 66.7 percent, Eastern Cape at 62.5 percent and Northern Cape at 35 percent (*Sowetan,* 8 September 2010: 3). Official findings about the rectification problem are detailed in various reports from a number of state agencies, including the NHBRC, the Construction Industry Development Board (CIDB) and the Public Protector. Sub-standard housing has forced the government to strengthen its oversight and controls over the employment of contractors by among others, stipulating that they must be registered with the CIDB and NHBRC.
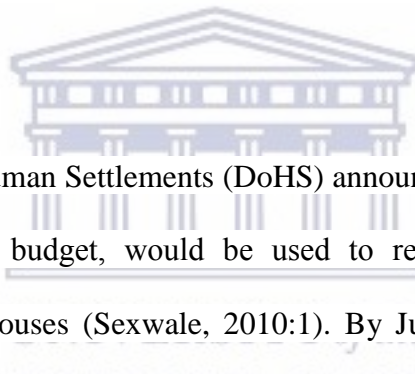
In 2010, the Department of Human Settlements (DoHS) announced that R1.3 billion, or 10% of the DoHS's annual budget, would be used to rectify or rebuild poorly constructed state-subsidised houses (Sexwale, 2010:1). By July 2014, approximately R2.1 billion had been spent on the programme, of which R1.5 billion (or 71%) had been spent in the Eastern Cape province.

In 2013, it was reported by the *Witness* newspaper that the KwaZulu-Natal Human Settlements Department had spent R398 million since 2004 to fix low-cost broken houses. More than 24 housing projects worth about R217 million involving eight construction companies were implicated. "The costs to rebuild the houses had doubled or tripled because the houses went from 18 square metres to 40 square metres, and building material prices had risen". It was reported that, "In some projects, Section 21 companies established from the communities were the developers responsible for

construction of houses and were no longer in existence. In some projects it was found that the contractors were liquidated" (*The Witness*, 4 December 2013, http://www.news24.com/archives/witness/r398mln-to-fix-housing-projects-20150430).

Rectification affects all levels of the state. It features as a major item in many municipal Integrated Development Plans (IDP). In Nelson Mandela Metro (in the Eastern Cape), for example, it is mentioned at least 72 times in the 2011-2016 IDP (http://www.nelsonmandelabay.gov.za/datarepository/documents/NnEbf_Adopted%20IDP%2013th%20Edition.pdf). The parlous state of RDP housing is a key priority for most wards and has been at the centre of collective protest action in areas such as New Brighton where residents shut down a Museum in 2014 demanding that their RDP houses be fixed (*The Herald*, 8 July 2014).

In 2014, the problem featured in national parliament when a number of key actors were asked to provide their views. The CIDB, for example, told the Parliamentary Select Committee that:

> Weaknesses in procurement processes were a major problem in the construction industry, especially in the construction of houses for the poor…. poor site management, lack of contractor expertise and corruption, in the form of collusion and nepotism. Flawed procurement processes and corruption are major causes of shoddy work in the construction of government's Reconstruction and Development Programme (RDP) houses for the poor. Not only does this frustrate beneficiaries, it costs the state millions of rand to fix the houses and delays the construction of more houses for the needy. (RSA, 2014: 1)

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In 2016 parliament was told that in Nelson Mandela Metro from 2011 to April 2015, 30 285 housing units were rectified by the Provincial Department and/or Nelson Mandela Metropolitan Municipality (HDA, 2016).

The rectification drive has become thorny for the state, as then Director-General Thabane Zulu explained to the Human Settlements Portfolio Committee during the tenure of former minister, Tokyo Sexwale. First, the department would need approximately R58bn (three times its annual budget) to fix the sub-standard housing. The department's annual budget at the time was only R16.3bn a year. Thus, the department projected more than 40 years to fix the houses, *with no other* service delivery taking place.
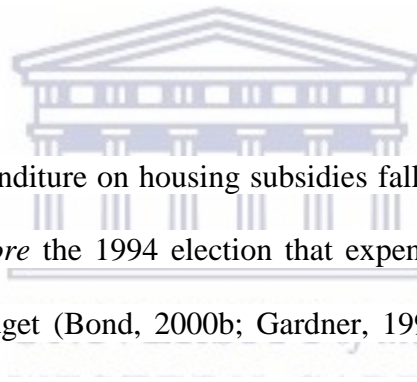
In South Africa, limited expenditure on housing subsidies falls well below the ANC's much disputed 'promise' *before* the 1994 election that expenditure would eventually reach 5% of the national budget (Bond, 2000b; Gardner, 1997: 105). This approach gave rise to unintended consequences in relation to the conventional building standards and processes (see Atkinson and Marais 2006 on the importance of unintended consequences in policy).

First, the challenge of rectification was fuelled by the political desire to build more housing units with less funding while also promoting a black business class.

Second, as Minister Sisulu's spokesperson, Ndivhuwo Mabaya noted, the government would intensify efforts "to find the contractors and developers who built the low quality houses to fix them". Meanwhile, the minister's view was that those who received

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government-issued houses must fix them "as part of maintaining the houses". Maintenance therefore is a key site of contention.

The minister and provincial housing MECs will only consider extending help to indigent people, pensioners and the disabled or direct the NHBRC to use its warranty fund to fix affected houses. A similar message was delivered in response to parliamentary questions but the Minister stressed that

> the National Department conducts structured project-level monitoring on a quarterly basis in all nine Provinces for verification of delivery. During these, the quality of construction is also observed and reported. I also recently met with contractors involved in the housing subsidy market to address challenges and to emphasize amongst other the importance of quality workmanship (HDA 2016)

Third, the costs of rectifying houses exceeded the costs of building new ones. The Democratic Alliance (DA) (2015) pointed out that in the Northern Cape, R6 929 000 was spent on the restoration of just 32 houses. This amounts to R216 000 per house. In the Free State, the Department spent almost R80mn on the restoration of just 264 houses in that province. This amounts to R302 250 per house. R334mn was spent in the Eastern Cape fixing 3 123 houses at R107 000 per house. That is just over the estimated cost of building a new house. Considering the average cost of building a decent RDP house is around R100 000, it is highly unlikely that such sums of money went to restoring of these houses.

An excerpt from the *Sunday Independent* (May 17, 2015) claimed "The Ministry of Human Settlements has spent more than R2bn over the past three years to fix RDP

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houses that had been poorly built by contractors, some of whom have not been blacklisted from doing further work for the government". A total of 26 459 houses have so far been rectified in terms of the National Rectification Programme.

> Contractors who were responsible for this shoddy workmanship are currently being prosecuted and public monies being recovered. Public servants from various national, provincial and local municipalities who fraudulently benefited from (the) government housing programme, the department revealed that 1 061 such officials were prosecuted between 2010 and 2012. Of these, 1 002 had been convicted," (Zulu cited in *Business Day*, 20 February 2013).

The rectification problem was clearly blamed on small scale contractors – the "fall guys". It provides a window into a number of governance failures and speaks to how in South Africa works projects meant to help the poor seem to do the opposite; how blame-shifting works and how evaluating failure is often a shallow exercise. On the other hand, citizen responsibility to maintain their houses was lacking and did not seem significant as the focus was on the poor quality of the houses. According to Ms Dunjana, Director for consumer education for the Eastern Cape Department of Human Settlements, even with extensive awareness on maintenance, community members still consider the government as being the primary source of resources to maintain the houses.

The central aims of this research work were to closely document and analyse the various perceptions and experiences of stakeholders in the RDP housing rectification process. This study aimed to analyse a neglected aspect of the delivery of RDP housing

in South Africa, specifically the Rectification Programme and its implementation with particular reference to three housing projects in the Eastern Cape. The three projects covered examples of urban, rural and the Peoples Housing Process (PHP). The study involved quantitative research in the community and qualitative research with housing practitioners. A structured set of questions formed the basis of the research invoking views informed by experiences, emotions, understanding and fact.

The apartheid government of South Africa laid out settlements based on race and kept black citizens on the outskirts of urban areas with limited services. The typical housing provision for black communities was municipal rental stock and uniform rows of small houses shared between multiple families in what is still commonly known as townships. The townships were designed to have only one entrance and exit in order to control the community's movements. The apartheid policy of separate development carefully separated economic opportunities maintaining privilege for white South Africans. The typical design of a South African town was that the commercial hub would be at the centre with white residents occupying residential areas in close proximity boasting quality services such as tarred roads, running water, water borne sewerage and electricity. Light industry separated the white community from Coloured and Indian communities, who in turn where separated from the African community by factories. A black township was typically categorised by gravel roads, pit latrine toilets and communal taps.

The RDP programme sought to uplift communities that were disadvantaged. It sought to introduce a unified atmosphere of peace and security through home ownership and encourage a democratic and unified nation and community stability. The conventional

view (and largely untested) is that homeownership implies a commitment to strengthening families and good citizenship. Homeownership enables people to have greater agency and to act more judiciously with household budgets. Homeownership signals roots and community. It further assumed that community members would take responsibility for the property and conduct routine maintenance. It is assumed to unlock market behaviours and incentives for upgrading and investing in homes as well as acting as a form of family wealth that can be passed down to future generations. This research confirmed that some residents sold the houses for a fraction of the construction value and remained in the informal settlements. The house was not "a home" but merely an entitlement to those who sold it. The allocation of a house to one single beneficiary in a family led to community members wanted to remain in the overcrowded shacks as the new dwelling could not cater for all family members.
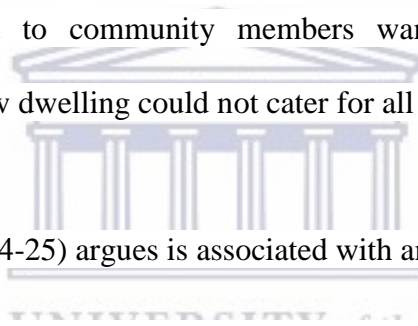
"Home" as Cresswell (2004: 24-25) argues is associated with an

> exemplary kind of place where people feel a sense of attachment and rootedness.. an intimate place of rest and a field of care and ideal kind of authentic existence that frames the way people go on to think about the wider universe.

The RDP's implementation of mass home ownership would enhance the growth of communities by mediating the reconstruction, redistribution and reconciliation of a nation previously divided through the effective implementation of infrastructure. This encouraged empowering people who had no influence under the apartheid regime.

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Aims of this research

The central aim of this work was to closely document the various perceptions and experiences of different role-players in the rectification process in order to reach an understanding of the deeper policy and human dimensions of the rectification process in three separate geographical sites in and around Mthatha in the Eastern Cape. The Eastern Cape historically has been a major migrant labour producing region and was chosen to provide a much neglected rural lens on housing policy through the Qumbu project, an urban experience in the regional town of Mthatha and people's direct involvement, PHP, in the Ilitha project. Home ownership with the aim of stabilising families and communities by rooting them in place under such conditions poses an interesting conundrum. Thus, for example one may ask: does fixity in place reduce mobility and lock people into poverty stricken areas. How would homeownership (of poorly built RDP houses) be seen by those living in high-poverty areas? What are the downstream consequences of owning a home, especially hidden cost such as maintenance and services? The views of communities, individual beneficiaries, project managers, consultant and contractors implementing the projects are documented and analysed in this study to provide new knowledge on a process in South Africa that could assist other countries and scholar exploring the same subject area. This study further explored the convoluted processes of framing of policy, contradictory policy imperatives, blame shifting and paradoxes of rectification to shed light on policy making and accountability in South Africa. It used an in-depth analysis of case studies of selected communities in the Eastern Cape Province. It explores the understanding of responsibility by communities.

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The research also explored the following secondary questions:

- How did intergovernmental structures interact in the housing process and what kind of accountability and blame-shifting occurred?

- What roles did professionals play in the process?

- What were the perceptions and understanding of roles by RDP owners/beneficiaries?

- What are the key policy lessons and analytical observations?

From a project management perspective, factors that led to the rectification programme included: the lack of proper monitoring and evaluation and the lack of basic project readiness including not following planning and environmental considerations. Moreover, the systemic limitations in the Intergovernmental Relations (IGR) framework for the effective coordination of state resources in housing delivery and the lack of state capacity to deliver at all tiers, including inadequate contractual controls and poor supervision of contractors due to lack of capacity at the municipal level and finally, poor social facilitation. With respect to communities, factors that contributed to rectification include: the expectation that government would offer a total solution rather than create opportunities; and the fact that community participation in the construction process - through sweat equity to reduce costs and increase the size of the houses – failed. Thirdly, the poor maintenance and upkeep of RDP houses by beneficiaries themselves; a lack of consumer education regarding future maintenance and finally, communities' criticisms that RDP houses were exceptionally small -- contributed to demands for rectification. The Member of the Executive Council (MEC) for the Eastern Cape, Ms H Sauls August at a project launch on the 14th October 2014 expressed

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disappointment at a community member requesting furniture with the house. This study further explores the oversight processes in housing quality and consequent rectification in South Africa. Moreover, it analyses the policy direction that introduced the programme.

In 1994, there was consensus from all key role players in the construction value chain to support the political desire to offer land title to poor communities without due consideration to quality. The target was to build one million houses in the first five years of democracy. To communities, the quality was of little consequence as this was the first time that government had provided free shelter. The professionals and contractors considered their involvement simply as establishing relationships with the new government. They provided little guidance to package the political ideals into workable solutions. The ideal was to offer a housing opportunity with the land tenure serving as the primary focus to restoring the dignity of disenfranchised masses under apartheid.
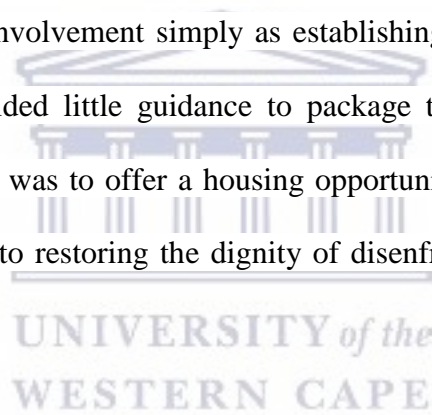
Rationales for this study

From the onset, there was not sufficient funding to provide houses for the entire backlog. Furthermore, there was a reliance on the spirit of building a new country through the Masakhane programme that said that all should hold hands and contribute to the RDP. This led to the demand for housing created a focus on mass production for home ownership without consideration for quality and costs of upkeep. This resulted in countless projects showing structural defects within a short period with unhappy home-owners who could not afford upkeep. The size of the house also created unhappiness

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amongst communities who began to demand bigger houses of a better quality as well as that government fix and maintain houses. This pressure and admission by the government that housing delivery had gone wrong in many projects led to the creation of a new instrument called the Rectification Programme that targets houses from both pre-1994 and post-1994 to before the introduction of the NHBRC enrolment (DoHS, 2009). The poor location of housing development and spatial issues in service delivery has become an important focus of recent research (Turok, 2011: 201) as part of the process of correcting structural and other defects on state-funded low-cost houses that do not meet the technical requirements specified by the NHBRC.

It is hoped that this study will add to knowledge regarding the provincial and local dynamics in the housing process as well as issues of the hidden burdens of homeownership. The study is significant for several reasons: Firstly, the scale of the rectification problem is so big and explanations for the problem so diverse that an in-depth scholarly understanding is required. Secondly, while the problem of housing has been extensively debated, no scholarly studies exist on rectification and maintenance burdens. Thirdly, despite this robust debate in government circles and communities about service delivery at large, housing literature about the reasons behind this challenge is scanty. There are also long-term implications for the racial division of space in this country. Most RDP houses have been built in poor or unstable locations, such flood plains adding to maintenance burdens. Houses have also been built far from social and economic activities. Lastly, the study explores how the complexities of a multi-sphere model of government (national, provincial and local) might be connected to poor housing delivery. This is directly attributed to weak coordination and silo

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mentality. Hence, the choice of the Eastern Cape, which reflects the worst cases of government weakness, and is often portrayed as the "hospital province".

Scope of the Study

The NHBRC was mandated to certify the quality of RDP houses from 2006. Therefore, the projects selected were initially constructed prior to this date and undergoing rectification after 2006. The study period was informed by the fact that it was the NHBRC that quantified the extent of the challenge, which influenced the introduction of the Rectification Programme.

The geographical spread of the rectification programme shows a distinctive trend emerging with the largest numbers of defective houses in two provinces. According to the NHBRC in a presentation made at a stakeholder workshop on Nelson Mandela Metropolitan Municipality on 4th November 2015, the Eastern Cape and Kwa-Zulu Natal are cited as having the highest number of RDP houses requiring rectification. The presentation further stated that 35 000 units required rectification out of 48 000 houses assessed in the Eastern Cape. The presentation revealed that RDP houses in that part of the Eastern Cape, formerly known as the Transkei, had the bulk of projects needing rectification. In an effort to offer a holistic reflection of the state of rectification in the country, this information informed the case studies selected within the Eastern Cape in line with the three focus areas - namely, urban, rural and community participation through the PHP.

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The study is limited to three sites projects and interviews with community members, 15 practitioners, including policy makers and two focus groups. The study is located in the areas around Mthatha in the Eastern Cape. From 1976 to 1994, Mthatha was the capital of the independent Transkei. This was a homeland created by the apartheid government called self-governing areas. During apartheid through the Transkei Development Corporation (TDC) invested in a bantustan middle class with a primary service economy and no industry. The trading of goods and services was the predominant activity with loan funding from the state that was not always repaid. After the end of apartheid, some sections of the African business and professional community moved out of the region, investment declined and economic recession and administrative chaos has been rife in the municipalities. The homelands nurtured the increase of a black middle class and a black elite rooted in traditional authorities. They included an emergent bourgeoisie of farmers, businesspeople, teachers and bureaucrats. The development corporations, set up to attract white South African and foreign businesses to the Bantustans in a bid to make them economically viable, played a significant role in developing this middle class. The TDC stated its commitment to buying up white businesses and selling them, at a reduced price, to "Transkeians" who in turn leased them back to the whites to run the businesses.

FIGURE 1: Province of the Eastern Cape in South Africa as shown in the map below.

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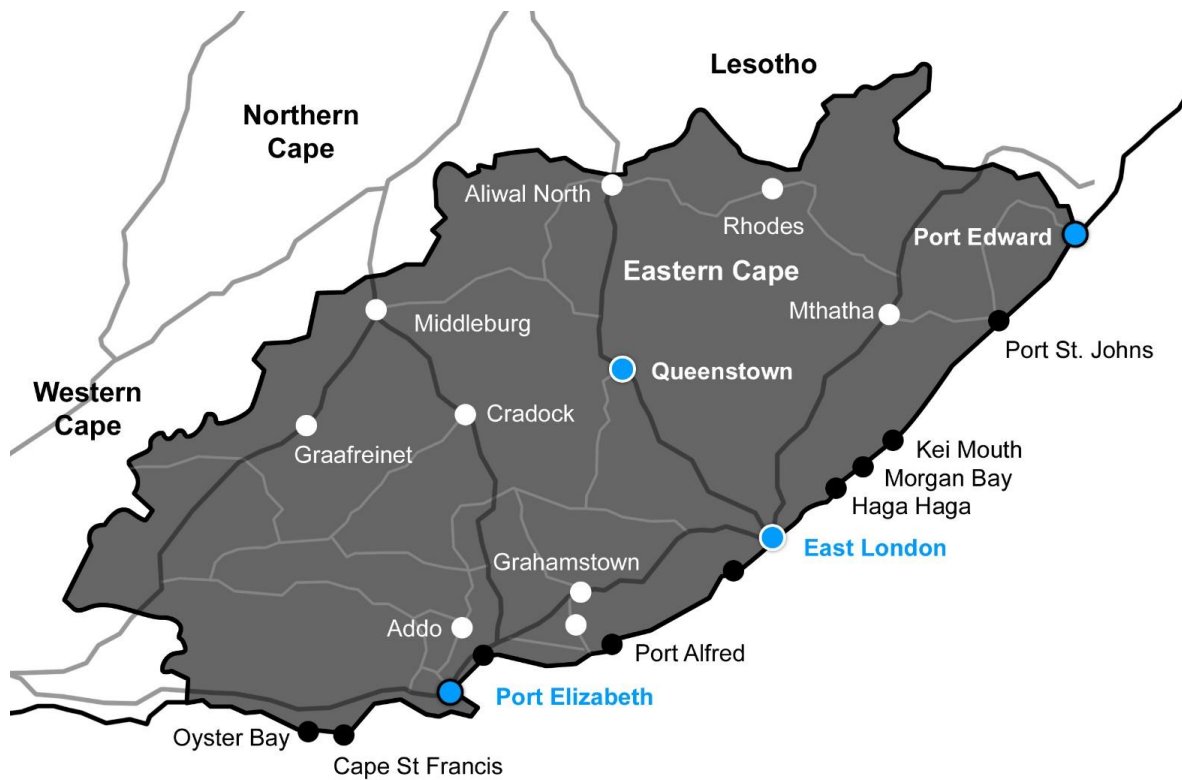
Source: Buffalo City Tourism

This thesis uses a policy-framing concept to probe how problems are named and identified and solutions developed. ESTERN CAPE

The table below interprets the generally acceptable sequence in the RDP housing project development.

Table 1: Sequence in RDP Housing Development

ACTIVITY	RESPONSIBILITY
Project Identification	Community and municipality
Project Initiation	Inclusion in the IDP and application to the provincial department of human settlements for funding.

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Pre-planning	Identify and secure land, Environmental Impact Assessment (EIA), screening of beneficiaries, project layout & appointment of Project Steering Committee (PSC).
Planning	Township establishment, approval of beneficiaries, house design, project costing, zoning, township establishment and enrol the project with NHBRC.
Funding	Submit to the provincial department for the reservation of funding.
Implementation	Appointment of a contractor, appointment of a Community Liaison Officer (CLO) and recruit work force from the community.
Monitoring	NHBRC to certify.
House handover	Happy letter.
Project	Close out report.

Source: NHBRC, 2014

An initial scan of rectification, based on the researcher's observations, is that the "rectification policy and project" has many layers of contradictions that speak to the broader failure of the South African development model. Some of these include significant mistrust between citizens and the state; evidence of greed and corruption at every level; poorly located houses leading to additional damage and higher maintenance burdens and costs (e.g. transport costs) for residents.

The research follows five key themes that are central to public housing in South Africa. These themes correspond to the universal principles used by UN Habitat and form the fundamental pillars in the value chain of public housing construction. The first theme is **community participation in the value chain. This is** echoed through the slogan "nothing about us, without us". The second theme of this research is   **social facilitation**, and this relates to the need for adequate "consumer" education. The third

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theme, **quality of the houses**, explores the key reasons for the poor quality of houses. The fourth theme, **beneficiary analysis**, outlines the role of the beneficiaries in the housing delivery process. Lastly, **stakeholder management**, considers the various stakeholders and the need for clear definitions of roles and responsibilities in particular the burdens of maintenance.

Chapter Outline

The thesis nine chapters that navigate through public housing in general to a narrow study of the Rectification Programme with **Chapter One** presenting the overview. In this chapter Rectification is placed into the context of the South African RDP housing approach after the first democratic elections of 1994. **Chapter Two** comprises the research methodology, which focuses on qualitative research and three case study projects. **Chapter Three** outlines the transition from apartheid housing to the RDP. **Chapter Four** shares the weaknesses in the regulatory framework and explores the policy context of housing followed **Chapter Five,** which covers the literature review relevant to the study.

 Chapter Six explains the Rectification Programme in detail. **Chapter Seven** looks at the case studies. Considerable contribution to new knowledge emerged from the professional interviews in **Chapter Eight.** The interviews offered an objective, technical and factual account of the rectification programme that dispels some of the popular perceptions. These interviews significantly informed the findings, Conclusions and Recommendations in **Chapter Nine**.

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CHAPTER TWO: RESEARCH METHODOLOGY

This chapter will discuss the research design, methodology and data collection procedures, research ethics, validity, reliability and generalization of the study. The research is empirical and based on case studies using mixed methods, but informed by policy analysis literature. The three research locations were selected for specific reasons, with Qumbu, which is predominantly rural, Maydene Farm in Mthatha being more urbanized, and Ilitha in Mthatha was chosen for its involvement in the People's Housing Process (PHP). RDP houses were built in all these areas and required rectification due to poor workmanship. It is hoped that different insights would emerge from the variation in the case studies.

Research Approach and Design
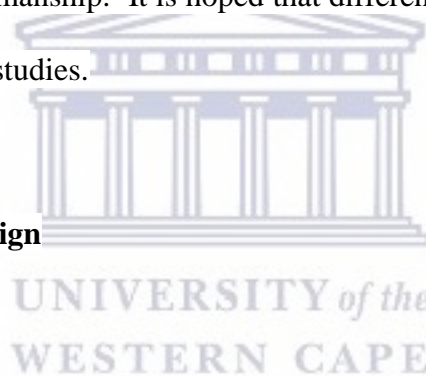
Empiricism is a broad-based philosophical position grounded on the fundamental assumption that all knowledge comes from experiences. The word 'empirical' has a number of meanings (Fellows & Liu, 2008: 29):

- Relating to facts in general.

- Relating to experience in general.

- Descriptive of procedures carried out without explicit regard to any theory.

- Descriptive of any procedures based upon factual evaluations.

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Empirical research without theory and a conceptual approach can be fallacious. For this reason the research is informed by key thinkers of policy analysis.
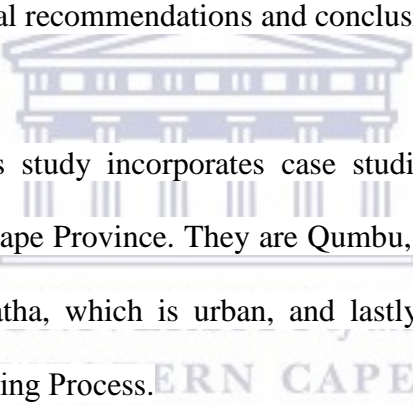
This research was primarily based on the comparative case study approach. Fellows & Liu (2008:32) assert that a plan of action must be developed to show how the problems will be investigated, what information will be collected using which methods, and how this information will be analysed in order to arrive at the conclusions and to develop certain recommendations.

Qualitative research is a creative scientific process that necessitates a great deal of time and critical thinking as well as emotional and intellectual energy (Leedy & Ormrod, 2010). Fellows & Liu (2008: 32) assert that the word 'qualitative' is used to describe research, which emerges from an observation of participants. Qualitative approaches further seek to gain insights into people's perceptions and to understand them, whether they are individual or group perceptions. In qualitative research, the beliefs, understanding, opinions, views, and so on, of people are investigated. The gathered data may be unstructured, at least in their raw form, but tend to be detailed, and hence rich in context and scope (Fellows & Liu, 2008). The qualitative research methodology was chosen in order to investigate and understand the personal experiences of participants and the opinions of the experts regarding the rectification process.

Quantitative approaches tend to relate to positivism and seek to gather factual data, to study relationships between facts, and how such facts and relationships concur with theories and findings of any research executed previously (literature) (Fellows & Liu, 2008: 34). Throughout quantitative studies, a major objective is to ensure that the

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research is unbiased and that the work is unaffected by the beliefs and values of the researcher – it is thus objective (Leedy & Ormond, 2010). In conducting quantitative research, one of the approaches employed by the researcher was to question respondents by using questionnaires and interviews.

According to Fellows & Liu (2008: 34) "…the researcher and the existence of the research should have no influence on the data collected." Quantitative research requires a representative sample. The quantitative research methodology was used in order to ascertain certain statistical trends regarding the factors contributing to poorly built RDP houses and resulting in the Rectification Programme and which would be of assistance in discovering further theoretical recommendations and conclusions.

The method employed in this study incorporates case studies carried out in three different areas in the Eastern Cape Province. They are Qumbu, which is predominantly rural, Maydene Farm in Mthatha, which is urban, and lastly Ilitha in Mthatha that incorporated the People's Housing Process.

A sample of 10% was taken of the 1803 households in the three project areas. The houses selected were random and influenced by the availability of the beneficiary. Standard questionnaires were used for selected households. In a migrant society setting, "household" as a unit of analysis needs to be treated with caution. Many anticipated the rapid increase in rural migration to the cities after 1994 but although mobility remained great, Cross and Bekker (1999) argue that

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Three (million) out of the Eastern Cape's 5.7 million residents moved at least once in their lives and rural out-migrants oscillate between urban centres, but many migrate proximally to other rural locales within the same or an adjacent district. In the Eastern Cape the *intra-provincial* relocation that predominated in the 1990s, saw closer settlements established on the outskirts of administrative, employment and transport nodes and a process of 'densification' at these sites (Cross et al., 1999 cited in Neves and Du Toit 2008).

As Neves and Du Toit (2008) suggest, households are unbundled meaning that networks of power and resources straddle rural and urban areas and that decisions about household spending and resource accumulation may be made outside of a specific household.

In the two Mthatha projects, six community members assisted with data collection. While the data collection was meant to focus on rectification, other issues emerged. These include grants, poverty and unemployment.

Case Studies

Yin (1994: 40) states that case studies can be utilized to investigate 'a contemporary phenomenon within its real-life context'. Eisenhardt, (1989: 534) states that:

> …case study research is commonly utilized to more thoroughly understand the dynamics of specific projects or real-life situations. In this context, interviews, reports and experiences of officials, contractors and beneficiaries provide critical information with regard to the success or failure of these projects in meeting policy and project objectives.

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The case study approach facilitates an in-depth investigation of particular instances of a phenomenon and is useful for investigating how an individual or programme changes over time, perhaps as a result of certain circumstances or interventions (Leedy & Ormrod, 2010). Hofstee (2006) further adds that this study method is useful when detailed knowledge of any particular case is required. Questionnaires (open and close-ended questions), as well as observations were utilized in this study. The researcher collected extensive data from individuals and communities on which the assessment of the factors contributing to the poor quality RDP houses and the introduction of the Rectification Programme was focused.

Approach to the Research

The researcher did document reviews and established the regulatory context of public RDP housing. The views of beneficiaries, project managers, consultants and contractors implementing the projects were solicited, documented and analysed to provide new knowledge on a concept unique to South Africa that could assist other countries and scholars exploring the same subject. Having multiple views of a single issue (triangulation) enriches the findings. The research also used the 2011 census that provides ideal community profiles.

A sample of three professionals/technicians doing work with the department of Human Settlements in the Eastern Cape on the Rectification Programme was purposefully selected for interviews. Furthermore, interviews with two National Human Settlements Portfolio Committee members and with a member of key strategic institutions, including the National Home Builders Registration Council (NHBRC), were conducted

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after the residents had been interviewed. The NHBRC is a Section 21 company established in terms of the Housing Consumer Protection Measures Act, 1998 (Act No. 95 of 1998). Its mission is to protect homeowners against poor quality and against the failure of builders to comply with their obligations in terms of the Act.

All state-subsidised housing projects must be enrolled with the NHBRC (since 2002). The NHBRC issues a certificate for each unit that meets the minimum quality standards and has also assisted the Eastern Cape Department of Housing with the Rectification Programme (De Nobrega 2007: 2).

Questionnaires

Questionnaires take on two primary forms, open or close-ended questions. Leedy & Ormrod (2010) and Hofstee (2006) define open-ended questions as those questions where respondents are required to answer in their own words. Close-ended questions are those that comprise multiple choice, true or false, yes or no, agree or disagree, and so on.

Fellows & Liu (2008) add that questions should be unambiguous and easy for the respondents to answer. The questions in this study were the same for each group of respondents. Closed and open-ended questions were formulated and are detailed below for each category. Based on the questionnaire survey, respondents were required to provide their names and they were assured anonymity.

Community Profile Data Collection Questionnaire

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For the purpose of this study the researcher utilized the community profile questionnaire to carry out a general survey using a sample of the populations within the case study areas. Collis & Hussey (2003) describe a survey as a positivistic methodology that draws a sample from a larger population in order to draw conclusions about the population.

This survey will be useful for determining the physical and basic demographic characteristics of the selected communities and determining existing infrastructure and social services or facilities in these communities.

The following community profile data themes were addressed:

How many RDP houses are there in the area?

Are there community facilities in the area?

How many females and males reside in the house?

How many children under the age of eighteen (<18) reside in the house?

How many people between the ages of eighteen (18) and thirty-five (35) reside in the house?

How many adults reside in the house?

What is the average size of the family residing in the house?

How many people are unemployed in the house?

How many are working?

What is the main source of income for the people residing in the house?

How many people that reside in the house are dependent on social grants?

What is the main community activity?

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Is the house still used for residential purposes?

Research Questions for Focus Groups

Morgan and Krueger (1998: 4), describe the focus group as a special type of group in terms of purpose, size, composition and procedures. A focus group is typically composed of a small group of participants. A trained interviewer conducts the discussion. These participants are selected because they have certain characteristics in common that relate to the topic of the focus group.

> The researcher creates a permissive environment in the focus group that nurtures different perceptions and points of view, without pressuring participants to vote, plan, or reach consensus. The group discussion is conducted several times with similar types of participants to identify trends and patterns in perceptions. A focus group can be defined as a carefully planned discussion designed to obtain perceptions on a defined area of interest in a permissive, non-threatening environment. The discussion is relaxed, comfortable, and often enjoyable for participants as they share their ideas and perceptions. Group members influence each other by responding to ideas and comments in the discussion. (ibid)

The questions posed to the community focus groups have been structured into three main areas, namely, background to the house, involvement in the house upkeep and current status. The purpose of the questions is to assess whether government has achieved its objective to create housing, comfort and security for all, as declared in the Freedom Charter of 1955.

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Interviews

Interviews in a qualitative study are open-ended or semi-structured, and in the latter case revolve around a few central themes. Leedy & Ormrod (2010: 25) maintain that interview questions should encourage people to converse about a topic without hinting that they are providing a particular answer, in other words, leading questions should be avoided. They note further that the researcher should pose questions related to people's beliefs and perceptions about the facts, feelings and motives, present and past behaviour, standards for behaviours (what people think should be done in certain situations), and conscious reasons for actions or feelings (why people think that engaging in a particular behaviour is desirable or undesirable).

The interviews in this study mostly comprised of open-ended questions, where the respondents were required to respond in their own words. Anonymity of the respondents was assured in the interview sessions.
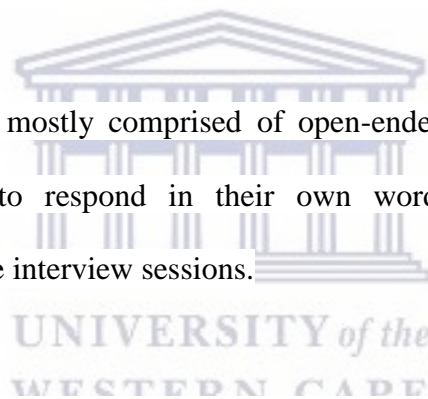
Interview Questions for Practitioners (Professionals/Technicians)

The following ten key questions were posed to four practitioners doing work on the Rectification Programme with the Department of Human Settlements in the Eastern Cape. These questions probed for both empirical data and opinions, judgements and participants' values and understandings of events.

What is your role in the construction of housing/RDP housing development?

Why is the quality of RDP housing, in your opinion, so poor?

In your opinion, who should be blamed / pay for the poor quality of the RDP housing?

What is your understanding of the Rectification Programme?

Should Government correct this situation of poor quality houses?

Who should be held accountable for the Rectification Programme?

Who should then deal with the rectification of these RDP houses?

What should the role of the beneficiary be in the housing cycle?

What are your views on the tender process relating to housing construction?

What is your future role in the RDP housing industry?

Interview Questions for Policy Practitioners in National Administration

The following ten questions were posed to eight policy practitioners in national administration:

What is your role in RDP housing development?

Who should be responsible for housing upkeep?

What, in your view, is the reason for the allocation of free housing?

What do you think the role of the community is in free housing?

Do you know what rectification is and why has it been introduced?

How should rectification be managed?

Who should be held responsible for the poor quality of houses?

What do you see as your future role in housing?

Explain, in your view, how the housing delivery cycle should work?

What do you think government should do to ensure that there is no rectification of rectification?

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Interview Questions for NHS Portfolio Committee Members

The following questions were posed to two Portfolio Committee members:

What is your role in RDP housing development?

Who should be held responsible for housing?

What, in your view, is the reason for the allocation of free housing?

What do you think is the role of the community in free housing?

Do you know what rectification is and why it has been introduced?

How should rectification be managed?

Who should be held responsible for the poor quality of houses?

What do you see as your future role in housing?

Please explain, in your view, how the housing delivery cycle should work?

What do you think government should do to ensure that there is no rectification of rectification?

Interview Questions Posed to Professional Reference Group

The researcher convened a professional focus group consisting of the Technical Support Team at Human Settlements (Eastern Cape Department) to provide more insight into the study. The following basic questions were posed for discussion:

What is your role in the construction of housing/RDP housing development? Why is the quality of RDP housing, in your opinion, so poor?

In your opinion, who should be blamed / pay for the poor quality of the RDP housing? What is your understanding of the Rectification Programme?

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Should Government correct the situation of poor quality houses? Who should be held accountable for the Rectification Programme? Who should deal with the rectification of these RDP houses? What should the role of the beneficiary be in the housing cycle? What are your views on the tender process related to housing construction? Please explain, in your view, how the housing delivery cycle should work? What do you think government should do to ensure that there is no rectification of rectification?

Research Analysis Tool

Once the researcher has collected and completed the data collection, one needs to organize the data into a manageable format. This allows the researcher to prepare the data for analysis. According to Punch (2013: 38), qualitative data analysis has three main components, namely:

a) Data Reduction

This occurs continually through analysis and is part of the analysis. In the early stages of data analysis which occurs by editing, segmenting and summarizing the data. In the middle stages, it occurs by coding and *memoing* and associated activities such as finding themes, clusters and patterns. In the last stages it occurs by conceptualizing and explaining, since developing abstract concepts is also a way of reducing the data.

b) Data Display

Data displays organize, compress and assemble information. Since qualitative data is typically bulky and dispersed, displays help at all stages in the analysis. Displays are used at all stages, since they enable data to be organized and summarized. There are many different ways of displaying data and these include: graphs, charts, networks,

diagrams of different types and any other way that moves the analysis forward is appropriate.

c) Drawing and Verifying Conclusions

The reasons for reducing and displaying data are to assist in drawing conclusions. While drawing conclusions logically follows reduction and the display of data, in fact it takes place more or less concurrently with them.

> For the responses received from the questionnaires collected from the communities and the focus groups, the researcher has employed all three of these data analysis methods as a tool to conceptualize the data collected from the communities, as these three components provide an overall view of the data analysis.
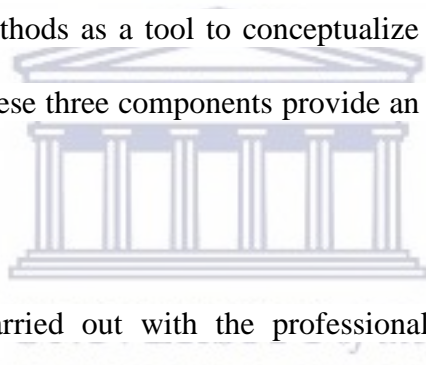
> For the interviews carried out with the professional practitioners, national administration and portfolio committee members, the researcher employed mainly the data reduction and drawing and verifying conclusions method to provide an overall view of the data analysed.
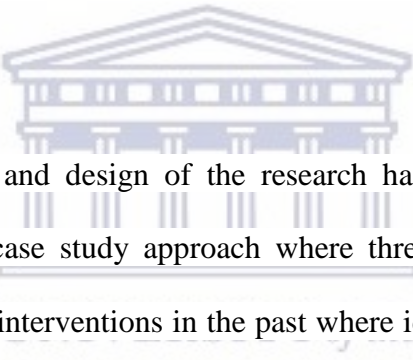
Ethics

Informed consent was sought from interviewees. Although local dynamics invariably entered into the interviews, all interviewees were assured of anonymity and their freedom not to participate in the study. The purpose of the research, expected time and the right to withdraw from the research even after discussions had commenced were stressed. While communities might have anticipated benefits from participation, it was

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clarified at the outset that no benefits were permitted. As a disclaimer I must disclose that I (the PhD candidate) was the Ward Councillor of the Maydene's Farm area. However, household interviews in Maydene Farm were not done directly by the researcher.

In order to collect the necessary data, questionnaires were developed and tested and interviews were carried out. The questions posed to the respondents in the questionnaires as well as the interviews are detailed here (see appendices). The community data collection was conducted in IsiXhosa, however the forms were completed in English. All other interviews were conducted in English.

Conclusion

In this Chapter the approach and design of the research has been articulated. The research took the form of a case study approach where three unique locations and recipients of different housing interventions in the past where identified in the Mthatha area and included in the study. The three interventions in the selected areas of Qumbu, Maydene Farm and Ilitha, are rural housing, urban housing and the state assisted intervention known as the Peoples Housing Process. Using both qualitative and quantitative methodologies of literature review, questionnaires and interviews, the next following chapters unpack the research findings.

CHAPTER THREE: A HISTRORICAL PERSPECTIVE TO HOUSING IN SOUTH AFRICA

This chapter explains the evolution of public housing in South Africa as well as the political influences in policy directions up the RDP period. Prior to 1994, families shared public housing units rented from the municipality within a broad policy that African were "sojourners" in the white man's city and hence black home ownership was not desirable. Housing development patterns followed the laws of separate development with limited facilities in what is still referred to as black townships.

A brief history of home ownership

Prior to 1994 there were policies and laws during South Africa's oppressive years, which were instrumental in the dispossession of land from black South Africans. In 1894 Cecil John Rhodes, who, at that time was Prime Minister of the Cape Province, limited the area of land that could be held by each black farmer to about ten acres. This land size was barely sufficient for subsistence and closed off any prospects for black South African farmers to participate in the market. The rights were however allocated at a fee to the qualifying individuals in the favour of government (De Wet and Bekker, 1985: 13).

The 1913 Native Land Act which came after the 1894 Glen Grey Act had as its objectives to intensify the destruction of independent life for blacks and to satisfy the growing demand by white South Africans for land and cheap labour for mines and

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farms at the time. This Act divided South Africa into territories. The influx control system of pass laws and labour bureaux produced,

> a predominant mode of migration in southern Africa (which was) 'circular' … migration, in which young men leave their rural partners to work in urban areas and return home periodically, depending on the distances involved. …With the lifting of apartheid laws, the emergence of trade unions that were able to negotiate more flexible work contracts, and the rapid development of an extensive, informal, but efficient transport infrastructure, people were able to move more freely than before" (Lurie et al 2003: 149-150).

The 1923 principle of Separate Residential Areas established separate racial groups in urban areas. Prior to this, black Africans who provided labour in white-only areas also resided in those areas or closer. The Development Trust and Land Act of 1936 formalized the 1923 principle of Separate Residential Areas. The same Act outlawed black purchase of white land.

This forced large numbers of black people to live densely on small portions of land. It racially segregated areas according to residence and business and controlled inter-racial property actions. The 1951 Bantu Authorities Act was promulgated to allow for the development of tribal, regional and territorial authorities as reserves set aside for black Africans. State President, Verwoerd signed stronger repressive apartheid laws. This classified South Africans into four race groups with white people enjoying superior status to that of Coloureds, Indians and Africans. To enforce apartheid laws, the Group Areas Act of South Africa was adopted with the intention of separating race groups and offering a variation of services and standards based on the race group.

According to Crankshaw (2005: 386) new laws to control African urbanization took away the previous exemptions given to middle class Africans on the basis of their professional status and ownership of property. The government also removed home ownership rights for the African middle class. In most cases, the state used expropriations, knocking down houses and forced removals. In the place of the freehold townships, new official group areas for Africans were built.
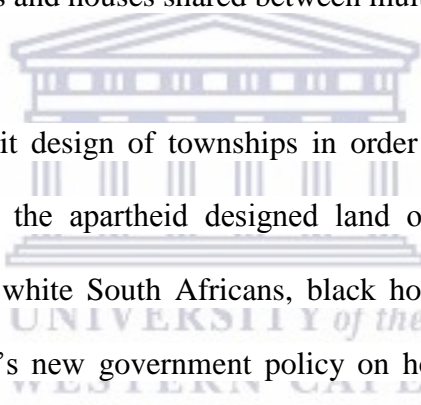
These new 'townships', built and owned by the state, did not cater for class differences amongst Africans. For the most part, for rich and poor alike, housing provision by the state took the form of a stock design with little difference in size and tenure. Given their size and uniformity these mass produced rental units became known as 'matchbox' houses (Bond, 2003: 35). All these state provided 'matchbox' houses were leased on a monthly rental basis at a relatively cheap level. Subsequent rent increases and politicisation of black local authorities led to mass rent boycotts in the 1980s. A significant aspect that affected the post-apartheid government after 1994 was that the apartheid government maintained the rental houses and community members did not consider their role in the value chain. The effect of this, is that irrespective of the advance of ownership, community members still expected the government to maintain the RDP houses. The rental policy had entrenched a legitimate expectation.

As Crankshaw (2005: 387) writes,

> The most common type of house, which made up 71 per cent of all houses
> in Soweto in the mid-1970s, is the '51/6', so named after the date (1951)
> and the number (6) assigned to the prototype. It was sometimes built as a

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stand-alone structure but more often as a semi-detached unit. The original houses were built to rudimentary standards with only earthen or ash floors and without internal doors and ceilings. One outside tap provided running water and sanitation took the form of an outside lavatory connected to a waterborne sewerage system. This was the standard form of housing available to all classes of Africans.

The state had almost totally eradicated shack settlements in Johannesburg. By 1970, there were only 14 shacks in the whole of Soweto. This was accomplished via the large-scale state provision of 'matchbox' houses in the 1950s and early 1960s alongside brutal control over African urbanization. The other typical housing provision for black urban communities was hostels and houses shared between multiple families.

The one entrance and one exit design of townships in order to monitor and restrict people's movements. Due to the apartheid designed land ownership structure that mainly granted ownership to white South Africans, black homeownership became a central pillar of South Africa's new government policy on housing in an attempt to reverse the imbalance in ownership. The starting point was land and property in the townships that was far from the business hub of the towns.

Due to the high inflow of migrant labour from the homelands and rural areas, the late apartheid state could not cope with the demand for housing in the mining towns and cities. Hostels with predominantly bachelor units serviced the migrants. Initially communities resorted to overcrowding in existing accommodation that was formalized as share housing. In the case of regional towns and cities that attracted rural residents, housing was designed to be shared by multiple families. In Mdantsane, East London,

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for example, rental houses were called "four-room" housing and accommodated four families in one house with four rooms.
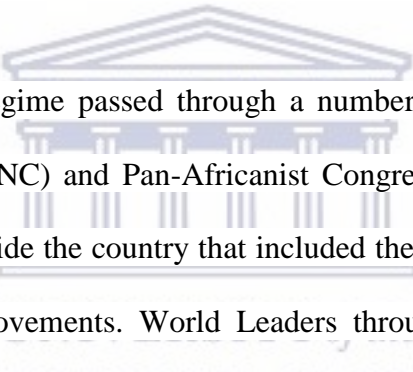
The houses built by the apartheid government in townships for black Africans were sub-standard compared to those for whites in white residential areas, as black Africans had no rights during the segregation era (Davenport, 2002:12). Those townships built by the apartheid government for black South Africans include Mdantsane located outside East London in the Eastern Cape, Umlazi located outside Durban in Kwa-Zulu Natal, Botshabelo located outside Bloemfontein in the Free State, Kanyamazane located outside Nelspruit in Mpumalanga, Soweto located outside Johannesburg in Gauteng, and others (Thompson, 2000: 4). The typical norm and standard of the shared housing was no plaster but a bag wash finish on the walls, no ceilings, asbestos roof sheeting, and no geyser to generate hot water. The houses were hot in summer and cold in winter.
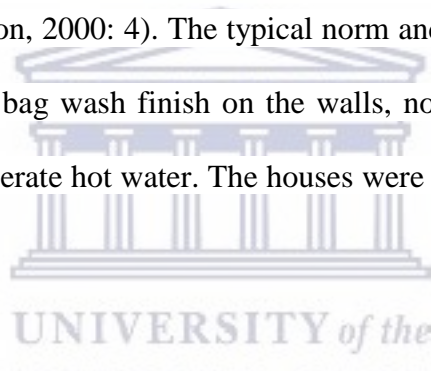
Communities further resorted to building back yard shacks that did not follow building regulations. The fast growth in the number of back yard shacks made it impossible for inspectors of buildings to adequately police the practice. The urban migration patterns saw the emergence of informal settlements of people occupying land randomly closer to amenities. The 1973 strikes also underlined the fact that even though the apartheid government wanted to keep black and white people separate and limit black urbanisation, the South African economy rested on black people working in white areas. This phenomenon also became uncontrollable to the extent that government accepted the practice and provided basic services. The mushrooming of informal

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settlements remains a challenge for the state and in some cases private landowners as the shacks are constructed literally overnight illegally on un serviced land.

The majority of South Africans therefore suffered under apartheid causing social unrest and resulting in the establishment of various organizations that resisted the system within civil society. Resistance against the system represented several significant milestones for South Africa, which proved mass dissatisfaction. These included the Defiance Campaign of 1952, the adoption of the Freedom Charter in 1955, the Sharpeville Massacre in 1960, the student uprising of June 16, 1976, the school boycotts of 1981 and the establishment of the United Democratic Front (UDF) in 1984.

Opposition to the apartheid regime passed through a number of stages. In 1960 the African National Congress (ANC) and Pan-Africanist Congress (PAC) were banned, leading to resistance from outside the country that included the establishment of armed forces linked to resistance movements. World Leaders through the United Nations declared apartheid an evil system of government. In 1973, widespread strikes by African workers ushered in a period of intense labour unrest and the growth of black trade unionism. In 1976, the Soweto students' uprising sparked school closures and student battles with police nationwide. A strengthening of exile and extra-parliamentary political opposition in the 1980s followed this.
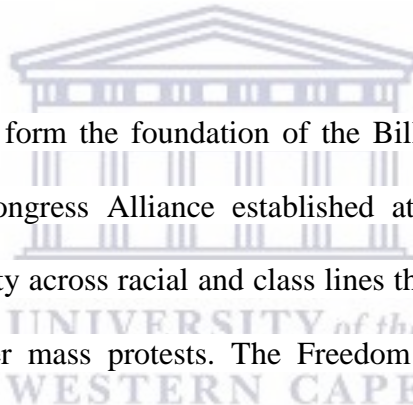
As explained by Gardner, (1997: 44) in 1983 the National Party went further and announced a "great housing sale" in which 350 000 houses were put up for sale. "Sales of council houses were initially low, and it was not until the 1985 that people started buying in larger numbers". In 1986 the state lifted the ban of black ownership of

property and vastly expanded the amount of urban land for black private housing schemes. This was a major shift away from classical apartheid and it was clear that along with granting black trade union rights, deracialised private schools, privatization of state assets, and the right of blacks to own houses a new space had opened up. Government had in effect adopted a form of Thatcherism – in the UK a similar "great housing sale" had been announced. Central to the Urban Foundation, a leading think tank, was promoting a black middle class through taxi –industry, black homeownership and so on as an antidote to communism. Commodification of land and housing was also seen as good for the economy and stimulating demand for middle class products.

However, the government's fortunes failed to turn. A stalemate was reached between the forces of oppression and those of the people. Within the dominant faction of the ANC, a negotiated settlement, rather than revolution was preferred as the only way out of the impasse. In this way the ANC was effectively unbanned, and negotiations could proceed. This process culminated in the first democratic elections in South Africa in 1994, which brought the ANC to power. A collective party, known as the Congress Alliance came together to organize the Congress of the People - a conference of all the people of South Africa, presenting people`s demands for the kind of South Africa they wanted. The demands called for the people to govern and the land to be shared by those who work it. They called for houses, work, security and free and equal education. These demands were drawn together into the Freedom Charter.

The Freedom Charter and Housing

It is important to have a sense of the ANC's paths in thinking about housing in South Africa. The ANC itself has always been a pragmatic, nationalist organisation or a "broad church" built around multiple classes, alliances and non-racialism. More than sixty years ago on 26 June 1955, about 3000 representatives from various organizations of all races met at Kliptown. The meeting known as the Congress of the People, discussed and adopted the Freedom Charter. The Freedom Charter became an instrumental document in South African history influencing the strategic focus of policy for decades ahead.

The principles of the Charter form the foundation of the Bill of Rights in the South African Constitution. The Congress Alliance established at Kliptown gave formal expression to an emerging unity across racial and class lines that was manifested in the Defiance Campaign and other mass protests. The Freedom Charter enunciated the principles of the struggle, binding the movement to a culture of human rights and non-racialism (GCIS, 2011).

The Freedom Charter's stipulated inter-alia the following:

The doors of learning and of culture shall be opened.

There shall be houses, security and comfort.

All people shall have the right to live where they choose, to be decently housed, and to bring up their families in comfort and security.

There shall be peace and friendship.

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The well-known legacy of apartheid and resistance to it by civic associations and the UDF provided the backdrop for the policies and instruments introduced after 1994. They were aimed at addressing the challenges emanating from decades of underdevelopment and discrimination in South Africa.

However, the civic movements, the UDF and later SANCO led a struggle against increasingly faltering Black Local Authorities and rising rentals and service charges. Key leaders, like Trevor Manuel cut their teeth in the civic and housing domain. Manuel was the secretary of the Cape Areas Housing Action Committee (Cahac) and vociferously defended homeownership (IoL, 16 March 2014, www.iol.co.za/news/special-features/a-life-in-the-service-of-others-1661929). Internal differences in Cahac surfaced because Manuel, according to his detractors in Cahac was "radical petite bourgeois" who favoured home ownership and opposed the "maintenance campaign" led by a group of civics (initially an Athlone based group called BBSK) who favoured tenant struggles for better maintenance and rejected home-ownership as a panacea (Staniland, 2012; also see Council Tenants Want Free Repairs, *Cape Argus*, 6/9/1981). The logic was that as long as people did not own their homes, they could pressure council to repair them.

South Africa's Democratic Government RDP Housing

In 1994, it was estimated that there was an urban housing backlog of one and half million units with close to 1.2 million shacks or informal dwellings representing 16% of the 9-million households in South Africa. Including hostels and rural areas, pushes the backlog rises to roughly three million units (ANC, RDP, 1994). Almost every urban

settlement in South Africa combines mainly white, low-density 'suburban' residential areas, with adjacent high-density "townships", containing rows of small brick units and shacks inhabited exclusively by blacks.

Moreover, 86% of South African households earned less than R3, 500 per month and could not afford to buy a house or obtain bank loans. There was an overwhelming need for state intervention. Housing is a human right in South Africa, but it does not mean that owning a free house built by the state is the only and necessary way to realise that right. The RDP (1994: 28) called for a mass housing programme and the development of small, medium-sized and micro enterprises owned and run by black people must be incorporated into the housing delivery programme".
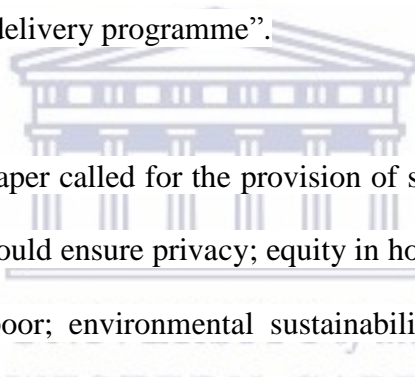
In 1994, the Housing White Paper called for the provision of secure tenure and quality residential structures. These would ensure privacy; equity in home ownership; access to economic activities for the poor; environmental sustainability; access to basic and social services; integrated, participative planning; consumer education; and maximum devolution of powers to provincial and local government. The Housing White Paper also ambitiously aimed to reduce the housing backlog, deliver participative, democratic and integrated settlements – within the shortest time possible (RSA, 1994:14).

South Africa's current housing policy is rooted in the 1994 Housing White Paper. A cornerstone of this early policy was the National Housing Subsidy Scheme (NHSS), which provided capital subsidies for housing to eligible beneficiary households to take full ownership. Later denoted as "RDP housing", this was a developer-driven process,

with projects were started, planned and built by private companies for the national and provincial government.

The White Paper on Housing states that:

a) The housing vision is the establishment of viable, socially and economically integrated communities, situated in areas allowing convenient access to economic opportunities, as well as to health, educational and social amenities in which all South Africans will, on a progressive basis, have access to permanent residential structures with secure tenure ensuring internal and external privacy and providing adequate protection against the elements, and potable water, adequate sanitary facilities and domestic energy supply.
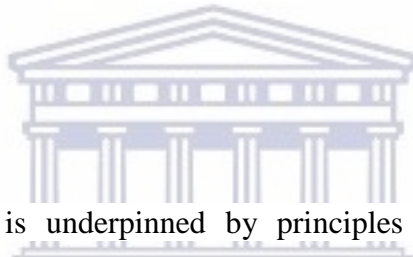
It further states that:

b) The housing vision is underpinned by principles of sustainability, viability, integration, equality, re-construction, holistic development and good governance. South Africa's housing policy and strategy must contribute to a non-racial, non-sexist, democratic integrated society. The goal is to improve the quality of living of all South Africans with an emphasis on the poor and those who cannot independently satisfy their basic housing needs.

According to Tissington (2011: 17), the goal of the policy was to increase the national budget allocation to housing to five percent and to increase housing delivery on a sustainable basis to a peak level of 338,000 units each year to reach the government's target of one million houses in five years. The state wanted *rapid* delivery to ensure broad access to housing.

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The former Minister of Housing, Joe Slovo, indicated that the mandate of the government was to strive to establish viable, socially and economically integrated communities (Bond, 2000). This would also allow for convenient access to economic opportunities, health, educational and social amenities as well as "a permanent residential structure with secure tenure, ensuring privacy and providing adequate protection against the elements; portable water and adequate sanitary facilities including waste disposal and domestic electricity supply" (Slovo cited in Bond 2000).
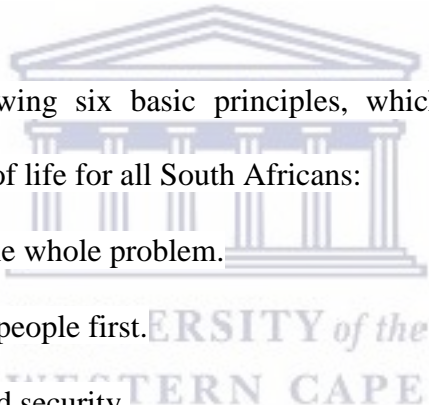
The post-apartheid South African government embarked on a Reconstruction and Development Programme (RDP) that included building over three million houses for the poor based on the principle that housing was a "basic human right". The RDP had a housing delivery policy that included "individual, collective home ownership as well as rental and facilitation of a wide range of housing types" (ANC, 1994) with little stress explicitly on homeownership per se. The RDP took its starting point from the Freedom Charter clause: "The people shall govern". The aim was to make the country democratic, give people access to power and the right to exercise their power and participate in the process of reconstructing South Africa. Yet, as Khan and Thring (2003: 7) have argued the ANC policy making space was more or less hijacked by capital.

> the private sector came to exercise powerful leverage over both the outgoing National Party government (which was rapidly loosing power) and the incoming ANC, which was increasingly depending on support from the established business sector.

The RDP was drawn up by the ANC-led alliance in consultation with other key mass organizations, assisted by a wide range of Non-Governmental Organizations (NGOs),

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the private sector and research organizations (Bond 2000:14). The plan was to address the many social and economic problems facing our country. This programme was intended to mobilize the people and all its resources to finally abolish apartheid and build a new, democratic and prosperous country for all South Africans. According to Golden and Heymans (1999:12) the central RDP delivery challenge was meeting the extensive backlogs with limited resources within the context of a large portion of the population finding it difficult to afford even the most basic levels of service. They further state that having inherited some of the most entrenched apartheid structures and inequities, the new provincial and local authorities have had to think afresh about their transformation and RDP delivery objectives and programmes.

The RDP contains the following six basic principles, which aim to improve the standard of living and quality of life for all South Africans:

- A programme to address the whole problem.

- A programme, which puts people first.

- A programme for peace and security.

- A programme to build the nation.

- A programme to link Reconstruction and Development.

- A Programme to build and strengthen democracy.

The Socio-Economic Rights Institute of South Africa (SERI): "A Resource Guide to Housing in South Africa 1994-2010" report quotes the NDoH, which argues that from 1994 to 2004, R29.5 billion in state-assisted housing investment had generated 1.6 million housing opportunities and provided 500 000 families the opportunity to secure

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titles of old public housing stock. In South Africa's 2007 Mid-Term Country Report on progress made towards achieving the UN Millennium Development Goals (MDGs), the government stated that it had made good progress in "eradicating backlogs" and providing adequate housing. It reported that over three million subsidies had been approved, benefiting over 10 million poor people. Cumulatively, the government stated it had spent R40 billion on housing developments since the inception of the housing programme, contributing to 2.4 million houses being constructed or sites being prepared, as at 2007.

According to Rust (2006:16) no other country in Africa promises its poor the levels of social provision that the present South African government has committed itself to. This includes providing free housing to the poor based on *full ownership* commonly known as an RDP house. The country's exceptionalism, as noted by Devereux (2010:12), is based on three prerequisites, namely, human resources, financial resources and political will. Devereux points out that the country is endowed with administrative capacity (including computerized databases and sophisticated electronic grants delivery systems) and commitment to the poor and poverty reduction to reverse the inequities of apartheid.

Moreover, the South African approach to social protection offers valuable lessons in the following four areas:

- Social protection efforts led by government rather than donors.

- Mobilization of civil society in securing and enhancing rights to social protection.

- The establishment of a justifiable social contract through The Constitution and Bill of Rights.

- Designed delivery choices that aim to maximize access to, and the impact of social grants.

More than 40% of individuals in Eastern Cape received social grants in 2013, Limpopo had 38.7%, KwaZulu-Natal 37.2% and Northern Cape 35%. There were also clear racial lines, since in excess of one-third (34%) of black African individuals in the country received grants, while only 5% of the white population did (*Mail and Guardian*, 19 June 2014, https://mg.co.za/article/2014-06-19-social-grants-beneficiaries-more-than-double-in-10-years).

According to the European Commission (EC), people are living in poverty if their income and resources are inadequate and precludes them from having a standard of living considered acceptable in the society they live in. The EC states that:

> Poverty is generally divided into two types, absolute or extreme poverty and relative poverty. Absolute or extreme poverty is when people lack the basic necessities for survival. In this case they may be starving, lack clean water, proper housing, sufficient clothing or medicines and be struggling to stay alive. Relative poverty is when a person's way of life and income is worse than the general standard of living in the country they live in and struggle to live a normal life. (European Commission, Joint Report on Social Inclusion 2004)

The UN Poverty Index "combines measures such as life expectancy, literacy, long-term unemployment and relative income into a single composite measure-to-measure poverty".

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The South African Constitution's Bill of Rights provides everyone the right "to have access to housing, health care services, sufficient food and water and social security" and a safe environment. However, government policy and constitution argues it can only provide for these rights incrementally and to the extent of available resources. Chapter Two of the Constitution contains the Bill of Rights, which guarantees specific rights towards empowering the poor. These include rights to clean environment, property, housing, health care, water, and social security. Living in a safe environment a proper house It is regarded as the cornerstone of the new democracy, as it preserves the rights of all the people of South Africa and asserts the democratic values of human dignity, equality and freedom. Post-apartheid South Africa has integrated poverty alleviation as a central pillar of its development policy and, broadly speaking, poverty eradication is a constitutional matter in South Africa (Leibbrandt *et al.*, 2010: 17). But, as Tissington (2010: 6) remarks, "while the state refers to this constitutional obligation, it frames housing policy interpretation and practice entirely within other paradigms, such as 'speeding up delivery', 'reducing backlogs' and 'eradicating informal settlements'."

Intergovernmental Relations and Housing

To understand problems around housing quality and delivery, we need to look at the machinery of the state. The South African Constitution assigns various responsibilities to different spheres of Government. Some functions are exclusive and assigned only to a specific sphere whilst some are concurrent. Housing is fundamental for addressing the social, economic and political challenges of the past. However, the complex roles and

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authority structures within and between national, provincial and local government spheres also create a challenge, as they could slow down the rate of housing and sustainable settlement delivery.

(a) National Government

This level of government is responsible for making laws and policies geared towards poverty eradication (e.g. policy and guidelines with respect to free basic electricity). One of its key responsibilities is revenue collection from taxes, which is the main source of funding for various government functions and programmes, including poverty eradication.

(b) Provincial Government

The provincial sphere has specific rights and duties given to it by the Constitution, Chapter 6 Section (104) (South Africa, 1996). Whilst each province has the right to develop its own Constitution, provincial constitutions cannot be contrary to the national constitution. The provinces have powers to approve provincial laws and provincial budgets. In the implementation of free basic services and indigent policies, the provincial government is tasked with providing financial and human resources and technical support to local government, to ensure compliance with national policy. The provincial sphere is also charged with developing enabling legislation, coordinating regional planning and monitoring progress. Provincial governments, together with local authorities, are responsible for the allocation function of government. Some departments have a direct role in fighting poverty, such as the Departments of Health, Education, Social Development, Human Settlements and Agriculture. Other

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Departments have a secondary role such as the Departments of Public Works, Roads and Economic Development, by creating jobs and SMME opportunities.

(c) Local Government

The Constitution (Section 152 sub-sections 1 and 2) put the local government sphere at the forefront of the national effort to correct the socio-economic wrongs of apartheid. As the tier of government that is closest to the people and their poverty situation, its primary role is poverty reduction and fighting under-development (South African Department of Provincial and Local Government, 2000). The Constitution changed the structure and role of the local government sphere in line with the challenges facing the new government. As an autonomous authority, the local government sphere and its municipalities get their fiscal allocations directly from National Treasury. They are also responsible for setting and funding their own priorities on top of those that are nationally determined. Public housing delivery in South Africa needs the different spheres to coordinate their activities. The Housing Act (RSA, 1997) entrusts provincial government to "promote and facilitate the provision of adequate housing in its province within the framework of national housing policy". It must coordinate housing development in the province and oversee the municipalities in the performance of their duties. Municipalities must identify and designate land for housing and ensure that water, sanitation, electricity, roads, storm water drainage and transport are provided. Large municipalities have been accredited to deliver housing, but it remains complex area of political and turf wars.

> Provinces use municipalities as developers for housing projects, but have not assigned the housing function to them. This is despite the fact that well-

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capacitated municipalities are best placed to plan for the integrated delivery of housing, basic services and transport within the broader spatial development plan of the municipality (National Treasury 2011: 35).

Malan (2005: 56) has identified two important deficiencies of intergovernmental relations despite the implementation of the Intergovernmental Relations Framework Act 13 of 2005. The first one is that there are always a variety of processes and structures existing whose roles and relationships are often uncertain. In housing, the legislation makes provision for provinces to undertake the responsibilities of managing public housing provisions, while municipalities are disinterested parties providing information and managing the public housing waiting list. This makes the process of access to public housing uncertain as the municipal level takes responsibility in managing what provinces are providing. The second deficiency is that while intergovernmental relations policies attempt to provide a clear and manageable structures and programmes, policy priorities often cut across ministerial mandates and traditional policy fields.

Government believes that South Africa cannot meet its goals unless the various spheres function cooperatively. The White Paper on Local Government (1998) envisages that a system of intergovernmental relations has the following strategic aims:

- "To promote and facilitate co-operative decision-making.

- To co-ordinate and align priorities, budgets, policies and activities across interrelated functions and sectors.

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- To ensure the smooth flow of information within government, and between government and communities, with a view to enhancing the implementation of policy and programmes.

- Prevention and resolution of conflicts and disputes".

Local governments have direct responsibility for water, sanitation, electricity and refuse removal. Municipalities are supposed to keep registers of poor people and should regularly update these, given the mobility and changes in the poverty situation of households and individuals. The "Indigent Policy" is a government policy targeting poverty within municipal areas, by targeting both households and citizens who are unable to access or pay for basic services; and are referred to as "indigent". Each municipality needs to develop and adopt an indigent policy to give the poor access to a package of services. In the period between 1990 and 1994, government's approach was to pay the capital cost of the provision of the services and consumers had to cover operational and maintenance costs. However, it soon became apparent that the state of poverty, unemployment as well as relatively high running costs, were excluding poor households from accessing the necessary services. Government then adopted a Free Basic Service Policy in 2000/01 to avail a basket of free basic services (solid waste, water, sanitation and electricity) to all. Basic services include housing, education, health care, social welfare, transport, electricity and energy, water, sanitation as well as refuse and waste removal. The first four of these services are assigned as concurrent responsibilities of national and provincial governments, whilst the rest are core responsibilities of the local government sphere. The local government functions serve as the services that would contribute to the maintenance of houses.

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The South African government introduced the Municipal Indigent Policy Framework to manage and determine who qualifies for the Free Basic Service Policy. Section 27(1) (c) of the Constitution demands that "everyone has a right to have access to social security", which includes those who are unable to support themselves and their dependents (South Africa, 1996).

Households that qualify, according to the municipal indigent policy requirements, receive 50kWh free electricity per household per month. This is an amount of electricity recognized as adequate to meet basic electricity needs in a poor household. According to the Free Basic Water (FBW) Policy, households are guaranteed a maximum of 6 000 litres (or 6kl) of free potable water monthly. Any demand higher than the guaranteed amount is at full personal cost to the user (Ruiters, 2007:14).

The research confirmed that most projects that fell into rectification were implemented by municipalities serving as Developer as described in the Housing Code.

Housing Policy biases

A Housing Summit, held in 1994 and a White Paper on Housing finalized that same year, contained a mixture of market-based, welfare-based and self-help approaches to housing. Welfare approaches were echoed in provision of housing specifically for the very poor by means of a state housing subsidy. Initially in 1994 government's approach was to offer a housing opportunity with the emphasis on ownership through a title deed and little regard for quality, size and location. The focus on the development of RDP

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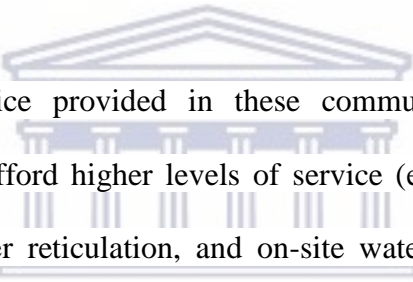
houses was therefore on the quantitative policy imperative of reducing the backlog by building one million houses in the first five years rather than the quality and size of the building. A further aim of the White Paper was to "ensure the participation of emerging, largely black contractors" by assisting to facilitate a scheme to accredit such contractors despite their inadequate track record, and to develop strategies to enable such participation without compromising the right of the consumer to a decent product (RSA, White Paper on Housing, 1994: 27). Khan and Thring (2003: 15) observe that,

> The White Paper paid scant attention to rental housing due in part to the assumption that most people wanted to become homeowners as opposed to renters. Many argue that this assumption has not been sufficiently tested and there is growing evidence that in many developing countries rental housing constitutes two-thirds or more of the housing stock.

In the case of some projects in the country, the houses were only 18m^2 confirming that the policy intention had shifted to provide a housing "opportunity" and not a quality product. The state also promoted the idea of the new RDP homeowners extending their own houses using their own resources. Within the first five years, it became evident that beneficiaries were not able to extend or correct the housing defects and relied on the state to rebuild their houses. Because of these units' open plan design (one room with an inside toilet facility), they afforded little privacy to household members. Most of the areas used for low-cost housing were poorly located on cheap land with no access to existing infrastructural services. The subsidy structure was singular and not split into separate allocations for bulk infrastructure (e.g. sanitation and water) and a top structure as in its current form. Consequently, services had to be provided before

any houses could be built and most of the subsidy was spent on expensive bulk services, leaving insufficient amounts of the subsidy for constructing houses, leading to their small and insufficient nature. The toilet cubical walls in most projects did not reach the roof causing inhuman conditions for families.

The early RDP settlements were also largely lacking in social amenities and commercial facilities. The settlements were built far from economic centres and created an unintended burden of transport costs for people who travel to towns. In some cases, 'serviced' land equated to the provision of an erf, a foundation and an enclosed toilet (Tomlinson, 2006: 13).

Typically, the level of service provided in these communities was very poor. Communities that could not afford higher levels of service (e.g. graded roads, street lights [electricity], storm water reticulation, and on-site water and sanitation), were given communal taps, communal toilets and nothing more (Bond, 2003: 8). According to Donaldson (2001: 15), early post-apartheid RDP settlements lacked appropriate infrastructure, basic services, clinics, schools, social services and access to economic activities and other amenities that higher-income areas took for granted. The low standard of services further created a maintenance burden on resources for municipalities. Subsequently in 2004, there was a shift in nomenclature from "housing" to "sustainable human settlements" through the Breaking New Ground (BNG) policy to ensure quality, improved norms and standards and 40m^2 as a uniform size across the country.

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According to Shishaka (2011: 5),

> While the initial intention of the housing subsidy programme was to provide shelter for poor citizens, by early 2000 the concept that the house should be *an asset* was introduced. In 2004 Breaking New Ground introduced the notion of housing as an asset and includes it as part of the new housing vision: an asset for wealth creation and empowerment.

BNG admits the failure of the earlier contractor-built, market-driven delivery regimes and the fixation with quantitative targets. It thoughtfully points towards participative, multi-dimensional approaches that permit people to participate in sustainable human settlement development rather than passive recipients of an RDP house. The system was intended to avoid bureaucratic obstacles and encourage participation thereby reducing the cost of labour, increasing access to skills and encouraging end user ownership. Therefore, it is regarded as a critical tool for promoting active citizenship (Bailey 2011:9).

The Minister of Human Settlements, Tokyo Sexwale, indicated that people cannot expect to be given free housing forever (Prinsloo, 2010) and therefore it became critical for government to upskill communities to help themselves. The People's Housing Process (PHP) encourages processes of self-provision of shelter and services by the poorest members of society. It is a process that empowers communities through their housing development (Urban Sector Network, undated). In the 1980s, NGOs embarked on a people-centred approach to land, housing and services based on international experiences. This approach was fused in the national housing subsidy scheme as the

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PHP Policy (Carey, 2009:19). The PHP sought to assist communities to drive the housing delivery process by building their homes themselves. It enabled poor households to access the subsidy system by offsetting their contribution with sweat equity (Pithouse, 2009: 14). NGOs active in promoting the PHP as an alternative approach to contractor-driven RDP housing saw it as more than just housing; "it was about building citizenship, effective partnerships, skills, and involving people directly in the development of their communities through the self-provision of human settlements" (Urban Sector Network, undated; NDoH, 1995: 3). But as Marais and Ntema (2013) suggest, regarding the Breaking New Ground policy "it seems that although the approach has changed on paper there is, in practice, an over-emphasis on "eradication", "elimination" and "zero tolerance", all of which are commonly used to displace people.
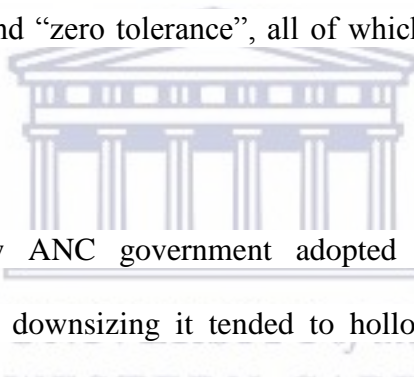
More generally as the new ANC government adopted UK style new public management reforms such as downsizing it tended to hollow out the state and its capacity to take on complex functions such as public housing. This debate came to a head in 2013 when Trevor Manuel apportioned blame to the Zuma government for weakening (tenderising) the state. In an acerbic response Cronin (2013) argued:

I agree with Manuel that the state is very weak and has failed to satisfy the poor majority's needs. But he fails to explain the reasons...he championed the policies that emasculated the state and left it incoherent and incapacitated...Privatisation, outsourcing and public-private partnerships...proved disastrous for service delivery and exacerbated the problem of corruption in the public sector." Under the Thatcherite "new public management" credo, teacher training colleges and nursing colleges

were shut down and the state was increasingly tenderised. Much of what the NDP is now correctly recommending is, in fact, remedial action to undo the dire consequences of this down-sizing, outsourcing, and commercialisation of the public sector. (Manuel set up by shoddy journalism) http://www.politicsweb.co.za/opinion/trevor-manuel-set-up-by-shoddy-journalism--jeremy-

Conclusion
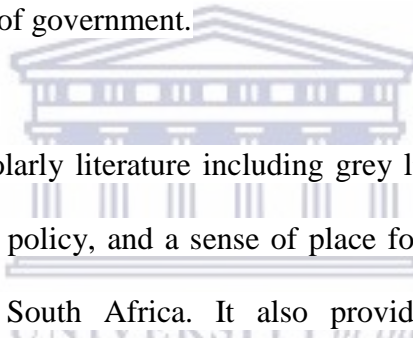
Chapter Three has provided a brief history of housing for Blacks in South Africa and also touched on policy issues which will be elaborated on in the next chapter. It demonstrates that homeownership and eradicating the backlog became the central concerns in addressing the housing problem after 1994. However, the basic qualitative issues in housing for the poor remained neglected (the quality of houses, their location and so on). Complex roles and authority structures within and between national, provincial and local government spheres also created a challenge.

CHAPTER FOUR: HOUSING SITUATION IN THE CONTEMPORARY

SOUTH AFRICA

Introduction

According to Ian Goldin and Chris Heymans (1999: 111),
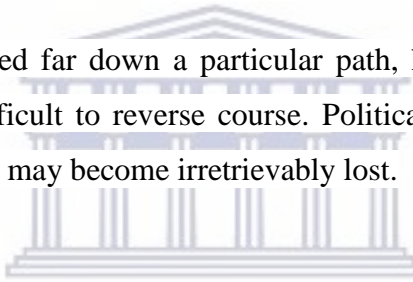
> The future of South Africa's young democracy was inextricably tied to the success of the RDP. Inevitably, the goals of the RDP were ambitious, embedding democracy; disentangling the costly and debilitating legacy of apartheid; accelerating economic growth and new opportunities; delivering affordable services equitably; and fundamentally transforming society, the economy and all spheres of government.

This chapter looks at the scholarly literature including grey literature that covers key aspects of policy and housing policy, and a sense of place for the poor generally and rural poor in particular in South Africa. It also provides a critical basis for understanding the nature of policy, the Rectification Programme and the vexed issue of location and housing quality. While published academic literature is thin on the rectification issue as well as thin on rural housing, there are significant studies on the reconstruction process in South Africa, especially in urban housing markets and the location issues in housing for the poor as well as "rural livelihoods". This chapter will start with a review of more general housing debates and then move to housing quality, rectification issues.

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Policy framing, path dependency and blaming

Frames explain how policy problems and their implicit causes are understood since it is self-evident that problems have to be firstly, identified as such, as public issues. Of course, different countries traditionally draw the line between private and public issues in various ways. These reflect longstanding paths and repertoires of policy faming and making. As Paul Pierson (2000) persuasively argued in his "path dependency" theory of policy, parties and nations tend to fall back on old ideas and frames and policy is never really new. Once policy actors have taken a specific path, they become invested in particular ways of seeing and solving problems and find it hard to think outside of the self-constructed box and change course. As Pierson and Skocpol (2002: 694) argued,

> Once actors have ventured far down a particular path, however, they are likely to find it very difficult to reverse course. Political alternatives that were once quite plausible may become irretrievably lost.

The White Paper follows a penchant by the ANC for national unity of all social forces (recast as a penchant for public-private partnerships) and argues for the housing problem to be met through "mobilising and harnessing the combined resources, efforts and initiatives of communities, the private, commercial sector and the state."

Secondly, the politico-social conditions that lead to such identification and the narratives that accompany them are critical. As Hajer (1993: 45) puts it, "the argumentative turn" -- meaning a focus on the political construction of problems -- "requires the analyst to go beyond the investigation of differences of opinion about technical facts."

In the policy cycle heuristic, framing comes after agenda setting and before implementation but as Hill (2014) points out policy formulation and framing are often neglected. Framing the problem creates a narrative structure that allows specific judgments about effective and appropriate policy solutions (Schön and Rein, 1994). 'Discourses frame certain problems' argues Hajer (1993) by stressing 'some aspects of a situation rather than others'. Consequently, they map pathways of action, subsuming in their problem-statements definite types of solutions.

Following C. Wright Mills at a basic level the housing "problem" may defined either as personal troubles or as a public issue (in Lister 2010). In a policy, framing is process of screening out thorough "selective attention" and "naming." In other words, framing establishes social and political construction and meaning of the policy situation, redefines and names policy problems, and formulates strategies for solving the problem. Government often has the power to name the problem and hence define solutions.

Hence, when we speak of a housing policy, it is important to probe what different meanings attach to "housing" and what is meant by policy success and failure. Housing is fundamental to an individual and family life and a community's sense of place. It is the focus of people's desires, sense of belong and also reflects economic power and social hierarchy (Harvey, 1996). Place of residence or dwelling is a potent resource since it provides the general sense of wellbeing or an impoverished sense of self; it allows people to tap into support networks, set social norms of appropriate behaviour, a sense of security/insecurity, shared identity and common interests (Logan and Molotch, 1987). The latter provides many opportunities for collective organisations to emerge.

Place of residence can affect life chances as is evident in poor environments, risks of floods, fire and disease in RDP areas.

Moreover, as Pithouse (2010) argues housing is deeply political and reflects the values and vision of a good society as well as the need for certain kinds of states to control populations.

> In the 1970s the military dictatorships in Brazil and Chile found huge house building programmes to be crucial strategies for securing their rule by simultaneously achieving the spatial exclusion and fragmentation of the poor and their precarious economic inclusion via home ownership. One of the many reasons why the anti-political language of 'delivery' is so damaging to any attempt to think about the human realities of society is that it masks the fact that housing is an inherently political question. What constitutes a decent house, its location, its design, the mode of its construction, the nature of the space in which it is set, who gets to access the house and on what basis and who gets to decide all of this are all deeply political questions.
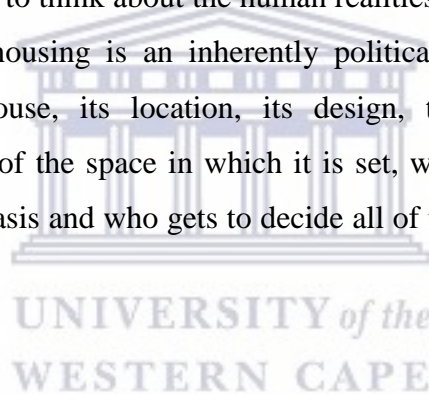
Policy making is a complex and messy process of making choices (and trade offs) not only about framing problems and implicitly their causes but also the preferred solutions. Some policy analysts have stressed the uncertainty and muddling-through dimensions of policy whereas others argue that at least in principle, policy should strive to be as rational and coherent as possible (Hudson and Lowe, 2009). Another key challenge is defining priorities and deciding which policy instruments to use. Often the goals of policy may be vitiated by the means or agents chosen to implement it or simply having too many diverging goals. A simplified project cycle (see figure 2 below) is useful for analytical purpose.

FIGURE 2: The Project Cycle
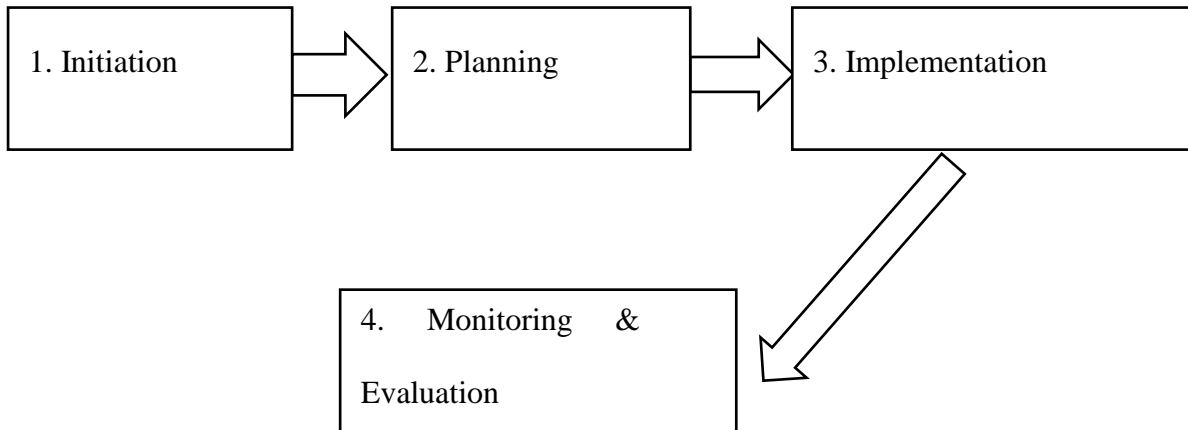
Source: Own adaptation

But projects and policies often have multiple objectives reflecting the inputs of different stakeholders or specific ideological commitments and biases. Of great importance is how different objectives and instruments are aligned and prioritized (Hogwood and Gunn, 1986). Howlet and Ramesh (2007: 4) suggest that

> Policy instruments are tools of governance. They represent the relatively limited number of means or methods by which governments effect their policies. The question that concerns us is why a government chooses one instrument and not another.

Policy making and implementation in the new South Africa, it is often simplistically and uni-linearly argued, has passed through several phases and adjustments as it experienced successes and failures. This upward and onward narrative is presented a story of progress and policy learning.

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Politicians have also moved increasingly towards the idea of "governance" whereby the role of the state was decentred and partnerships and networks became the vogue. Governments quickly claim successes but tend to scapegoat failures by disguising them as "lessons" and "challenges". As Howlett (2014: 396) argues,

> Decision-makers desire to avoid blame for failures leading them first to attempt to avoid any action at all and then only when forced to do so by the threat of blame for inaction to undertake as little action as possible.

General policy literature argues most governments tend to be "wary of problems which have a potentially very large scope and long duration" (Hood cited in Howlett 2014: 398). Central governments as Pierson (1996) argued, routinely devolve responsibilities to lower tiers of the state to divert blame for unpopular measures. The complexity of the intergovernmental context in South Africa is in part a narrative of good intentions, blame shifting and risk avoidance. The South African literature as Mofolo (2016) indicates that

> intergovernmental relations are one of the causes of the service delivery protests experienced in South African local municipalities over the past years. … members of a community are inclined to regard local government as the agent that should take the blame for the failures of provincial and national governments.

Grahamstown's Vukani RDP township offers a classic case of blame shifting with most houses close to collapse.

> The municipal media spokesperson, Thandy Matebese, denied that the municipality is responsible, citing that the matter can only be resolved on provincial level. Negotiations for the Vukani housing project started around

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1999, with the houses being completed in late 2003. After the most recent complaints from residents, Grocott's Mail has identified several layers of negligence and mismanagement that has occurred over the last ten years. According to municipal officials, this ranges from flawed provincial policy, all way down to theft of building supplies by local labourers. In March 2008 the municipality gave assurance that something would be done. A year later, the situation has only worsened following the October 2008 tornado and the further degradation of these homes, neither of which has led to any substantial improvement in the living conditions for Vukani residents (*Grocotts Mail,* 25 September 2009).

Various players, officials, parties, professional bodies and the media have developed distinct readings of housing failure ranging from wilful looting and cadre deployment to unintended failures in implementation. It is also important to bear in mind that attributions of blame may convert through the ballot box into a loss of power very quickly and decisively in democratic regimes, although the ANC for a long time believed it could never lose an election.

The other side of the blame game is accountability, which ranks a central concept in any modern democracy. Governments are accountable to the public for their decisions, omissions, and public expenditure. But given a multitude of players in a given governance network, accountability can be elusive (Boovens, 2005). Accountability vacuums have become legion in public-private-partnerships and outsourcing (Newman 2004; McDonald and Ruiters 2012).

At a local level, accountability through ward committees and civic organisations also leaves much to be desired (Tapscott, 2007). As Mansbridge (1983) argued in her classic

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critique of De Tocqueville's small town, face-to face democracy, local elites tend to wield disproportionate influence in community meetings usually dominated by the more educated males while the poor tend to keep quiet fear making fools of themselves or recriminations if they speak out.

However, accountability is more than a set of procedures bit also cultural values embedded in notions of public service and ethics – all of which have been eroded by the valorisation of business models in the public sector, entrepreneurialism and "transformational leadership (Newman 2004). There is a large general literature on policy failures in South Africa specifically housing covering a range of issues (Bond, 1997; Huchzermeyer, 2001; Mabin 2002; Miraftab, 2004; Pithouse, 2009; Aigbavboa, 2013). In South Africa, despite the landslide electoral victory of the ANC, its policies often betrayed a penchant for uncritical transfer and adoption of inappropriate, neoliberal "overseas models" (Steinberg 2011).
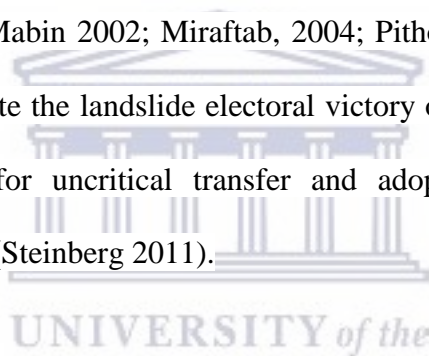
Marais *et al* (2003: 347) provides a cogent summary of the fundamental debates in South African housing policy since 1994. They have explored inter alia both the self-help versus mass state housing approaches using empirical data to test the Turner thesis (1976) that "there (is) a place for a self-help or community-driven approach to the construction of housing. Marais *et al* (2003: 350) argue that, "conventional housing strategies have a bad reputation for neglecting the power of people's self-development".

The 1993-94 meetings of the National Housing Forum (NHF), which first drafted public housing policy and firmed up the notion of partnership, were as Miraftab (2004: 95) argues that,

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"Grassroots organizations of the poor and the homeless were represented only by SANCO (South Africa's National Civic Organizations). Thus, the new policy was constructed on the premises of the private sector and formal political institutions." (also see Lalloo 1999).

There is also a literature that argues that the RDP housing programme was misconceived because the policy choices were reactive and minimalist rather than visionary (Khan and Thring, 2003; Bond 2002; Ruiters 2006). Charlton & Kihato (2006: 16) argue that housing policies in post-1994 have been assumed to improve the lives of the poor and relieve poverty. Yet, it is apparent that in many ways the chief beneficiaries were the contractors. RDP houses, in the main, were built by small-scale contractors – labelled "emerging contractors", but there was little regulation of the quality of materials and finished houses. In many cases, bigger contractors had subcontracted to smaller ones. Gilbert has speculated that in Columbia, "The free housing programme has also been criticised on the grounds that it is concerned more with creating work for the construction industry than providing homes for the poor' (2014: 259).

Miraftab (2004: 94) noted that South African housing policy, specifically the housing subsidy scheme is "presented as a partnership among the poor, private sector firms and institutions and the local government that promises fast delivery of a large number of houses to disadvantaged families". As she points out the Housing White Paper of 1994 specifically states that the policy seeks to harness and "mobilize the combined resources, efforts and initiatives of communities, the private sector, commercial sector and the state" with the state as an enabler. The partnership set the objective of

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producing 1 million houses within five years (1994 to 1999) and eliminating the entire

housing backlog thereafter. The subsidies, however, as Miraftab (2004: 95) shows "are

paid to a developer who purchases the land and builds on behalf of a group of qualified

households and then is paid with the total subsidy for those households. The developer

need not be a private sector company; it can be a local authority or a CBO that registers

as a housing association.

Huchzermeyer (2001: 303) argued that housing policy was a compromise that tried "to

combine the dominant position of the private sector for the commodification of

housing, with people-centred housing procedures advocated by the democratic

movement". According to Huchzermeyer (2003: 45), the RDP houses were built in

small plots, which do not create enough space for extension of such houses in future.

Moreover, most RDP houses have been built in poor or unstable locations such as flood

plains. As Moller (2011: 13) shows, RDP houses were more likely to flood than non-

RDP houses (53% versus 36%). The RDP housing scheme, she concludes "fell far short

of the dignified house with `reasonable living space and privacy as the norm in the

RDP". In response then to this shortfall, the constitutional concept of `progressive

realization was invoked with an increase in the capital subsidy. Joe Slovo had called

this an `incremental approach which also has earned the appellation "muddling

through".

Ramphele, former Vice-Chancellor and World Bank staffer, noted acerbically that

> The unimaginative RDP matchbox is not only an affront to the dignity of
> poor people, but many are unfit for human habitation. The National Home
> Builders' Registration Council reported a few months ago that of the three

million RDP homes built, 2.6 million (87%) were high-risk structures. It estimated that R59billion was needed to remedy minor and major defects on these houses. Imagine what could have been accomplished if R59 billion had been invested in incremental housing. This is a demonstration of how corruption is a tax on poor people who have to forgo basic services because money is diverted into the pockets of those who have captured the state. (JNews24 14 May 2011, http://www.news24.com/Archives/City-Press/Freedoms-bumpy-road-20150430).

Marais (2005: 2) like Moller (2011) and Pieterse (2009) has argued that the location of RDP housing needs more careful critical analysis.

In essence, the South African housing subsidy was seen in terms of a "rights-based approach" – all South Africans qualifying for the subsidy would access it. At the same time, various other policy documents, sometimes mutually contradictory, have intentionally or unintentionally started to shape the spatial allocation frameworks of government departments (including the framework for housing subsidies) Marais (2005: 2).

The Housing White Paper (HWP) focused more on reaching a quantitative target of one million houses over a five-year period, as set out in the ANC's RDP (Huchzermeyer, 2001: 66). Furthermore, literature on housing in South Africa raises several debates relating to distinct periods that reflect significant policy shifts or political pronouncements.

The main debates about the framing of policy in the 1994-2000 period were summarized by Huchzermeyer (2001: 70):

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- Whether housing should be based on individual or collective/co-operative ownership.

- The location of housing and integration with other services.

- The role of citizens in housing as a product and housing as process.

- Confusion about which sphere of government were implementers and their status.

- The "evasive discourses on squatters".

Khan and Thring (2003: 16) insisted that although mass rental housing

> costs more to build than self-help (and) maintenance is the government's (landlords) responsibility ... has proved very costly, particularly as structures age. ... This should not detract attention from other experiences in the world, wherein state provision of rental accommodation has been deployed as an important instrument in nation building.

Bradlow et al (2011, 267) argued that government wrongly framed the housing problem as a "crisis" and by mistakenly "creating an aggressive contrast between shacks that need to be "eradicated" and "formal" houses that need to be delivered". Huchzermeyer contended that future debates are likely to shift:

> Away from faith in the blanket solution of free-standing houses on individual plots with freehold tenure. Significantly, even the private sector, which previously spoke uniformly in support of the position put forward by its former Urban Foundation, was beginning to distance itself from the individual home-ownership model for the lowest-income sectors (Huchzermeyer, 2001: 325).

Edgar Pieterse (2009: 4) has lambasted the RDP housing programme for being completely misguided.

Instead of engaging with the shelter solutions of the poor on its own terms, key government leaders, including the current President and the former Minister of Housing, continuously foreground their undesirability. In fact, Lindiwe Sisulu (former Housing Minister) thought it necessary to launch a campaign to criminalise informal trading of public RDP houses.

Pieterse (2009: 7) noted:

The free public housing programme is in fact the de facto urban development strategy of South Africa with disastrous consequences for spatial patterns in the city. Most municipalities have been playing a desperate game of keeping up with the pressure from national government to provide as many housing opportunities as possible within budgetary provisions. Given the scale of these programmes, and the input planning that is required to identify and service land, award contracts to private developers to build, negotiate a contested waiting list, and maintain these assets once they come on stream—when most of the inhabitants do not have the incomes to pay for the services or maintain the houses—it is inevitable that the imperatives of public housing dominate urban development practice. In the face of the political pressure to keep these programmes growing, it is equally predictable that there is little capacity or energy to understand and deal with the unintended consequences of sprawl, depreciating stock because of the inability of residents to maintain their dwellings, the widespread informal trading of these housing at a tenth of the cost to build them, and so on. In effect as quickly as these housing settlements arise from the ground, they compound, at a larger scale, the unsustainability, inefficiency and fragmented nature of the city-region.

He observed further:

The financial implications of this programme on municipalities is probably the most important factor that makes it virtually impossible for public

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authorities to acknowledge and deal with the settlement catastrophes that are being created today (Pieterse, 2009: 8).

As Pieterse cogently argues government is hamstrung by the power of middle class homeowners,

> The middle-classes in South Africa are highly organised and their interested are typically advanced through ratepayers associations … to block government plans or interventions… Nimbyism is not some abstract sentiment but rather a powerful sentiment that is always backed-up with a litigious disposition. This threat is enough to neutralise ambitious planners. (Pieterse, 2009: 4).

BNG intended to shift away from a focus on attempting to supply housing with quantitative targets to a focus on demand-driven quality housing products that addressed the multi-dimensional needs of sustainable human settlements. It aimed to increase the rate of delivery of well-located housing of acceptable quality with increased emphasis on the process of housing delivery (Tissington, 2011: 6).

A reflection on Chile presents a similar argument that free housing has consequences that do not improve the lives of the intended beneficiaries.

> Because the subsidy policy has been operating longer in Chile, more criticism is heard about deterioration in areas of social interest housing. By grouping poor families together, the housing programs are creating (neighbourhoods) that deteriorate rapidly, where life is South Africa, and where lack of expectations is common. (Ducci, 2000: 169)

Gilbert also argues:

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In Chile, housing policy was redesigned to form part of the revolutionary new economic and social model. The housing sector was forced to change entirely so that it would embrace market principles. A major objective was to force the construction sector to respond to market signals than merely building to contract. (Gilbert, 2004: 35)

According to Gilbert:

Capital housing subsidies have reduced housing problems in Chile and perhaps South Africa. But whether it is worth tackling housing problems in this way in conditions of high unemployment, huge income inequality and widespread poverty, is another question. (Gilbert, 2004: 25)

Home ownership and the maintenance conundrum

The South African housing policy follows the logic that private ownership of a house has the power to transform people. The logic of home ownership has been an integral part of the South African government's housing vision, thereby creating an "ownership society", promoting virtue and responsibility. The DA analysis is that the problem is that the ANC was chasing numbers at the expense of unlocking asset values. Thus,

Despite a statistically impressive delivery of 3 million housing opportunities to the poor since 1994 (worth R300 billion in 2013 Rand value), South Africa has yet unlock this capital and the opportunities that it represents to the poor. Beneficiaries enjoy the 'use value' of their dwellings, but they are very seldom able to use ownership to generate investment capital. These dwellings represent mostly "dead capital" in the word of Peruvian economist Hernando de Soto. It constrains the extent to which the employed poor can leverage housing opportunities to better themselves. (DA, http://www.da.org.za/wp-content/uploads/2014/01/Human-Settlements1.pdf)

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In many countries, one of the basic objectives of public housing policy is to encourage home ownership but this is not universally the case. Public housing in the United Kingdom was built and maintained by local authorities and collectively identified as council houses and flats in mixed estates. In the UK mass public housing was introduced after the Second World War with very sturdy durable homes on secure rental basis at low rents to British working-class people. The home ownership society was abjured but in 1979, housing stock was sold off through Thatcher's "Right to Buy" legislation, which by 1987 had seen over a million units sold (Forrest & Murie 2014).

But moving to less developed countries, as Gilbert (2014: 254) suggests South Africa might be unique among developing countries in offering free ownership houses to the poor:

> a policy to build formal housing to distribute to beneficiaries for nothing appears to be a wholly novel approach in Latin America. Elsewhere, only the South African government has provided subsidies that allowed some of the poor to cover all of the cost of new housing units.

Tan (2008) observed that homeowners are also more likely to improve the sale value of their houses by investing in maintenance. Similarly, Kleinhans and Elsinga (2010) see ownership as allowing for adjusting the house to the owner's taste. The home-ownership argument has been contested by local NGOs such as Afesis-Corplan (Eglin 2009)

It is premised on the fairly rational assumption that property prices will continue to rise. Households can lose if no one is willing to buy at a seller's breakeven price. The value of well-located properties tends to rise at a higher rate than those in less prime areas. Households are tempted to sell their property at high prices to the highest bidders – usually high-income households. This makes it difficult for low income households to buy property in these locations as the prices are too high. Prime locations become inaccessible to the poor. .. most low income households who have individual title to their houses are not using their houses as collateral for loan. Housing micro-finance, that does not involve using housing property as collateral.

But as Steven Friedman put it in 2011 "Privatisation of housing appeared to be a case of "the middle class believing that poor people want the same thing as they do" (cited in Donald Pressly http://www.iol.co.za/business-report/economy/manuels-new-economic-development-plan-divides-economists-1182319). The policy makers have leapt to conclusions based on falsely generalising middle class attitudes and the desirability of generalised commodification (Narsiah 2002).

A leading UDF activist and former land claims official suggested that part of ANC's thinking in promoting home ownership was that the state feared that if it provided mass rental housing, tenants would boycott rent payments as was the practice in the 1980s. Government, as landlord would have to maintain the houses and also be pitted against the people. The system adopted by the RDP was to have individual titles to houses (and therefore the owner is exclusively responsible for the maintenance of the houses). Moreover, because of poor location in relation to services in the city, the RDP homeowner would pay more to get to work, schools, health care services, shopping centres. banks etc.

Marja & Joris (2005: 34) advise that the objective is based on the ideological assumption that owning one's own house has a positive effect on the individual and on society as a whole. It is thought that home ownership leads to greater housing satisfaction, self-esteem and other social benefits (Lemanski, 2011: 58). Rohe, Van Zandt, McCarthy (2013: 2) cast doubt on the generality of the argument that benefits and costs of homeownership are evenly distributed across all population segments.

> The research on the impact of homeownership suggests that these benefits may not accrue to all homeowners. Those who (own) homes in less desirable neighborhoods or in housing markets that experience depreciation may not realize the economic or the social benefits of homeownership. Moreover, some homeowners may desire to move, but find themselves stuck in homes that they cannot sell. … those involved in promoting homeownership should be careful not to oversell homeownership, particularly among those who are less likely to be successful homeowners. (But) encouraging families with highly variable or even flat income trajectories to purchase dwelling units is counterproductive: They are unlikely to be able to afford them over the long run. *... they will not be able to maintain at a reasonable standard* … We do a great disservice if we encourage persons to buy homes that they will end up losing. Similarly, caution should be exercised in encouraging households to purchase homes in areas that do not have a reasonable probability of stable or increasing property values and healthy social conditions.

In the USA the subprime crisis and housing bubble crash began to take the shine off home ownership. As Dean Baker wrote (2008)

> … only an ideologue would view homeownership as an end in itself. One of the reasons that millions of families face foreclosure and/or the loss of their life savings is that the ideologues of homeownership continued to promote homeownership even when it was clear that buying a home would

be   financially   detrimental. (https://www.theguardian.com/commentisfree/2008/apr/21/thehomeowners hipideology).

Crucially in South Africa by 2015, an

> estimated 50% of government subsidy beneficiaries did not have title deeds to their houses, which prevents them from using their assets to reduce poverty. They are unable to trade their houses for one in another area, their mobility is restricted and they are therefore unable to participate fully in society (Mantatho and Churr, 2015: 131).

The former Transkei and rural Bantustans more generally are among some of the most undesirable parts of SA to live in and to own property. Here land degradation and deliberate underdevelopment by the colonial and later apartheid governments forced people into a migrant labour system. Corruption was widespread in Bantustans. Owning a house in an area one was forced to live in and far away from economic opportunities, such as a Bantustan makes little sense.

The RDP policy was to build mass rural housing. However, as Crankshaw and Parnel (1996: 232) asked:

> is it enough for the new government simply to improve the housing conditions of these disadvantaged groups when their poverty is caused by their lack of access to urban jobs? Surely the RDP should aim to transform these apartheid patterns of settlement instead of casting them, quite literally in stone?

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A major weakness was the goal of sustainable communities emerging from the housing projects whilst the settlements were built far away from economic and social amenities. Lizarralde & Massyn (2008:34) present a view that the ultimate end of urban interventions in developing countries is producing sustainable environments that can foster development and that improve the quality of life of its inhabitants. This sentiment remains theoretical in an environment where the beneficiaries expect to benefit from the project itself and more importantly, where there is little coordination of services.

The government argues that the poor quality of RDP houses creates a hazard for the community.

> The vulnerability of many African cities to disasters compared to other continents has been recognised in recent years, due to a number of shared characteristics and underlying socioeconomic and cultural factors, which have led to the accumulation of risks (Pelling & Wisner, 2009: 30).

Despite this robust debate in government circles and communities at large about service delivery, housing literature is inadequate about the reasons behind this challenge and its long-term implications for the racial division of physical spaces in this country. Descriptions of South African neo-apartheid cities such as the one below continue to ring true.

> Walking past these identical single-story sheds, marshalled into grim repetitive rows (not nicknamed dog kennels for nothing), it is often hard to distinguish the RDP buildings from the hated matchbox houses built in the townships under apartheid. They have been thrown up quickly and cheaply, and many have already come crumbling down, while their dreary layout reinforces the sense of living in an open-air prison. They also have the

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tendency to spawn their own informal buildings next door, fuelling the development of choked streets of unplanned shacks (Oliver Wainwright in *The Guardian*, 30 April 2014).

Government has launched "pride of place" campaigns to induce self-respect among RDP home-owners cynically called "open-air prisons". In Limpopo for example the MEC noted,

> Through this campaign, our department wants to change the way the RDP houses look and the way the province looks at them. The campaign was also aimed at debunking the myth that RDP owners were not allowed to improve, renovate or paint their houses. Our aim is to see RDP house owners walking as tall as those who live in big houses. (http://www.sowetanlive.co.za/news/2010/08/20/rdp-houses---pride-of-place)
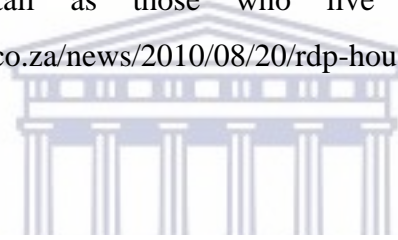
However, Venter and Marias (2010: 5-6) offer a more historically informed and nuanced account of the philosophical and political underpinnings of post-1994 housing policy.

> Although there is some truth in the neo-liberal intent of South African housing policy, application of the policy is much more complex. Ideologically, the housing policy is based rather on Esping-Andersen's social-democratic welfare-regime principles than on neo-liberal principles. Policy complexities are apparent when the ideological origin of the housing policy is traced back to the South African Constitution. The South African Constitution is based firmly on social-democratic regime discourses. Accordingly, the ideological documents of the White Paper on Housing and the Reconstruction and Development Programme proclaims that all citizens have equal rights of access to housing. In addition, given the socio-economic situation in South Africa (South Africa has an unemployment rate

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of more than 30%) the state commits itself to the notion of meeting the basic needs of all its citizens. Thus, from a social-democratic regime perspective, the state has no choice but to be active in welfare provision.

It is possible however to have hybrid policies and state implementing mechanisms where the intent might be social democratic yet the private sector is used to do the delivery with the state "steering and not rowing". Here the state is merely seen as an enabler. In this respect, SA might have a "hollowed out" state.

A legacy of oppression and a people who fell victim to the system has left a long-term imprint that makes the democratic system overlook the responsibility of the citizen. Moreover, communities pressure on the government makes for adhoc responses rather than a logical or systematically process of community services. This bears out the argument that the intention of land tenure has been replaced by communities with a culture of shared ownership with the state serving as the contributing party.
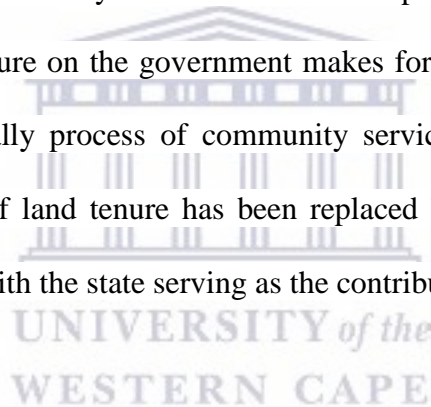
Public Participation

Khoza (2010: 5) contends that the utilization of social mechanisms such as public participation in housing have been ignored to the detriment of poor beneficiaries, as they are typified as passive consumers who cannot take charge of their lives. Others who possess political and economic power take decisions for them. In the case of housing, government policy placed reliance on the role of the community. The common saying of "nothing for us without us" was branded around with communities wanting to be part of every decision regarding the project. This included procurement decisions of who the contractor should be, material suppliers and employment. The process was

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open to exploitation by some contractors wanting to exploit projects. They would provide parties and other forms of gifts for communities to select their companies while there was no real substance in their product offer.

Gilbert (2004:28) states that the ANC government did not want to rely on the old 'apartheid' construction firms and attempted to use the subsidy programme to encourage the development of Black entrepreneurs. This statement is not entirely correct, as the major construction companies in the country were requested to build RDP houses at a lower rate and standards, in terms of their contribution to the reconstruction of the country. Established companies also used their participation in building of RDP houses to show a contribution and also to leverage recognition to influence decisions in their favour on more lucrative construction projects offered by the state.
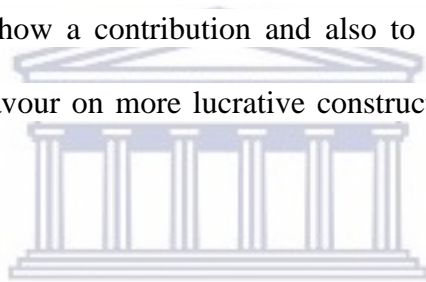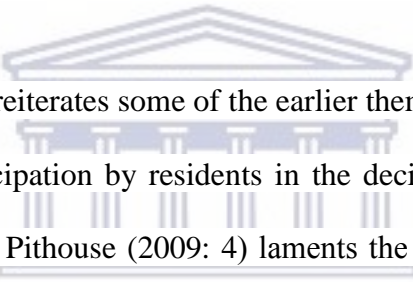
However, the statement by Gilbert (2004: 28) that "...the lack of resources has forced each government into making difficult decisions about the size and the number of subsidies to be offered", has resulted in decisions with a series of implementation problems relating to the quality of construction, the location of the new housing solutions, the use of credit and how to allocate subsidies between so many petitioners.

Beneficiary Involvement through the PHP

Within the period of this study and to date, individual ownership remains the preferred policy choice. At the start, the focus was on housing delivery only. However, in 2008, the BNG policy changed the focus to integrated human settlements. The PHP was not

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successful and greater monitoring was required. Initially, municipalities were considered the relevant sphere of government to deliver houses and this was the case within the study period in the Eastern Cape until the end of 2010 when the provincial government took over developer status from all category B and C municipalities.

The policy that was revised in June 2008 took effect on 1 April 2009 as a replacement of the previous PHP. This programme focuses on the delivery of improved human settlement projects encouraging community contribution. It, therefore, functions primarily as a community-driven process that takes place over a period of time and is not orientated toward delivery at scale over limited timeframes (Tissington, 2011: 9).

Moreover, Pithouse (2009: 4) reiterates some of the earlier themes mentioned by Bond, but focus on the lack of participation by residents in the decisions about the kind of services provided by the state. Pithouse (2009: 4) laments the "technocratic approach, which privileges elite interests" arguing for "direct support for poor people's organizations to challenge elite interests, including those in the state, and to undertake independent innovation on their own". Government, when it does consult communities on technical matters, often uses participation to cause confusion about what can be achieved and the appropriate roles of the beneficiary.

Social versus Market Dependency

Bond (1997: 14) similarly touches on the kinds of issues raised by Huchzermeyer, except that he stresses the failure of government to create market independence through the building of de-commodified housing. Duncan (2010: 154) makes a similar point:

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"RDP housing rectification is an ineffective form of redress if it continues to be implemented in a policy context where services are treated primarily as commodities rather than entitlements, and where the private sector is relied on, in the main, to provide jobs".

Others (Centre for Affordable Finance, Africa, 2011: 71) take a different view seeing RDP housing as an asset that provides several benefits as a social asset to be inherited.

> Beneficiaries appear to place a high value on the houses that they have received. While the respondents expressed the value of a subsidy house differently describing it in terms of functionality, the possibilities it opened up, its political value or its qualities, there was a strong sense that respondents value the house.

By the early 2000s the extent of dire poverty in urban areas was becoming apparent with widespread poverty still eminent and many households barely managing from month to month and not being able to afford their monthly service payments and the cost of on-going home repairs. Consequently, some even report that beneficiaries are leaving their subsidized houses because living in them is too expensive (Zack & Charlton, 2003: 32). There are cases where the recipients of free RDP houses illegally sold them (for far less than their real value), returned to their shantytowns of origin and continued practising their informal economic activities.

Devereux (2010: 4) also argues that social welfare systems across the world are blamed for numerous negative impacts, with South Africa's being no exception. Common criticisms include "perverse incentives" discouraging work (so-called "dependency

syndrome"), "crowding out informal social protection mechanisms (for example, private remittances), misuse (for example, spent on alcohol and drugs), and raised fertility rates (in the case of child benefits)". Terreblanche (2003: 106) states that as a "growth through redistribution" policy, the RDP envisioned as a first priority: "meeting the basic needs of people: jobs, land, housing, water, electricity, telecommunications, transport, a clean and healthy environment, nutrition, health care, and social welfare".

Housing, IGR and Corruption

> Councillors and developers are so used to getting their cut of money from housing developments that they stand in the way when poor people seek to get the funding themselves so that they can organize and manage the upgrading of their homes or new house construction (Bradlow et al 2011: 271)

Some scholars see higher structures as a check on councillor corruption. But a strong argument that points to the intergovernmental relations (IGR) system as a major source of housing quality problem is made by Phago (2016: 52). Phago documents the National Council of Provinces (NCOP) concerns about rectification and he compiled a list of questions raised in the NCOP that relate to IGR issues. The questions as asked by members of the NCOP include the following (National Council of Provinces 2008, 2–6):

> Six hundred houses of the 15 000 Zanemvula Human Settlement Project units in the Eastern Cape Province have been certified as faulty and need to be demolished. What are the administrative and financial ramifications of the process? Are there administrative measures in place to recoup the funds lost from demolishing these 600 units?

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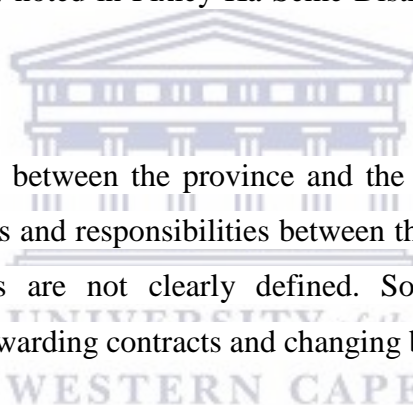
• Is there coordination between various government departments of housing and entities with regard to the allocation of housing units to relevant beneficiaries?

• Is the Minister aware of the different lists between certain provinces and their municipalities regarding housing waiting lists? This question is of concern as other beneficiaries receive stand numbers of the houses they should occupy while after completion houses are occupied by different beneficiaries.

• Does the Department have any plans in place to correct the recurrence of the Free State Province's under-spending of R82, 2 million of the 2007/08 financial year?

• Does the Department keep a record of the total number of the reported housing units that are demolished?

• Is the Department putting preventative measures administratively to avoid poor building materials and shoddy work by contractors?

• What is the current situation regarding the performance audit by the Office of the Auditor-General on RDP housing projects?

• Has the Department ensured that contractors have been prosecuted for the shoddy work and for non-completion of contracts?

Corruption is currently identified as one of the major barriers to achieving construction quality in South Africa (CIDB, 2011). According to an article by Makatile (2015:2), corruption and maladministration has become the spanner in the works for the government as it tries to accelerate RDP housing service delivery.

Mogoro & Brynard (2010: 14) believe that slow progress by provincial and local departments of human settlement in reducing the housing backlog can largely be attributed to the "incompetent implementation of the procurement policy". Misselhorn (2008) argues that corruption is widespread and includes undeclared conflicts of

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interest or vested interests, bribes and procurement corruption. Mogoro & Brynard (2010) concur. Misselhorn (2008: 16) is of the opinion that because of corruption, "competence and performance are seriously compromised" on projects, and that this is counter-productive to delivery. According to the Public Protector, Advocate Thuli Madonsela (In Session: Parliament, 2014) the capacity constraints in municipalities have resulted in planning inadequacies, procurement irregularities leading to defective houses and poor or no 'quality assurance' or control, leading to shoddily built houses having to be demolished and rebuilt at the expense of the state under the Rectification Programme.

As Tissington *et al* (2013: 79) noted in Pixley Ka Seme District Municipality in mid-2012,

> There is no coordination between the province and the accredited district municipality and the roles and responsibilities between the Department and accredited municipalities are not clearly defined. Sometimes there is political interference in awarding contracts and changing beneficiaries.

Rectification, quality and maintaining of RDP houses

In an early empirical study conducted by Mehlomakulu & Marais (1999: 67) in Pelindaba, Bloemfontein, 74% of their respondents had negative perceptions of the overall quality of their starter houses. Later research conducted by Moolla, Kotze & Block (2011: 13) on core houses built between 1996 and 2002 in Braamfisherville, Soweto, found that most homeowners reported issues with the quality of their houses. The main defects were cracks in walls (78%) and roof leakages (58%). Madzidzela (2008:45) found that in the Nyandeni Local Municipality in the Eastern Cape, 85% of

residents were unhappy with state-subsidised houses. Zunguzane, Smallwood & Emuze (2012) revealed that in the Wentzel Park (Alexandria in the Eastern Cape) 47.5% of respondents believed their houses to be poorly built. In 2014, the Cape Town Metro revealed that,

> there are approximately 40 000 state-subsidised homes that do not have ceilings. Having to live without a ceiling has caused much discomfort for residents who have been affected by the poor thermal performance of the homes, as well as condensation which gives rise to damp conditions and inferior internal air quality. (*Independent Online*, 31 August 2016)

The SHF study showed that the average life span of an RDP house was about 20 years. Because of poor construction and the need for a lot of maintenance, RDP housing requires rebuilding after approximately 20 years (SHF ND: 2). The land has value but the structure depreciates. The paper further noted that "RDP households have very low incomes" and most automatically qualify for free basic services, covered by national transfers.

National Treasury Annual Intergovernmental Fiscal Review (2004: 126) reported that a survey of housing subsidy beneficiaries commissioned by the Department of Housing during 2003 to find out how RDP home owners view their new homes found that

> There is a significant sense of security, independence, and pride in relation to home ownership. Despite a range of problems with their new homes, including poor location and the increased costs associated with home ownership, most beneficiaries indicated that they are better off than before. Many beneficiaries are not entirely satisfied with the quality of their houses and believe that contractors have short-changed them. In addition, few settlements offer convenient access to the full range of urban services and

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amenities, and most settlements have not been improved or developed beyond the basic delivery of housing. Many beneficiaries reported a failure by developers and municipalities to repair defective houses or maintain settlements. There is a widespread sense that communities experience a lack of responsiveness by local authorities. While most respondents aspire to make improvements to their dwellings, *relatively few had done so* at the time of the survey. Lack of money was cited as the major stumbling block, and very few beneficiaries are prepared to borrow money for home improvements.

Hence, government was aware of the problem of improvements and maintenance.

Gilbert (2014) who has examined recent attempts in Latin America to provide free housing for the poor noted that in "Chile and South Africa, the accommodation offered families very little space and there have also been numerous complaints about the quality of construction, particularly about poor design and the thinness of the walls". Citing Govender's Cape Town research, he suggests that RDP houses have been seen as "a breeding ground for TB" by creating an internal environment far worse than informal shacks, which "are warmer, drier and better ventilated" (Gilbert 2014: 258).

The RDP houses are smaller than the original apartheid matchbox houses. Many recipients of free houses and township residents have their own derogatory names for RDP houses. As one resident noted "we can't even fit beds in the rooms". Some even call them "smarties, after the sweets, because of their rainbow colours and size" (*Sowetan* 17 July 2008).

Govender et al (2011: 339) found that the construction and design of greater Cape Town RDP houses varies between sites and in their study of four areas a "large

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proportion of the study participants reported that their houses were not structurally complete upon occupancy". They found that the

> vast majority of the main houses had two (38%) or three (48%) structural problems. The integrity of the walls of the dwelling structure was problematic, showing large visible cracks. Damp was visible on the walls in many dwellings. Home owners commonly using softened bar soap to fill up holes in leaking roofs which washed out at the next rain episode, causing white streaks down the inner walls.

Pithouse (2010) concludes that

> in many cases RDP houses have been built on land that the apartheid state had first acquired to build new townships and the immediate visible difference between apartheid and post-apartheid townships is often the sobering fact that houses built after apartheid are a lot smaller. The allocation of houses and of the contracts to build them has routinely been driven by political patronage rather than considerations of justice or efficiency.
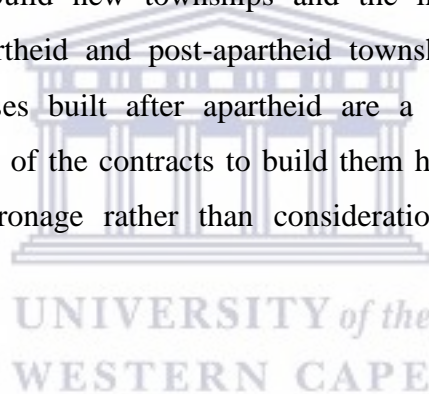
The General Household Surveys, 2003, 2008 and 2013 (StatsSA, 2004-2014) provide a longer term sense of perceptions the quality of public housing. The quality of roofs and walls vital to external protection provides a measure of the overall quality of the dwelling. In South Africa almost 13% of households reported their walls to be sub-standard in 2003. This increased to 21.7% in 2008, and fell to 15.7% in 2013. Almost 13% of households reported their roof to be sub-standard in 2003, increasing to 21% in 2008, and falling to 15% in 2013. In 2013, the Eastern Cape reported the highest percentage of substandard dwellings (28%) compared to Gauteng at 5.9%.

Protracted poor maintenance of houses leads to dilapidated buildings and leaking pipes, and faulty insulation and holes in roofs and ceilings. Structures is such conditions "can act as stressors that affects the human immune system and (h)ousing disrepair among the poor exposes them disproportionately to lead, pests, air pollutants, contaminants and greater social risks (Govender, 2011). Govender et al (2011: 340) point out that "Together with overcrowded conditions, this is conducive to the spread of TB. The association between the overcrowding of dwellings and the spread of TB is well known".

According to Khoza & Kabir (2014: 5), most RDP houses are sub-standard, thus reducing the beneficiaries' interest in occupying and maintaining them. Therefore, when beneficiaries are not satisfied with the standard and condition of the product, they further neglect the houses. Dewar (cited in Napier, 2013: 14) observed:

> ...it becomes clear that the core housing built in the 1980s was of relatively
> more sound structural quality than the later 'RDP housing. It can be stated
> that the failure of thorough project management exacerbated the challenges
> on housing projects, particularly the PHP projects after 1994.

The focus for some has been to blame the poor for the state of their RDP houses and it has often been on a moral discourse around the dependency of the undeserving poor. As housing MEC of Gauteng, Mekgwe argued

> "Let this housing project become the shining example of sustainable
> human settlements in our country. I have seen projects where people have
> neglected their houses and expect government to come and fix them. When
> we give you a house it is your responsibility to make sure that house is
> maintained so that people who come after you in the family can also be
> proud   of   the   gift   you   leave   for

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them," http://www.gdhs.gpg.gov.za/Pages/People-moved-from-the-temporary-containers-to-RDP-houses.aspx

Steyn (2012:17), for example, argues, "the poor need to be able to choose where they live as the first major step towards self-reliance and lessoning dependency on RDP houses and grants".

A SHF report to the Portfolio Committee on Human Settlements in 2009 noted that

> those occupying RDP houses did not see them as an asset, because they were not widely sought after for resale, because there were also restrictions on resale within a certain time, and because they could not afford the maintenance, which was worsened by the poor quality of the houses. (RSA 2009)

The Parliament Committee heard that the poor location was the major problem of the RDP housing programme, But the Department's Mr Dlabantu argued that "DHS needed to forge ahead with models even if they were not adequate, because this was better than leaving people in their current unsatisfactory circumstances". He argued for better inspections (RSA, 2009, https://pmg.org.za/committee-meeting/10703/).

The Minister of Human Settlements, Lindiwe Sisulu, in her Budget Vote speech to the National Assembly, again blamed the "dependency" syndrome that the provision of free goods and service by the state allegedly creates (Royston & Wilson, 2014:1). Rasila & Mudau (2013: 14) stated that although the RDP had good intentions, it is also contributing to the creation of a "dependent" society in South Africa and some people abuse services delivered through this programme. This has also resulted in the majority

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of beneficiaries believing that government should provide everything for all, including the maintenance of the RDP houses.

Govender et al (2011: 229) found that,

> Ninety-nine percent of the home owners in the survey reported that they could not afford repairs to their home. Various households had reported problems to the City Council but noted that they eventually "fixed the problems themselves or learn to live with it"

At a broader level, thus, the literature that informs the academic debate on housing policy and delivery in South Africa largely focuses on the activist desire to emancipate the poor on the one hand versus the focus on the "dependency" syndrome on the other. The former exposes the weaknesses in the state in the delivery process with minimal focus on the remedial action employed by government that could be considered as having serious consequences. The latter view is that RDP housing was misconceived because it encouraged state dependency and also resulted in urban inefficiencies due to the poor location of RDP settlements.

However, significantly absent in these debates is any anticipation that quality and poor location of housing that would later be labelled "rectification" would become a key element in a housing crisis. As noted before, the existing literature on housing in contemporary South Africa paid scant attention to the Rectification Programme and the insights this could provide into RDP policy implementation, governance and quality assurance processes.

Regarding the Eastern Cape, reference can be made to two academic articles that have been written about the causes of rectification, as such. The first by de Nobrega (2011: 20), which covers the Eastern Cape and notes,

> The ECDH's Project Management and Quality Assurance chief directorate was officially established only in 2006 that is the start point of the study. Prior to that, houses where inspected by the municipal officials. Structural defects often went undetected, and remedial action could only be taken on a limited scale.

The research by Zunguzane (2013: 46), drawing on a survey done in Port Elizabeth, suggests that "the principal causes of defects in low-income houses is perceived to be related to the use of emerging contractors who are presumably not experienced enough, and to the use of unskilled labour by the contractors". This view concurs with finding by Buys & Le Roux (2014: 78). They argue that:

> The biggest cause that leads to defects in houses; is inadequate artisan skills…and that cracks are the most frequent type of defect occurring. Projects fail in project management terms because of defects as the construction time of the projects is prolonged (Buys & Le Roux, 2014: 78).

Moreover, Buys & Le Roux (2014: 80), in a recent internet opinion survey of 400 professionals, found that cracks, dampness and defective roofing in that order were the key problems of RDP houses in the Eastern and Western Cape. In the same survey they found that the cause of defects was the contractor's artisanal shortcomings. The limitation of Buys & Le Roux is that they cannot confirm the veracity of the opinions/perceptions of their respondents. This is one of several gaps in the literature.

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An initial scan of rectification based on observations is that the "rectification policy and project" has many layers of contradictions that speak to a broader failure of the South African development model. Some of these include large-scale mistrust between citizens and the state and large-scale greed and corruption in the private sector at every level from large construction firms to the informal sector. Another contributory problem as already noted is that houses that are poorly located lead to additional damage from poor drainage and higher burdens such as time and transport costs for residents. The location of development and spatial issues in service delivery has become an important focus of recent research (Turok, 2011: 20; Pieterse, 2009).

Conclusion

Rectification of poorly built government housing, as this literature review shows, speaks to systemic issues of South Africa's supposed "developmental state" (Fine 2010), the predatory nature of development (Carlton and Kihato 2006) and poor policy framing. These problems range from basic issues (too many diverse policy goals, corruption, greed, lack of consequences when the law is broken) to major difficulties with the overly complex systems for service delivery and importantly to a rigid commitment to the commodification of housing for the poor. Analysts are divided on issues around the feasibility and desirability of a full blown welfare state in SA and in housing as opposed to a less regulated urbanisation that allows the poor to prioritise geography (e.g. proximity to jobs and the city) over a state provided RDP housing in peripheral locations.

The rectification literature (thin as it is) points to concerns around the basic respect for the dignity and health of the poor who have been put into unsafe homes and have to bear untold costs of home ownership and maintenance as a form of transformation in reverse. As the literature shows, an important set of problems occur around the framing of the housing "problem" as ownership of an asset. Not sufficient emphasis in the literature falls on the poor's capacity for maintenance of ownership housing. The extent to which bad housing constitutes a drain of the poor and additional source of poverty needs to be addressed. These issues will be explored in detail in the chapter that follow.

CHAPTER FIVE: REGULATORY AND POLICY CONTEXT

This chapter provides background to the evolving policies governing housing quality and its shortcomings, which directly affect more recent service delivery in the context of a focus on rectification. The research presents the argument that there is legislation and policy for service delivery, however it has ambiguities and problems, and it also relies on the private sector practitioners, and local and provincial government officials to interpret and implement with the intention of producing results. Housing policies have undergone significant reforms involving changes in delivery norms and standards, delivery models, orientation (quantity to quality) and income groups targeted. The chapter is divided into three parts that explain the turning points in policy and the period.

Post-apartheid Housing Policy

During this period, the principal housing policy frame was the White Paper on Housing (RSA 1994) and the Housing Act (No. 107 of 1997). South Africa's government is constitutionally mandated to ensure that everyone has access to *adequate* housing (Section 26 of the Constitution), and the state has an obligation to take reasonable legislative and other measures to achieve the progressive realization of the right to housing. The Constitution does not prescribe which policy instruments or modes of delivery have to be used (the private sector or public sector). Several laws serviced the housing sector during the post-apartheid era as listed below with the housing code being the most significant and directly related to the sector:

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- Constitution of the Republic of South Africa (1996)

- White Paper on Housing: A New Housing Policy and Strategy for South Africa (1994)

- Housing Act 107 of 1997 (amended by Acts 28 and 60 of 1999; Act 4 of 2001)

- Rental Housing Act 50 of 1999 (amended by Act 43 of 2007)

- National Housing Code of 2000 (revised in 2009)

Constitution of the Republic of South Africa (1996)

Government's housing development mandate emanates from the Constitution. Section 26 of the South African Constitution (1996) enshrines the right of everyone to have access to adequate housing and makes it incumbent upon the state to take reasonable legislative and other measures within its available resources to achieve the progressive realization of this right. However, "adequate housing" is not easy to define as it depends on the specific context and circumstances of households and individuals, together with their needs and priorities.

According to General Comment 4 on Article 11(1) of the UN International Covenant on Economic, Social and Cultural Rights (ICESCR), which deals with the right to *adequate* housing –

> The right to housing should not be interpreted in a narrow or restrictive sense, which equates it with, for example, the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity.

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Rather it should be seen as the right to live somewhere in security, peace and dignity.

In response to this constitutional imperative, government has, in terms of the Housing Act, 1997 (Act No 107 of 1997), introduced a variety of programmes, which provide access to adequate housing for poor households.
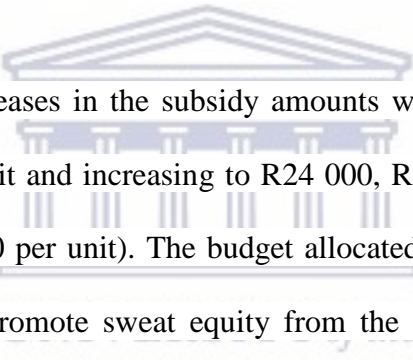
Housing Act 107 of 1997

The Housing Act 107 of 1997 is the primary piece of housing legislation in South Africa, which largely gave the White Paper on Housing legislative effect. The Act provides for a sustainable housing development process, laying down general principles for housing development in all spheres of government; defines the functions of national, provincial and local governments with respect to housing development; and it lays the basis for financing national housing programmes. Housing development is defined in the Housing Act as:
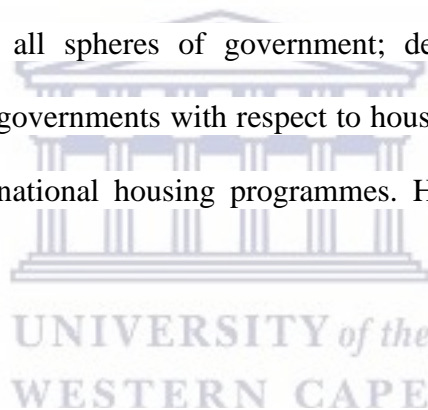
The establishment and maintenance of habitable, stable and sustainable public and private residential environments to ensure viable households and communities in areas allowing convenient access to economic opportunities, and to health, educational and social amenities in which all citizens and permanent residents of the Republic will, on a progressive basis, have access to a permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements and potable water, adequate sanitary facilities and domestic energy supply.

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In section 2(1) the Act states that all spheres of government must give priority to the needs of the poor in respect of housing development and consult meaningfully with individuals and communities affected by housing development. They must ensure that housing development provides as wide a choice of housing and tenure options as is reasonably possible; is economically, fiscally, socially and financially affordable and sustainable; is based on integrated development planning; is administered in a transparent, accountable and equitable manner; and upholds the practice of good governance. In 1998, the DoH indicated that it would change the procurement regime permitting local authorities, with proven capacity, to be developers of low-income housing projects as from April 2002.
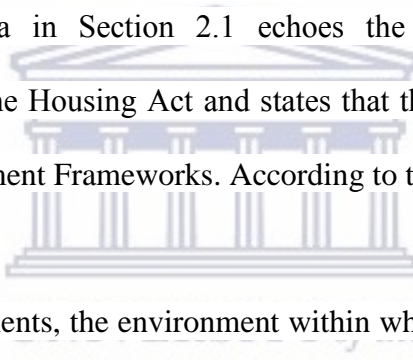
From about 1999 various increases in the subsidy amounts were initiated (starting at approximately R17 000 per unit and increasing to R24 000, R28 000, R36 000 and to the current amount of R40 000 per unit). The budget allocated for the construction of the houses was designed to promote sweat equity from the new owners and create social activism for the redevelopment of the country. To this extent, construction companies were encouraged to reduce their costs and train community members to build. The subsidy was also split to cover bulk services and the top structure separately. These changes enabled municipalities to build larger units (which started at $18m^2$ and grew to the current $40m^2$) with compartmentalized bedrooms, an open-plan kitchen, a sitting room and an inside toilet.

National Housing Code (2000 revised 2009)

The National Housing Code (NHC), first published in 2000 in accordance with the Housing Act, sets out the National Housing Policy of South Africa and procedural guidelines for the effective implementation of this policy. It also sets out the underlying policy principles, guidelines and norms and standards, which apply, to the National Housing Programmes.

Some of these programmes have been updated or removed and new programmes included after the adoption of Breaking New Ground (BNG) in 2004. The Code is binding on provincial and local spheres of government. The requirement to develop the National Housing Code is set out in Section 4 of the Housing Act. The NHC's 'vision for housing in South Africa in Section 2.1 echoes the definition of 'housing development' as outlined in the Housing Act and states that this vision is reiterated in the Urban and Rural Development Frameworks. According to the code:

> In each of these documents, the environment within which a house is situated is recognized as being equally as important as the house itself in satisfying the needs and requirements of the occupants. Ultimately, the housing process must make a positive contribution to a non-racial, non-sexist, democratic and integrated society. The goal within both urban and rural areas is to improve the quality of living of all South Africans. The emphasis of our effort must be on the poor and those who have been previously disadvantaged. To meet this goal in a manner that is viable and sustainable, we understand that we need to undertake a range of interventions.

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In 2007, the "National Norms and Standards for the Construction of Stand Alone Residential Dwellings", was introduced by the Minister of Housing in terms of section 3(2)(a) of the Housing Act, which is contained in the 2009 National Housing Code. These provided minimum technical specifications including environmentally efficient design proposals.

On 1 April 2007, standards were revised in the National Norms and Standards with respect to permanent residential structures (National Norms and Standards), which are contained in the 2009 National Housing Code. All standalone houses constructed through application of the National Housing Programmes had to comply with these norms and standards. As stipulated, each house was to have:

- Minimum gross floor area of 40m^2

- Two bedrooms

- Separate bathroom with a toilet, a shower and hand basin

- Combined living area and kitchen with wash basin; and

- Ready-board electrical installation, if electricity is available in the project area (DHS, 2009).

The construction excluded the following items:

- Cement plaster

- Ceilings

- Cement skirting around the edge of the house to reduce water seepage

However, the department introduced the SCCCA that allowed most of the Western Cape and a small portion of the Eastern Cape to include plaster, ceilings and cement skirting. This practiced was challenged by other provinces who claimed that adverse weather such as snow, heavy wind, rain and hail were more relevant for the inclusion of the add-on items.

Current Policy Framework for Housing Standards and Quality

In 2009 a revised National Housing Code was published and contains the BNG-compliant National Housing Programmes, which are described as the "building blocks in the provision of sustainable human settlements." National Housing Code (2009) and BNG: A Comprehensive Plan for the Development of Sustainable Human Settlements (2004) are the key policy documents that direct housing delivery.

The National Housing Code published in 2009 is meant to allow for changes since 2000 and to adapt the National Housing Programmes into malleable provisions and procedures. The Code itself is wide-ranging and addresses a variety of housing programmes mentioned in BNG and involves removing old programmes too.

The early 2000's is characterized by the introduction of the BNG policy framework. BNG emphasized the delivery of sustainable human settlements, the need for integrated development and upgrading of informal settlements. It also placed increased emphasis on the process of housing delivery and the long-term sustainability of the housing

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environment (Tissington, 2011: 18). The second key objective of the BNG was to remove all informal settlements by 2014 and to quality housing.

BNG was formulated to address previous challenges and was a shift from focusing on quantity to focusing on quality, size and choice. The fundamental difference was that the new approach introduced integration and an emphasis on sustainability. This meant the involvement of all socially focused departments within government to plan around housing projects. BNG intended to shift to better workmanship of housing products, settlement design, alternative technology, and choice (tenure type, location, etc.).

> The BNG aims, among other things, to eradicate informal settlements in South Africa in the shortest possible time. The BNG incorporates principles such as integrating subsidized, rental and bonded housing. It also includes the providing municipal engineering services at a higher level and being applied consistently throughout the township and providing ancillary facilities such as schools, clinics and commercial opportunities. (NDoH 2008)

In 2012 the key housing policy developments included a further revised National Housing Code. The adoption of Outcome 8, which concerns sustainable human settlements and improved quality of households' life, has four focus outputs; namely, accelerated delivery of housing opportunities, access to basic services, efficient use of land for human settlements and an improved property market.

Another development was the National Development Plan (NDP), whose objectives include a need to address the apartheid geographical and urban inefficiencies.

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According to Tissington (2011: 19), the Department of Human Settlements (DHS) has acknowledged the need for a paradigm shift and its 2004 BNG policy epitomizes a somewhat more progressive and holistic approach (BNG, Section 4).

Other developments include the introduction of the Social Housing Policy in 2005. A Rental Housing Amendment Act (No. 43 of 2007) was also approved, amending the Rental Housing Act of 1999. The Social Housing Act (No. 16 of 2008) establishes and promotes sustainable social housing environments and provides for the introduction of the Social Housing Regulatory Authority (SHRA). In 2008, the National Upgrading Support Programme (NUSP) was established to assist provinces and municipalities in their efforts to upgrade informal settlements.

However, as Huchzermeyer (2014) noted there is resistance to moving away from old approach. By 2016, chasing numbers still commanded centre stage in policy.

> We have committed to delivering 6 million houses and subsidies by 2019 and this we shall do. We are at 4.4 million houses and subsidies currently, so we have 1.6 million to go. Basically, this translates to 400 000 houses and subsidies per year, which is doable. And until we have reached 400 000 per year, no official of Human settlements, whether at national, provincial or local government level will receive a performance bonus. This means we have to strengthen our oversight and monitoring capacity and that every DG and HoD have to ensure that targets and achievements are monitored. When each one achieves their targets the effect is that we are all able to meeting our target, which is numbers (Address by Lindiwe Sisulu, Minister of Human Settlements 24 November 2016, Durban Annual Govan Mbeki awards http://www.dhs.gov.za/sites/default/files/speeches)

A further noteworthy development was the significant slow-down in the number of houses/housing opportunities after 2006. The minister of human settlements' claimed that her department has "delivered almost half of the number of houses that we delivered at the height of our delivery" (New Age, 12 August 2015). Housing delivery in South Africa in 2006/07 was at its highest level when the state funded 243,689 "housing opportunities". Data for 2013/14, show a 43% drop (ibid.). As Tomlinson (2015: 20) has argued, the housing conundrum has deepened with fewer (although better) houses built but with an increasing backlog.

> an approach that was initially intended to deliver "breadth" over "depth" has shifted to one today that focuses on "depth" over "breadth". This situation makes it impossible to remove the backlog with the resources available. It may therefore be time to re-visit this change in interpretation. Second, housing policy has become much more complicated over time and so requires significant capacity to implement, which many local authorities lack.

NHBRC and the Rationale for the Creation of the Rectification Programme

The Rectification Programme covers houses built for the poor before 1994 and post 1994 by the state. The programme for the rectification of certain residential units that were created under the pre-1994 dispensation intends to improve the quality and condition of houses that were built under apartheid and are still state-owned or have been transferred to individual beneficiaries.

The main aim of the Rectification Programme is the upgrading of municipal engineering services, where unsuitable levels of services were delivered; as well as the revamp, upgrading or complete reconstruction of dwellings that are compromised. It is also applied when houses are regarded as inappropriate for transfer into ownership of the beneficiary or unfit for human occupancy.

Certain minimum norms and standards for the top-structure and for municipal engineering services are included in the programme. Furthermore, the Rectification Programme makes funds available for the rectification and renovation of houses affected by poor workmanship and various other contributing factors. Thus, the rectification of these housing units seeks to ensure that their quality standards are in line with national and provincial norms and standards.
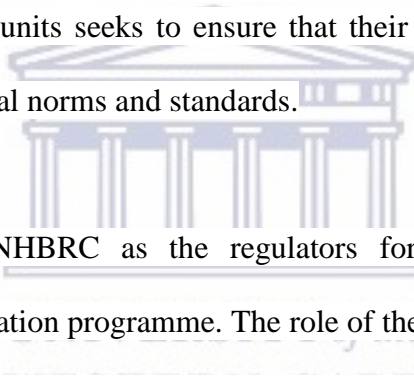
The NDoH appointed the NHBRC as the regulators for the management and implementation of the Rectification programme. The role of the NDoH is to oversee the Rectification Programme. The NHBRC's purpose under the Rectification Programme is to regulate the home building processes with the industry as well as the establishment and promotion of standards and ethics with regard to the home building industry.

The NHBRC aims to develop an improved and more productive quality of structure of houses to benefit the consumer as well as the home building industry thereby aiming to promote improved structural quality of houses, which have been previously constructed by the government. The policies of the Rectification Programme are that any home that is less than 40m^2 that is in need of rectifying must be demolished and replaced by a

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house that complies with the standards of the NHBRC. The policy also included those houses, which were built before 1994 for review.

Home building in South Africa is regulated by the NHBRC, a statutory body established as part of the national government's policy. The NHBRC's mandate is to represent the interests of housing consumers by providing warranty protection against defects in new homes and provide protection to housing consumers against the failure of homebuilders to comply with their obligations. Defects can be "minor or major": the former refers problems the erection or construction of a building that do not make the building unsafe or unusable where major defects refer to conditions that render the building uninhabitable, or unusable (Mills, Love & Williams, cited in Buys et al. 2013).
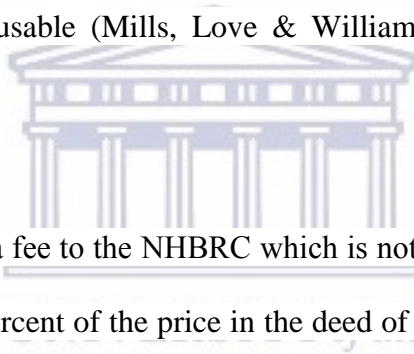
Contractors and or banks pay a fee to the NHBRC which is not state funded. "From the start fees were based on 1,3 percent of the price in the deed of sale or offer to purchase document, or the sum of the prices on the building contract and land sale agreement up to R500 000; thereafter a percentage scale is used" (http://sans10400.co.za/national-home-builders-registration-council/).

The NHBRC states minimum technical requirements and regulations with regard to the structural performance of houses, expressed qualitatively in terms of stability, materials, fire, performance, drainage and storm water (NHBRC, 1999). With the formation of the NHBRC, all houses benefiting from government subsidies around the country were enrolled with the organization for scrutiny. The NHBRC has been engaged not only as a regulatory body, but also as a quality assuror on the rectification

of houses built after 1994 by emerging contractors. The NHBRC were given pilot project houses to rectify in 2007 after the start of the study period. They were appointed in January 2007 and did assessments in March 2007 and commenced rectification in March 2008 through contractors appointed by NHBRC (DoH, EC Provincial Government, 2009).

With the rectification of houses being a repeat service, the decision was not to mainstream the function into policy or law, but rather to keep it as a programme to ensure that it only served a particular purpose with a phasing out of the programme in mind. The programme aimed to conclude by 31 March 2011 with conditional extension. However, rectification remains a fundamental part of the operations of the human settlements sector.
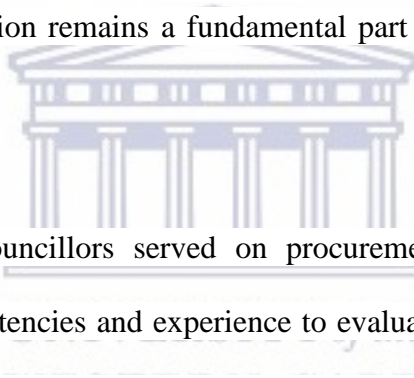
Between 1995 and 2000, councillors served on procurement committees without possessing the relevant competencies and experience to evaluate bids adequately. This led to individuals and companies without the relevant experience and/or knowhow being awarded contracts. Widespread allegations of councillors using their political positions to influence procurement decisions in favour of contractors that fell short of the requirements to be considered were prevalent.

With the introduction of the Municipal Finance Management Act (MFMA), procurement processes were expanded to include all elements of the supply chain and became known as Supply Chain Management (SCM). Councillors were, and remain, excluded from SCM processes and only Administrators served on these committees.

The culture of awarding contracts to unqualified contractors, however, did not cease. The lack of capacity to evaluate and adjudicate bids and corruption were cited as the main causal factors for the appointment of unqualified contractors. Basic compliance checks such as registration documentation and experience were consciously overlooked in the name of creating opportunities and empowering small businesses. Emerging contractors also demanded work from government.

The government also introduced the People's Housing Process (PHP) project, which envisaged contractors training homeowners to build their own homes whilst acquiring skills in the process, which would benefit them economically in the future. Contractors, who did not train people, also mismanaged this programme by allowing them to build houses without proper training.
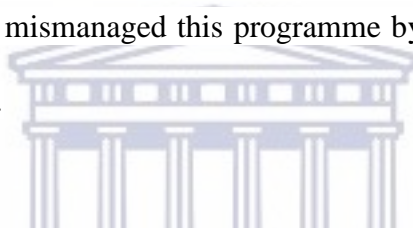
Unhappy beneficiaries of RDP houses have reported legitimate complaints about cracks, leaking roofs and even houses that collapse during rainy weather. These complaints were reported through various state agencies, including the NHBRC, the CIDB and the Public Protector. The overwhelming outcry from communities deflected some of the obvious lack of basic maintenance such as the replacement of broken windows.

In a presentation by Mr Mbulelo Tshangana of the National Department of Human Settlements in East London on the 13th August 2013, the National Rectification Programme aimed to correct defects on subsidy houses resulting generally from poor workmanship on subsidy houses. He went on to explain that the process of rectification is preceded by a thorough engineering assessment of the structural condition of each

unit to determine the nature and extent of the defects and the rectification required. Based on rectification's technical specifications, an estimation of cost per house is then determined. Houses requiring rectification were categorized firstly as, 'non-structural defects' (moderate rectification work), followed by 'minor structural defects' (extensive rectification work) and lastly 'major structural defects' (demolish and rebuild). The defects on a considerable number of low-cost houses erected between 1994 and 2010 have been the main reasons that the implementation of the rectification program was essential.

As the Department of Human Settlements noted:

> The house is found to be defective, the beneficiaries are requested to move out or they are moved out to temporary shelters (fibre-cement house) and that defective house is demolished and rebuilt. There are precautionary measures such as health and safety on site. Sign boards, which show that construction is taking place. (Department of Housing, Eastern Cape Provincial Government, 30 July 2009)

Conclusion

The housing situation has been discussed and some of the legislation and policies on housing also highlighted. Legislation and policies may be the best in the world in terms of their content, but if there is no political will to make it work, it becomes futile. The need to carry the beneficiaries along is imperative, as the input of such people will make the policy and legislation more robust. People know where the problem lies, however test the boundaries of how much the state can or should do.

In the next chapter, the research problem and its significance to the study as well as assumptions made by the researcher are discussed in more detail.

CHAPTER SIX: TECHNICAL ELEMENTS OF RECTIFICATION

PROGRAMME

This chapter explains the practicalities of the Rectification Programme and its implementation. Furthermore, the chapter unpacks the cost drivers and offers details of the post 1994 rectification. The role of key stakeholders is explained, in particular, government at all levels as well as the positioning of the NHBRC as a central institutional arrangement in the enforcement of quality is explored. The chapter further explores the main technical factors that resulted in poor quality houses.

Perceived Causes of Poor Quality Housing and Reasons for Rectification Programme
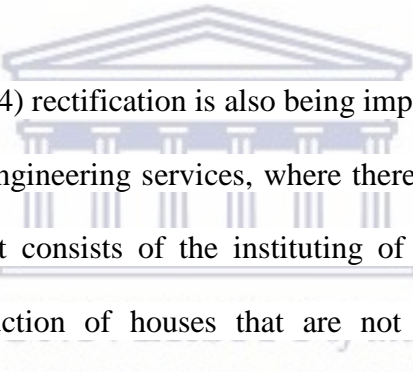
Cook & Hinks (1992:56) summarize the factors that are responsible for structural instability in building structures as:

> Improper soil investigation, inadequate design; unforeseeable loading, unforeseeable environmental conditions, use of sub-standard materials, poor supervision, poor workmanship and inadequate maintenance.

Ashford (1989:12) explained that quality, in the general sense, conveys the concepts of compliance with defined requirements, or value for money, fitness for purpose or customer dissatisfaction. Therefore, housing needs to display structural quality by meeting housing performance requirements and standards. According to Pike (2003:38), the structural quality in building is, in many ways, subjective and becomes a matter of judgement - quality means different things to different people. He defines

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quality in housing as meeting the client's needs and providing value for them. "Quality means not only zero defects but right first time, delivery on time and to budget."

Therefore, housing needs to display structural quality by meeting housing performance requirements and standards. With some of the structures, problems occur shortly after the completion of these houses. The structural problems reported to the NHBRC shows that 24 percent of structural problems are caused by foundation settlements and failures caused by super-structure related problems are 42 percent (Mahachi, Goliger & Wagenaar, 2005:46). Importantly, no amount of routine maintenance (putty and paint) can deal with a structural fault. The defects were obvious to even an untrained eye.
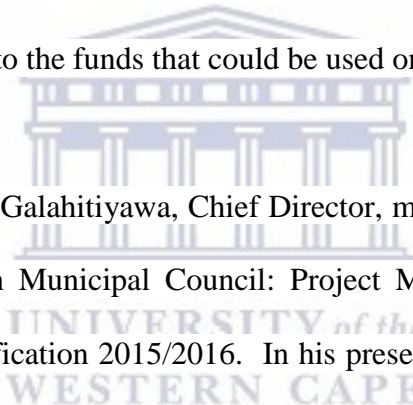
According to the NHBRC (2014) rectification is also being implemented to improve the functioning of the municipal engineering services, where there had been inappropriate levels of services delivered. It consists of the instituting of the renovation and the upgrading or entire reconstruction of houses that are not structurally stable and considered inappropriate for transfer into ownership of the recipient or in poor condition for human habitation. There are minimum requirements that need to be met, seen as norms and standards for the municipal engineering services. Funds from the Programme can only be allocated for the latter where funding from the Municipal Infrastructure Grant (MIG) is unavailable, or cannot be made available.

Another of the programme's objectives is the improvement of the municipality's application of services in situations where inappropriate levels of services had been delivered and the renovation or upgrading, or the entire reconstruction of houses that are severely compromised structurally.

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Implementation of Rectification Programme

The implementation of the program is managed at two distinct levels, which are the main activities itself and at a national level Project Management Unit (PMU), to conceptualize as well as plan the implementation and obtain the support from both local and provincial government. Provinces generally remained resistant to implementing rectification as it took away funding intended to reduce the backlog. Furthermore, the community demands for rectification forced departments to spend more that was acceptable on the programme. The Minister of Human Settlements introduced a ten percent of total allocation cap to the funds that could be used on rectification.

On 5 November 2015, Suresh Galahitiyawa, Chief Director, made a presentation to the Nelson Mandela Metropolitan Municipal Council: Project Management and Quality Assurance (ECDoH) on Rectification 2015/2016. In his presentation he stated that the need for rectification accountability necessitates that the rectification implementation cycle be broken down into the following eight categories:

"Identification and Notification" is the initial process to be undertaken when a project or house has been listed as having defects. A formal request is then prepared for the consideration of the MEC. Where on-going rectification exists, the transfer of such projects to the National Rectification Programme Manager is effected with a view to streamline, harmonize and standardize in accordance with agreed systems. The confirmation of the projects and houses that are defective, request for assessment to be

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undertaken and set up, and Service Level Agreement (SLA) between the Department and NHBRC for Assessment are required. This initial stage is designed to do the necessary planning, initiation and the commencement of the programme. This researcher has observed that companies that conducted assessments generally did desktop exercises. Some companies did sample tests on site. The result of this practice was an inaccurate assessment and inflation of budget required for the task.

Technical Assessment

In terms of the Housing Code, the Provincial Department must undertake forensic assessments to all projects prior to its approval to ensure that the project is legally, administratively and technically accounted for prior to its rectification approval. Technical assessment will be undertaken under the SLA in order to ascertain the extent and validity of the rectification request and the possible solution to the individual houses. Where structural engineering assessments have not been concluded or conducted, consulting engineers will commence with assessments in order to expedite the process of rectification following three steps. Firstly, the NHBRC assesses the projects, thereafter the project action plan is confirmed and also the project prioritization first level.

Recourse Action National Norms and Standards

In terms of the legal framework, the department has the onus to ensure that it has set up the relevant controls, financially and technically, to determine the performance of a

project. The developer must be accountable for the quality within the construction and be aligned to the NHBRC and South African standards so that defects can be detected and attended to. In cases where units are not built in line with the Housing Code norms and standards, the department must institute the recourse process. The purpose of the recourse is to ensure accountability from the relevant stakeholders to make sure defects are attended to and aligned to the approved standards. A close out report from the developer should be submitted by the relevant developer, which details the contractual obligations of the primary contracts where subsidies monies were allocated. The cause of the rectification should be clearly stated. Where the rectification is caused by the contracts being breached, measures to remedy that should be reported.

Rectification Project Application
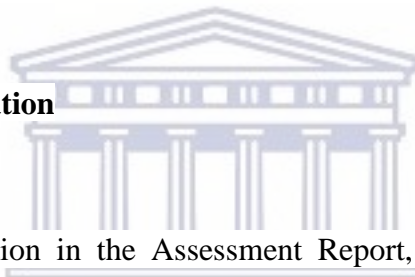
On the basis of the information in the Assessment Report, the ECDHS respective region will prepare the project application for a rectification project funding in line with the Provincial Project Plans and the prevailing Norms and Standards, and prioritization. It is during this stage that the communication channels and dispute resolution mechanisms are established with all the relevant Stakeholders of the project.

Project Procurement

The procurement plan will determine the rectification project implementation resources over the time required within the national prescripts. This may warrant re-prioritization of the projects. Terms of reference are prepared by the developer for the assembling and scheduling of the delivery plan, including the resources, activities, service

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providers and prioritization, ensuring that the tender processes are followed. Contractors are then procured from the predetermined panel of approved contractors and work is allocated in conjunction with the client for commencement of rectification through the Supply Chain Management (SCM) systems in the department. The stakeholder communication channels and project teams are established with all those relevant to the project.

Relocation Plan and Handover

Where relocation is part of the rectification project, the local municipality and Eastern Cape Department of Human Settlements (ECDHS) will jointly prepare a comprehensive relocation-plan and resources-plan, with the necessary human settlements provision, as may be appropriate only for the qualifying beneficiaries. The plans shall be holistic to include the activities after the conclusions of the program to include re-relocating where necessary.

At this level of the rectification implementation cycle, the project must comprehend with the Normal Housing and Human Settlement project delivery processes. All projects are to be contracted and discharged in accordance with the contractual obligations of the department and the government of South Africa. The fundamental missing link is the assessment and assignment of blame as to who or what was responsible for the poor quality houses that required rectification. This missing link resulted in companies that were involved and responsible for poor quality houses still being active in the construction of houses with impunity. Companies are not blacklisted

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and continue to trade, risking the transmission of the same bad construction habits to new projects.

FIGURE 3: Rectification Implementation Cycle
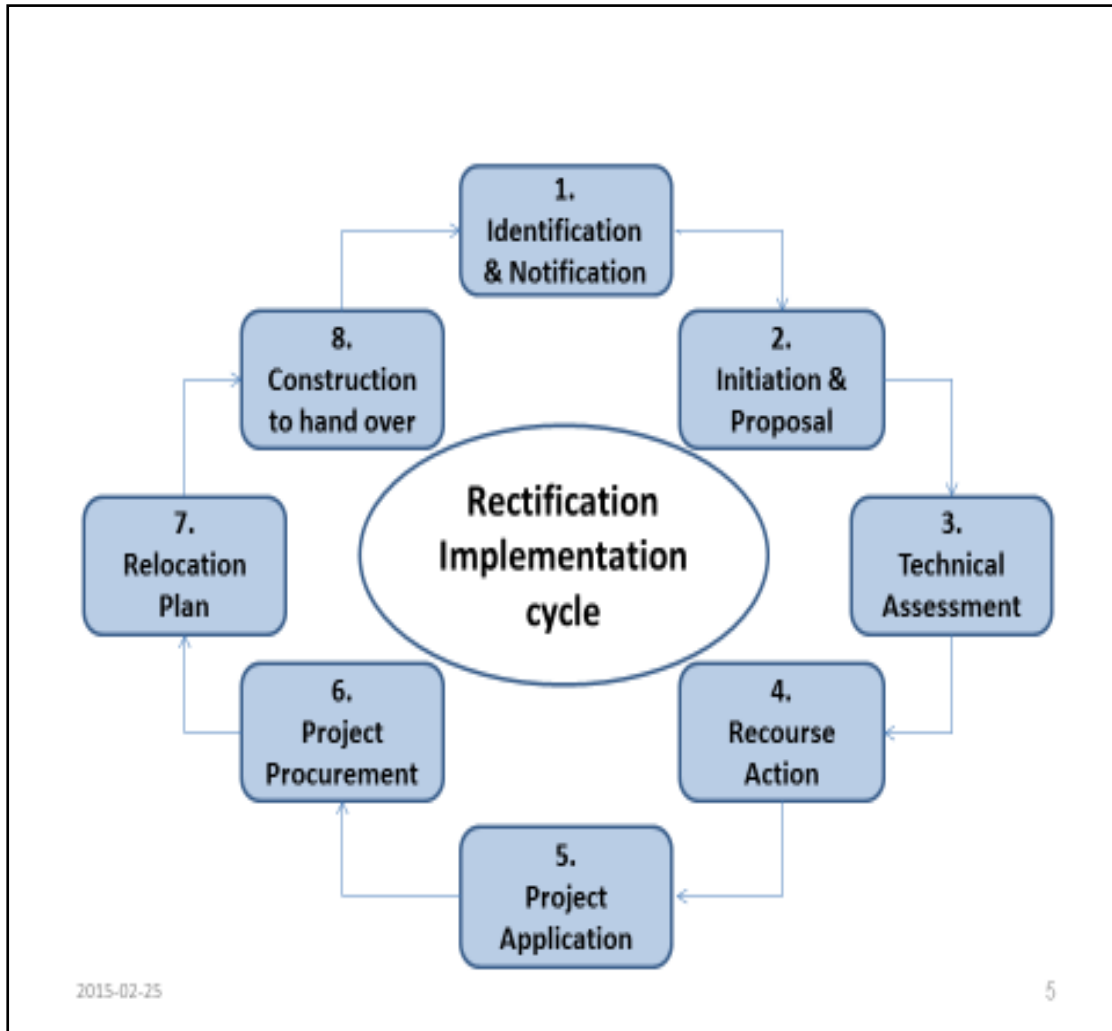
Source: ECDHS: Rectification Framework (2015)

The cost of rectifying a project is significantly higher than the original construction costs, as the rectification is done several years after the original construction and is affected by cost escalations arising from inflation and industry increases. The following table explains the main cost drivers in the rectification programme:

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Table 2: Cost Drivers of Rectification

Cost Drivers	Details
Identification & Notification	Complaints and recording of defective houses in local municipalities.
Initiation & Proposal	Confirmation of defective houses to be converted to a project. Confirmation of the house's beneficiary - delays can be encountered in identifying the correct beneficiary. Request for forensic assessment to be undertaken.
Technical Assessment	Commissioning of the forensic engineering assessment to assess the projects and proposal action plan.
Recourse Action	Seek accountability for the defects and defective work by the relevant stakeholders.
Project Application	Motivation for the project as a solution to the need for rectification resources and project funding in line with the norms and standards.
Project Procurement	The assembling and scheduling of the delivery plan including the resources, activities, service providers and prioritization.
Relocation Plan	This is the process of moving the beneficiaries away from the defective house in order to allow the building works to be undertaken including the relocation of the beneficiary.
Services removal	All service connections to be removed.
Demolition	Where applicable, all units assessed for demolishing, rectification and carting of the foundation and top structure. Additional geo-technical costs.
Re-Connection of Services	All services to be re-connected.
Construction of Hand Over	The building works are executed to restore the house and handed over to the correct beneficiary.

Source: ECDHS: Rectification Framework (2015)

Role of National Home Builders' Registration Council in the Eastern Cape

Home building in South Africa is regulated by the National Home Builders' Registration Council (NHBRC), a statutory body, established in 1998 as part of the national government's policy to stabilize the low-income housing environment (NHBRC website). The purpose of the NHBRC under the Rectification Programme is to regulate the home building processes with the industry as well as the establishment and promotion of standards and ethics with regards to the home building industry. The

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NHBRC aims to develop an improved and more productive quality of structure of homes to benefit the consumer as well as the home building industry.[1]

Thus, the NHBRC aims to promote improved structural quality of homes, which have been previously constructed by the Republic. The previous housing MINMEC, from 1 April 2002, approved additions of the NHBRC warranty to subsidized houses. Thus, all the houses built before that date were not inspected or enrolled by the NHBRC. The NHBRC will be enrolling all houses including those within the PHP.

According to the terms of the Housing Consumers Protection Measures Act, 1998 (Act no. 95 of 1998) within section 5(4) (b), the council is intended to "Enrol and inspect the categories of homes that may be prescribed by the minister". The NHBRC has adopted and extended its warranty schemes, as initially in 1999, the Legislation Act (non-

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[1] There are also examples of inaccuracies in the literature, which when recycled, appear as "truths" (Buys & Le Roux, 2014: 78). For example, according to Buys & Le Roux (2014), in the Eastern Cape's Queenstown area alone, the NHBRC *ordered* that 700 RDP houses be rectified at a cost of R3.4m. In fact, the NHBRC undertook the rectification *themselves*, shifting from their mandate as regulator. This resulted in a repetition of the rectification exercise by the provincial department, what I call "rectification of rectification". (Personal interviews with Regional Director of Chris Hani District of Human Settlements).

subsidy houses) was implemented by the NHBRC. Then in 2002 the warranty extended to subsidy houses. By 2011 the warranty was further extended to rural and PHP houses.

Homes that were previously built are of a sub-standard quality because of poor workmanship as well as basic housing designs. Therefore, the NDoH appointed the NHBRC as the regulators for the management and implementation of the rectification project. The role of the NDoH is to oversee the Rectification Programme. It is the job of the NDoH to define the terms of reference as well as set precise performance targets. Therefore, the NDoH should be provided with progress reports as well as implementation reports from the NHBRC. The rectification projects included the verification of the quality of houses against the minimum building standards of the house as well as the technical requirements of the NHBRC, which have been stipulated in the Home Building Manual. The National Rectification Project occurs within two phases.
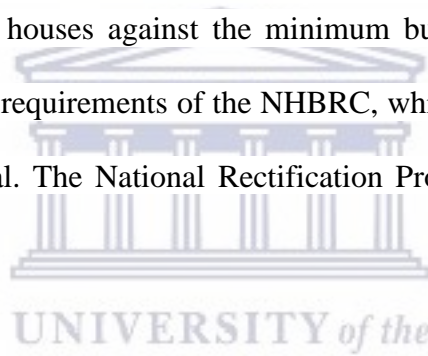
The first phase is the forensic engineering assessments whereby the top structure is assessed for the extent of damage. The quality of the materials and products used on the previous houses are assessed as well as the conditions of the infrastructural services that is produced due to the quality of service provided. The second phase is the implementation of the rectification works. This is the preparation of work, which complies with the specific norms and technical standards. The second phase includes the enrolment and certification of the houses, which are built according to the technical requirements of the NHBRC, inclusive of the five-year structural warranty. In a written reply to a question in parliament, the housing Minister indicated that

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The matters of non-compliance relate to the failure of contractors to enrol houses before construction and failure to comply with a notice of technical non-compliance. The NHBRC has issued in the first quarter of 2015/16 financial year issued 220 non-compliances to various contractors that are doing work in the subsidy sector. In the second quarter 189 notices of non-compliance were issued. (DHS, 2015, question no.: 565, 27 October 2015)

The policies of the rectification project, headed by the NHBRC, are that any home that is less than 40m^2 that is in need of rectifying must be demolished and replaced by a house that complies with the standards of the NHBRC. The policy also included those houses, which were built before 1994 that should be reviewed in order to receive the NHBRC discount benefit scheme. The NHBRC investigated houses within certain provinces across the country and reported that the following issues within the Eastern Cape, from previously built RDP houses, was that the plaster mix that was used on the houses was weak in addition to the fact that the house had no roof anchors or roof sheets.

The NHBRC has also reported that some of the root causes for the failure of the previously built RDP houses is the improper soil classification as well as unstable foundation design. They therefore concluded that the construction details and applications differed from the design specifications. Because of lack of precise attention to structural details certain aspects of the houses were inadequate and unsupportive.

It is therefore the job of the Building Quality Inspection Index for Houses (BQIIH) which is a quality construction assessment programme developed by the NHBRC to enforce that the home building industry has a standard quality assessment system by

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comparing the constructed works against the standards of the workers. The BQIIH has

therefore adopted six fundamental components to building that include, foundation,

floor, walls, roof, finishing, electrical and plumbing (www.nhbrc.org.za/inspection-

process). The NHBRC has been able to investigate, identify and establish the problems

of the previous RDP housing policy and implementation. Thus the NHBRC has been

able to supply certain implementation procedures, which will allow the rectification

project to be successful and beneficial to the homeowners.

Therefore, the NHBRC concluded that there needs to be a sign–off Project Charter,

which defines the roles and responsibilities of all the parties involved in the project.

They further reported that there was a need to establish a precise communication

through Project Steering Committees as well as the inclusion of social facilitators. The

NHBRC has recommended that all houses that are currently under construction (which

have not yet been enrolled) need to be terminated with immediate effect, as no further

payments must be made for the sub-standard workmanship. Thus, all of these sub-

standard houses built on surface beds must be demolished and rebuilt at the

implementing agent's cost.

The NHBRC has therefore been referring the engineers to the Engineering Council of

South Africa for possible disciplinary action such as taking action against the

implementing agent. The NHBRC's aim is that all the houses must be inspected by the

NHBRC. The houses enrolled with the NHBRC will have a three-month workmanship

cover; a one-year roof leak cover as well as a five-year structural warranty cover. Thus,

any other future remedial costs of the houses will be covered by the NHBRC's

warranty (NHBRC, 2014).

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This approach conforms with the Minister's statement in a reply to a question in Parliament (2015):

> It is currently mandatory for all projects be enrolled with the NHBRC to ensure quality control, and to provide housing consumers with warranty cover. The department currently enrols all projects without exception with the NHBRC. All contractors appointed by the department are registered with the NHBRC. Joint inspections are carried out with the NHBRC. The department has increased its technical capacity through a Programme Management Unit (PMU) which manages projects and conducts inspections.
>
> Building materials used in the construction of houses are now approved by the South African Bureau of Standards (SABS). The Honourable member would be pleased to know that the NHRBC has been able to suspend some builders not compliant with building regulations. We continue to sharpen this instrument to ensure that we bring to an end the need to rectify houses because of poor workmanship by contractors. Furthermore, the NHBRC is enhancing building skills of home builders through training. (https://pmg.org.za/question_reply/542/)

This research has uncovered that the NHBRC introduced a pilot project in the Eastern Cape that saw it shift from being primarily a regulator to implementer. The pilot project was in five projects in the west of the province that required rectification. The intention was to show case how rectification was to be done and allow other provinces to visit the projects to learn lessons. According to the Chief Director Project Management in 2012 the provincial department condemned the projects and had to reintroduce the same projects into the rectification list. This meant that the regulator entrusted with the quality of houses, was responsible for creating rectification of rectified houses. Once

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again, the causes for the rectification on rectification were similar to other project and included the lack of monitoring and evaluation. This experience resulted in the need for the NHBRC to remain in its role as regulator and not venture into implementation.

Role of Government including National, Provincial and Local in the Eastern Cape (EC)
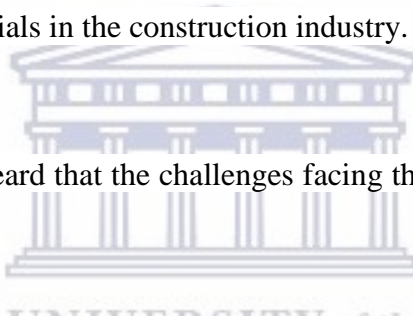
According the Public Protector (2013) in a presentation to the Portfolio Committee,

> Municipal inspectors neglect their duties and forego occupancy certificates, leaving it up to beneficiaries to provide 'happy letters', which are supposed to confirm building according to specification. Another problem mentioned was false billing, in which, for example, 200 houses were approved and paid for, but only 150 were built.

Moreover, weak capacity at the local municipal level and using municipalities as developers put a strain on the EC Provincial Department of Housing. This resulted in minimal oversight and irregular inspections of building sites and poor quality control over the houses being built for beneficiaries. Weak capacity also affects housing quality because municipalities (as developers) are in charge of checking on the quality and progress of units and projects before the department can approve payment to contractors. If the municipality lacks staff and skills, however, the ability to corroborate the quality of work done is compromised, resulting in the delayed payment of contractors. In the Eastern Cape, the policy of using "emerging" rather than established contractors has compromised the quality of state subsidised housing (De Nobrega 2007: 25). The irony in reporting on provincial achievement is meeting the set targets on rectification, but this is a repeat service and cannot be considered as an achievement.

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Eastern Cape Department of Housing, Local Government and Traditional Affairs, (Housing Circular No. 3 of 23 November 2006) called for the appointment of established contractors by the Superintendent-General. According to Mr Sokupa of the CIDB, who addressed parliament in 2014 on the RDP housing debacle, the major contributor to the construction of poor quality houses is the procurement process. Other contributing factors were poor site management, lack of contractor expertise and corruption, in the form of collusion and nepotism. (www.parliament.gov.za/live/content.php?Item_ID=5916). The CIDB is responsible for providing strategic leadership in the construction industry, to teach competence standards to procurement officials in the construction industry.

A parliamentary Committee heard that the challenges facing the rectification process in the Eastern Cape were

> to quantify the amount of rectification work required, the assessment of all blocked projects and those not enrolled with the NHBRC as well as budgetary constraints. The budget required for rectification was R1.5 billion and in 2010, but only 10% of the conditional grant (on average R130 million per financial year) went to the Rectification Programme. Projected estimates indicated that it would take ten years to complete work on already assessed houses. With inflation and escalating costs, projects still to be assessed would not be rectified in the next ten years given the current budgetary allocations. (https://pmg.org.za/committee-meeting/11698/)

Ms M Njobe (COPE) expressed her concern about

> people that had got contracts but were obviously not qualified to do the job. She asked how they had been given those projects. Contradictions in the

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system had the result that people in the area expected to be the beneficiaries even though they lacked the capacity and the skills to the detriment of acceptable quality. A solution had to be found whereby previously disadvantaged persons could participate while involving those who had the capacity and could pass on their skills. (https://pmg.org.za/committee-meeting/11698/)

The Deputy Minister, Honourable Z Kota Fredericks noted, "Shoddy work by some emerging contractors would not be tolerated." (ibid). The Minutes reflected attempts to fine tune the policy:

> There was a national incubator process to capacitate emerging contractors and the upcoming Emerging Contractors Conference would assist in developing competencies. With corrective measures in place to ensure the delivery of quality housing there was a call for previous contractors to return to government. She concluded by calling for members to desist from talking about RDP houses, as these houses were 'Breaking New Ground' houses in accordance with the policy change to BNG. (https://pmg.org.za/committee-meeting/11698/)

Conclusion

This chapter has provided insight into the Rectification Programme in the EC as well as highlighted contributing factors to poor quality housing. The structural quality of housing was discussed relating particularly to the causes of poor quality housing, the types of defects that manifest, possible causes in houses and also the importance of the role of the NHBRC in monitoring the structural quality of RDP housing supplied to communities. The chapter revealed the various role players and the reasons for rectification with a focus on the need discover who was responsible for the poor quality

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houses. Was it because there was no regulator? Arguably not, since there were municipal inspectors. Was it because the standards were lowered? To a large extent, this is true as the poor quality was as a result of the lower standards. Was it due to shoddy workmanship? To a large extent, yes as there was a desire to empower emerging contractors with on the job training. However, the political insistence on the procurement of local materials can be directly linked to the poor quality houses. These and other reasons in this study show that the Rectification Programme was a result of a failed housing delivery policy and a reaction to different pressures from the community. The chapter also reveals the attempt by the NHBRC to play the dual role of regulator and implementer. The dismal failure by the NHBRC that resulted in wasteful expenditure can arguably be understood as a lack of fundamentals in checks and balances and defining roles and responsibilities.
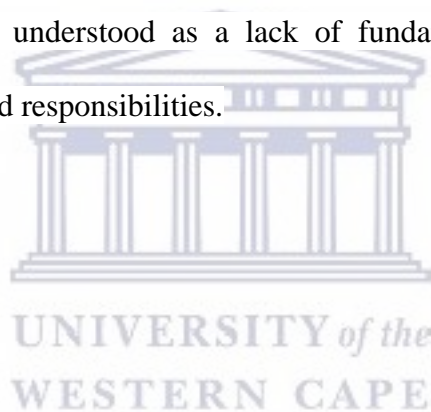
CHAPTER SEVEN: "WE NEED JOBS AND FOOD": EASTERN CAPE CASE STUDIES & COMMUNITY PERCEPTIONS

The Eastern Cape, located on the east coast of South Africa, is the second-largest province in South Africa with a total population of approximately 6.7 million people. It is a predominantly rural province, but does have some major urban centres, which include its capital, Bhisho. The Eastern Cape, often portrayed as the "hospital province" and reflecting the worst cases of concentrated poverty and government weakness, was selected, as it represented the worst-case scenario of the sector at the time. Geographically, the province is mainly made up of large parts of the former homelands of Transkei and Ciskei, which were at the start of the new democracy both characterized by very high levels of poverty, migrancy and unemployment, linked directly to the historic neglect of the former homelands (Punt *et al*, 2005: 14). The provincial budget constraints have a negative impact on the degree of delivery as well as the scale and quality of delivery, resulting in increasing numbers of people living in inadequate housing conditions without access to basic services or facilities. In the Eastern Cape, Census 2011 placed the number of people requiring state housing at an estimated 606 000 people. At the average Conditional Grant of R2 billion per year, producing 13 000 units, it would take 45 years to eradicate the backlog.

Posel and Casale (2003) estimated that in 1999 at least 35% of rural African households had at least one person who was a migrant worker. Their evidence suggested that labour migration where families have two homes is increasing since 1994 and that women are more prominent as migrants leading to declining marriage rates among africans. There is evidence that "traditional urban-rural ties based on agriculture and livestock have

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been replaced by housing, with migrants investing in rural houses for retirement" (Posel and Casale, 2003: 11).[2] Neves (2013) who has done intensive local research in rural Eastern Cape noted that "job-shedding and capital-intensive growth have only intensified since 1994 eroding remittances and migrants' reinvestment in rural areas" At the same time rural areas he argues rural have de-agrarianized meaning there is much less agricultural activity involving larger numbers of people.

This chapter analyses the data gathered during the research using the data from the community questionnaire, the research questions from individual community members and focus groups. Research data was collected from the communities utilizing formulated questionnaires in the three selected case study areas, namely Qumbu a rural town, Maydene Farm in Mthatha, which is a city and lastly, Ilitha in Mthatha for its involvement in the PHP.
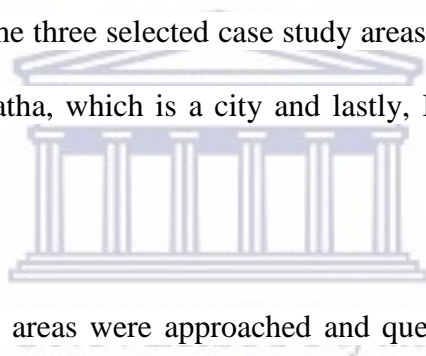
The communities in the three areas were approached and questions focused on three main objectives, namely, background to the house occupants, involvement in the housing issues and the current status of the house. The questionnaires were structured around three main areas, which are, to assess whether the beneficiaries were dissatisfied with the RDP house, or if there were any issues or problems they had encountered with

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[2] Peculiarly striking in rural livelihoods literature is the absence of an analysis of the role of poor RDP housing and an almost singular focus on grants (see Neves and Du Toit 2013, for example).

the RDP house, as well as determining whether the government has fulfilled mandate to create suitable and sustainable houses for the impoverished communities.

The three sites, namely, rural, urban and PHP offer a broad spectrum of the problem. The Qumbu project represents a rural setting while Maydene Farm and Ilitha projects represent the urban perspective. Ilitha housing was implemented using the PHP.

A total of 21 573 defective houses were rectified between 2009 and March 2014. These houses comprise of those built pre and post 1994 with the bulk of houses built between 1994 and 2002. (Eastern Cape Housing Department, www.gov.za/speeches/mec-visits-rectification-project-qumbu-12-aug-2015). Most of the rectification in the province is from projects that were implemented by municipalities either as PHP or completed units poorly built due to shoddy workmanship.

Community Responses

Community responses offer the unexpected and do not fit in clearly with government rationalities. The predominant response centred around daily survival and government social support rather than housing serving as an enabler of economic empowerment. This is evident in community members who sold their houses for a fraction of the construction cost with no remorse or understanding of the implications. As a community member explained during the research (IsiXhosa translated to English):

> When Madiba (Dr Nelson Mandela) was freed he promised us freedom. We expected him to open the safe in Pretoria and take the money and give everyone enough money to live a good life. So, when they brought cement

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for me to keep for the building of my house, I sold it. I don't want help
building a house, I want money.

Respondents also offered a more personal view regarding the adequacy of their RDP
houses and privacy stating that the houses were not partitioned and therefore exposed
families to sleeping, eating, undressing/dressing and cleaning themselves in front of
each other irrespective of the age or family relationship. This further presented a
challenge to couples not being able to be intimate with each other. These challenges
relegated the responsibly for the new homeowner to maintain their new asset to an idea
rather than a reality.

Another issue was that the house did not have ceilings, causing a range of problems
including, unbearable heat in summer due to the roof sheeting heating up and extreme
cold in winter. The noise from the rain falling on the roof sheeting made it impossible
to sleep. This statement was an indictment on government's community facilitation to
educate beneficiaries on the PHP and their role. The community, except for Maydene
Farm, were receptive and appreciated the research. A responded argued: "Please give
government this information so that they can see that we need jobs and food."

Table 3: Community Samples

Project Name	Project Setting	No. of Units	Sample Size	Sample % against project size

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Qumbu	Rural	504	250	49%
Maydene Farm	Urban	1 303	268	20%

Source: Own data

Case Study 1: Qumbu

The case study is in a settlement in Ward 15 that is located in the town area known as Qumbu in the Mhlontlo Municipality, which had about 6 percent of population living in traditional dwellings (RSA Census 2011). In 2011 there were 188 226 inhabitants within the Mhlontlo Municipality. According to the IDP (2015/16) the Qumbu area has about 400 shacks (one third of the total for Mhlonto). This number represents a *total decrease* (14 707 people, or 7, 25%) since 2001 when it was 202 000. Compared to other municipalities the Mhlontlo population decrease is among worst in the Eastern Cape (Mhlontlo IDP 2016). Household size has declined from 4,6 person per household to 4,1. Moreover, the Auditor-General (AG) listed Mhlontlo municipality among the province's 15 worst performing (Dispatch, 23 August 2011).

The population (9000) in ward 15 is predominantly Black African equating to 98.76 percent with 58% female headed households (RSA, Census 2011). Qumbu is overwhelmingly rural, where the majority of the population survive by farming in the area and have marginal education. There are also limited services to the area and local employment opportunities are scarce (about 31% are employed more than the 16% average in the OR Tambo district). Annual household income was R14 600 in 2011 –

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similar to the average for OR Tambo district. About 80% of the electorate voted ANC and 7% UDM – a striking contrast to ward 9 in KSD (wazimaps, https://wazimap.co.za/profiles/ward-21506015-mhlontlo-ward-15-21506015/ accessed 14 July 2016). According to Statistics South Africa data (RSA, Census 2011), the population in this rural town has minimal or no education as a result of poor access to schools and there are high rates of poverty, teenage pregnancy and Human Immuno-Deficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) prevalence.

The N2 highway that stretches from Empangeni to Cape Town flows directly through the town causing huge congestion created by informal traders. The town can be best described as rustic and buildings represent an informal approach to building standards. The town is particularly crowded on pension paydays. The only tarred road is the main N2 artery through the town. There are no traffic lights. As one enters the town from the Mthatha side there is a cemetery on the left with the road curving to the right leading into the town centre. The whole town centre is an estimated one kilometre long and going down a gentle hill curving left over a bridge that starts the journey north on the N2. Qumbu was selected for the purpose of this case study as an example of a rural area where RDP houses were built around 1999 and all were found to be defective and required rectification. The area has corrugated roads and most houses have bricks on the roof holding the roof sheeting down. There are visible defects on the houses.

The community had complained of the structural effects leading to an assessment being conducted. The assessment was conducted in 2012. An amount of R66-million was allocated for the rectification work in the area (www.gov.za/speeches/mec-visits-rectification-project-qumbu-12-aug-2015). According to a key government informant,

the following issues informed the department's decision to fund the rectification of the project.

The assessment conducted indicated that there were general structural defects on the houses. This was due to the fact that the raft foundation type selected was not reinforced with steel. This meant that the house could not only be subjected to remedial work, but needed to be rebuilt, the roof sheeting being of a poor quality causing leaks and weather damage and the house size was considerably smaller that the norms and standards of 40m^2.

It also emerged that there is a higher female population group residing in this area with close to 60 percent of the population being female. More than half of the households interviewed consist of communities that are unemployed with only 5.4 percent having a steady income. The majority of these households are reliant on either social or child grants to sustain their livelihoods with a minimal amount receiving the old age pension. Household populations ranged from 13 to 2 with an average of 5 persons per house. In Maydene Farm, the researcher found a family of 13 with 8 social grants; another household had 5 members with 3 on social grants. Households tended to be headed by mothers. The research covered 250 houses representing 49 percent of the total houses. Furthermore, a focus group of community members was also conducted. The research interviews were conducted with the individual of the household that was able to understand and respond to the questions. The large sample was due to the availability of community members at all hours of the day because they were unemployed. This reality entrenched the view that the town was primarily dependent on social grants.

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Analysis Summary of Community Interviews

The first question related to the confirmation of ownership. This question was informed by the general perception that the community sell their RDP houses and move back into their shacks. In this project, the results were surprisingly different from the perception as shown in the table.

Table 4: Status of Occupant

Status Quo of the Occupant of the RDP House	Percentage
Original beneficiary	92.8
Original beneficiary deceased or house being rented	7.2
Number of people who refused to conduct the interview	Nil

Most occupants were still original beneficiaries, not tenants. A considerable number of respondents said that they were consulted during the construction of the houses. With further probing, the community did not consider it their role to determine the type of house to be built. The community involvement was through the Project Steering Committee (PSC).

One of the conclusions drawn from the community responses and the focus group was that the vocal community leaders usually influenced the outcome of community "consensus". This was due to the fact that the community placed reliance on its own members above the professionals, experts or municipality. One respondent explained:

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(IsiXhosa translated to English)"Our community leaders fought very hard for us to get houses, as it is our right to receive free houses. They told us what to do and how it was going to happen."

From the sample, 232 respondents (92.8%) signed the "Happy Letters", a confirmation that they were satisfied with the houses being provided. Some respondents did not know what a "Happy Letter" was. Many respondents passionately referred to the project launch, however the date and time were not recalled by interviewees. The community indicated that the project commenced with a show house that the community could view. Being a new house, the community was impressed. Some respondents said that they did not consider the houses as quality. Reference was made to the windowpanes that are weak and bends easily. The community also identified the weak cement mix that was used and the floor and wall cracks.

Significantly, the majority of respondents said that they reported the increasingly poor condition of the houses within the first year of construction. At least half of the participants complained that the municipal council responded to the community that they "should be grateful to be receiving a free house". The inadequate response of the municipality was noted.

Despite the project being relegated to being rectified, the community still recall signs of joy when asked how the first night was in the house. One community member stated: (IsiXhosa translated to English)

> I felt like I had died and went to heaven and the house was my paradise. I
> have never owned my own house before and now I can consider myself a
> real human being that has dignity.

The community went on to blame government and contractors for the shoddy workmanship, however, qualified this by stating that the government underpaid the contractors. Granted the opportunity to present general comments, the respondents in the focus groups digressed into areas not associated with the houses. The community shared the social challenges of unemployment, poverty and the lack of access to other services.

This research reflects the fact that very few owners leave the town, as the majority of occupants in the RDP houses are the original beneficiaries. Contrary to the perception that the community sold, leased and/or used the houses as businesses, this community was still intact several years after the project had started. This fact challenged the initial assumptions of the research. To confirm this finding, community members were requested to produce their identity document to confirm ownership.

There is a strong sense of community in the area and one can count a span of four generations living in the house. In one house there were eleven people in the confined space of the RDP house. Everyone knows everyone and community sharing is a norm. On entering a house in the second street from the top of the project, an old lady sent a child to borrow milk from the neighbour as she insisted that we have a cup of coffee during the interview.

The community was not aware of the various stakeholders involved in the value chain in the construction of houses and identified the state as the single point of contact. The community members could name the contractor's staff and their roles, but insisted that they were working for government and it was government who should be responsible for the good and/or the bad. On further analysis of this unusual notion by the community, the research confirmed that the community was ignoring other role players by choice and needed government to take full responsibility.

The community did not consider the house as a valuable commodity or asset that should be maintained for appearance and resale, but rather felt entitled and placed reliance on government for most issues. The fundamental feeling in the community was that government, in its wisdom, gave free houses to the poor and therefore government should maintain the houses as if owners were tenants. One respondent said: (IsoXhosa translated to English)
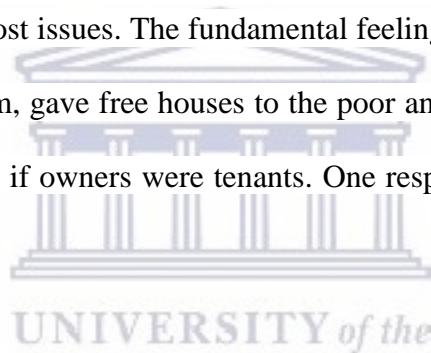
> We are people who don't get anything from anywhere and know that government built us these houses for that purpose. Therefore, government must repair and maintain the houses.

Most respondents could not believe the large investment by government and considered the value of the final house, as extremely low. The community estimated the property to be in the region of twenty thousand rand (R20 000). This was informed by the individual family's net worth that is less than their estimated value for the property. An alarming finding is that the community did not know the value of the title deed and considered it as a receipt rather than a legal document that confirmed ownership. While

this is a generalization, the community could not explain the process of transfer or sale of a property.

When asked about maintaining the property themselves, the general view can be summed up in this quotation from a community member:

"Where do you expect me to get money for a windowpane that costs the same as food for three days? Government must support us with maintenance".

It must be noted that house maintenance is the major cost for the poor as a percentage of income compared to wealthy homeowners. A five litre can of paint (say R200) can be as much as half a child support grant and a window pane costs the same for rich and poor. This amount is equivalent to school fees for a year at some rural schools. Setting up these invidious "choices" for the poor is in direct contrast to the noble intentions asserted by the state. This is a significant observation underlining the objective problem of home ownership as a policy rationale.

The community response showed that communities did not or could not accept their responsibility to maintain what an already inferior product in a bad location – the house that government gave them. Once again, this also proved an indictment on the social facilitation and its one-sidedness in not picking up this problem in the warm glow of homeownership. The research proved that the social facilitation conducted on the project was to promote the contractor and its processes rather than meaningful involvement of the poor. It also emerged that while the community attended social

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facilitation sessions and project meetings, they placed reliance on a few community leaders to direct conversations.

Facilitation was complicated by the fact that:

- Communities demand that extended RDP houses be rectified even though the extension might be on the formal building plan.

- Communities demonstrate for demands outside of the policy.

- The policy states that the old house be demolished when a new RDP house is built, however communities demand that the old unit remains so that they can rent them out.

It has become difficult for government to conduct social facilitation with the relevant stakeholders and to this extent the outcomes of consultation do not always reflect the views of the beneficiaries.
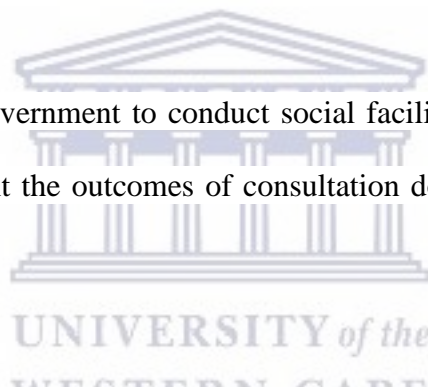
It was also evident that the municipality did not maintain the bulk infrastructure such as roads, itself setting a low standard for the visual look of the township. The municipality did not maintain the roads or collect garbage. During the fieldwork, when confronting a senior municipal officer with the question of maintenance, she replied:

We as the municipality expected government to give us enough money to pave the roads, as they know that we don't have a strong rates base. We also don't have the plant and equipment to maintain roads. We must have diesel, staff and lots of other stuff to maintain roads. We are busy in the rural areas and thought that the houses should have been a full house package.

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The research disclosed that the lowering of standards for the houses was also done with the infrastructure such as roads. The roads did not have storm water drains or curbing allowing the road to wash away with rain. This led to the assumption that the municipality was not conducting meaningful social facilitation and did not promote or enable a culture of maintenance in the community, as the municipality did not see itself as the responsible party.

Summary

The five key themes of the study where analysed in line with the case study and the following conclusions drawn. With regard to **community participation** in the value chain, this community had a limited role in the process and only benefited from the few part time jobs that were created on site. Given the community concerns at the end of the project, it was clear that **social facilitation** was inadequate and did not include consumer education. The entire project had to be Rectified meaning that the **quality of the houses** was poor and confirmed the findings of the research. The research concludes that **beneficiary analysis** explores a wide range of deficiencies in the roles and responsibilities of the beneficiaries. The fundamental cause of the Rectification programme is the lack of proper **stakeholder management**. In the case of this community, the plethora of concerns has led to the conclusion that there were no clear roles and responsibilities and liability or accountability in the project.

Case study 2: Maydene Farm, Mthatha

Maydene Farm is a settlement in the immediate north of Mthatha. From 1976 to 1994, Mthatha served as the capital of the Transkei Bantustan, under the name of Umtata. In 1966, the apartheid state founded the Xhosa Development Corporation (XDC) to stimulate economic growth in Transkei areas. Black Transkeians were given loans to acquire trading stores and hotels owned by whites (Republic of Transkei, 1985). When apartheid ended, some sections of the African business and professional community migrated to traditionally white areas of economic activity. This has been widely posited as a cause of economic recession in the municipality. But a number of construction projects offer some hope for renewal. With almost 500 000 residents, the city has several affluent suburbs (Hillcrest, Southernwood and Northcrest), where properties sell for anything between R1 million and R2 million. In peripheral areas "like Ncambedlana and Mbuqu, residential properties sell for between R400 000 and R650 000" (Eproperty news 12 December 2014, http://www.eprop.co.za/commercial-property-news/item/16839-construction-boom-in-mthatha-eastern-cape.html).
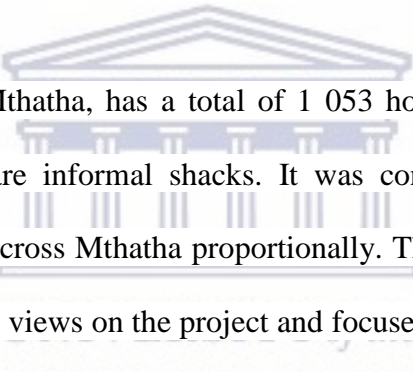
The city is under severe pressure during the day, as it serves as a regional town. Surrounding communities commute daily into the CBD to conduct business. Traffic in and out of the city bottlenecks at all four main entrances. Crossing the N2 is a provincial road artery known as the R61 that is the regular site of accidents due to high traffic volumes. The N2 also runs through its CBD, adding to the congestion. The outlying towns do not have any industry and they rely massively on government grants for even their basic operational costs. This route runs from Port St Johns in the East to Queenstown in the West.

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The municipality that includes Mthatha, known as the King Sabata Dalingyebo (KSD), after the introduction of wall-to-wall municipalities, expanded its area beyond the urban edge to include the small town of Mqanduli and Coffee Bay. In 2011 almost 450 000 people resided in the municipality (RSA 2012). More than half the eastern Cape's 6 million population live in the former bantustans.

The structure of the Mthatha economy revolves around the services sector with no industry except light industry for local consumption. The surrounding settlements are densely populated with no formal services forcing their communities to utilize the urban area that places strain on the infrastructure. When approaching Mthatha from Port St Johns side, the project of Maydene Farm is visible. It falls within ward 9 with close to 13 000 residents, of whom 60% are ANC voters and 30% UDM voters (Wazimaps; https://wazimap.co.za/profiles/ward-21507009-king-sabata-dalindyebo-ward-9-21507009/accessed 12 July 2016).

A presidential intervention was introduced to reconstruct Mthatha's infrastructure and has achieved a few milestones, in particular, roads. Water and electricity outrages are a regular occurrence in Mthatha due to the lack of maintenance. A further challenge is that the current capacity of the bulk infrastructure cannot carry the growth of the city. Mthatha, once a lively economic nucleus of the former Transkei, was affirmed as a Presidential priority program in August 2009 after its advanced state of decline had been noted. In 2011 newspapers reported that "Infrastructure and services in the Eastern Cape town of Mthatha have completely collapsed as corruption and allegations of political hitlists" abounded. (News24, 11 May 2011)

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The question would be then, why would the municipality approve building plans without the necessary bulk infrastructure being available? The physical appearance of the city centre displays new buildings in the environment of decaying infrastructure. The municipality has argued that its rates base is shrinking due to the weak economy in the region. This assertion is contradicted by evidence that the main reason for the shrinking revenue is a growing reluctance by communities, particularly the middle class, to pay for municipal services. The *catch-22* situation is that the community complains of poor service delivery and the municipality, on the other hand, complains that it cannot improve service delivery with the low revenue base.

Maydene Farm, which is in Mthatha, has a total of 1 053 households, 803 are RDP houses while the remaining are informal shacks. It was constituted of community members from various wards across Mthatha proportionally. The community members from various areas held diverse views on the project and focused on using their original areas as a point of reference. Their houses are small and defects visible. The community indicated that the house size was 18sq metres and this was confirmed by the municipality.

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Photograph of Maydene Farm RDP house (author)

This area has a majority female population. Maydene Farm is considered to be urbanized and more developed than other rural areas with easier access and more services. The project is located on a gentle slope offering views of the Mthatha skyline. The project located in Ward 9 only has 88 beneficiaries from the same ward. This is significant, as fifty percent of the 88 beneficiaries are from the coloured community, making this the only project in the study with racial diversity even if limited. Some

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respondents complained about the beneficiaries from Ngangelizwe (the largest township in Mthatha). The issue related to the perception that the beneficiaries coming into the area held low social morals. A beneficiary explains:

> When we arrived here, it took time to settle down as we had to constantly discipline the children of the people from Ngangelizwe. Their children were breaking into our houses and stealing. But now we are okay with the community as we protect each other.

Above the settlement, is an informal area called Kwa Ray created after a tornado swept through Mthatha in 1998 causing major destruction, leaving this community as homeless victims. To the north of these areas are smallholdings of around five hectors and a cancer treatment centre. As a disclaimer I must disclose that I (the PhD candidate) was a ward councillor of the Maydene's Farm area. This fact seemed to allow community members to be more open about their challenges and sentiments regarding their problems. Furthermore, the community saw the research as an opportunity for faster attention from the department. In discussion with the former ward community members they expressed problems with municipality carrying out basic maintenance and services in the area such as refuse collection and repairs to leaking pipes.

This area was selected as part of the research to highlight RDP projects carried out in this urban environment and for its diversity in race and origins of the beneficiaries. The project was initiated in 1997. The houses are small and defects visible. Most houses have bricks on the roof holding the roof sheeting down. There is water and raw

sewerage running on the roads. There are no storm water drains and the roads are corrugated. The community complained of overcrowding due to the large families. They also complained about the lack of ceilings and adequate plaster on the walls.

A sample of 10% of the total number of households were visited. Furthermore, a focus group of community members was interviewed. The community were not willing to share information regarding the project.

Table 5: Status of Occupant

Status Quo of the Occupant of the RDP House	Percentage
Original beneficiary	96
Original beneficiary deceased or housing rented out	4
Number of people who refused to conduct the interview	31

Again the research exposed, as false, the perception that people sell their houses (Rubin, 2011) and act irresponsibly by renting or using the houses for unintended purposes. It is worth noting that national research conducted in 2010, found that since 2005, around 11% of all RDP houses had been unofficially traded. The majority of these went for a paltry sum of between R5 750 and R17 000 far below the R150 000 or so that RDP houses might be worth (Davis, 2013:30).

When asked whether they were consulted in the project, the community sample overwhelmingly said yes. They recalled the project launch and looking at the show house that was built. One community member described a show house built with Alternative Building Technology (ABT). The company that built the house was from the United States of America (USA) and claimed that the house would withstand a

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hurricane. Three days after the house was built, a storm blew it over causing a rejection of the product by the community. After construction of the project and the community moved into the houses, they claim that the houses looked good, however within months there were cracks in the walls. Many respondents claimed that the roof of the house became loose due to the heavy winds and that fact that the project is located on a hill.

Regarding the first night in the house, one respondent explained the feeling and said:

> I have lived in an informal structure all my life and don't believe that I could be so lucky to have my own house.

The tone changed when confronted with the question of how they felt about the house now. The majority of community members interviewed were not happy with their houses. They referred to the following issues: cracks in the walls, weak door and window frames, poor workmanship, shifting foundations, roof sheeting not holding and leaks.

Contrary to Qumbu, in this project, a significant number of community members interviewed levelled the blame at the contractor for this project. A few blamed government. The fact that the project is under rectification, seemed to have influenced the responses. The community also complained of other social services that lacked in the area. They also complained of the roads and the fact that there were no streetlights. A community member in explaining the condition of the infrastructure, was adamant that provincial government was sending funding for the roads to be repaired yearly,

however this funding was being embezzled. During the research, this was a regular comment by residents.

Analysis of Community Interviews

The community was not satisfied with the size of the houses as in the surrounding villages communities built larger homesteads from natural materials such as grass and mud bricks. The researcher discovered that most beneficiaries in this project were from the surrounding rural villages and only came to the project to benefit from the project. In Maydene Farm, the community felt entitled and because they came from various wards around Mthatha, their expectations were different. The one consistent theme was that the houses were too small and that the quality was poor. This project also required the rectification of the services such as roads. In Ilitha, the community continue to insist on their involvement even though they admitted to abusing the project during its construction.

The Maydene Farm community proved to be structured and organized with a strong sense of community belonging. The following issues are key to the responses.

The respondents complained about the condition of the houses and cited several defects including the roofs, walls, foundations and plumbing.

All interviewed community members complained without exception. The main source of complaint was the build quality of the houses. The respondents complained about the defects of the houses and directed blame to the contractor. With regard to the roofing, the community complained that the roof sheet was thin thereby rendering it weak and

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causing it to bend easily and puncture easily. They also complained about the noise of the rain and wind that threatened to blow the roof off during a storm. Furthermore, the community sighted the poor quality roof sheeting as not being able to withstand the cold in winter or the heat in summer.

With regard to the walls, the community explained that the quality of the bricks was substandard. One community member described the brick quality as follows:

> Without testing a brick in a laboratory, if you hold it in your hand at your shoulder level and drop it, if it is of quality, it would bounce and not break. But if the brick breaks, then it is substandard. We tested some of the bricks used and they not only broke, but almost looked like powder on the ground. The contractor defended the test by saying we were dropping the bricks hard deliberately to prove a point.

The contractor failed, according to the community, to acknowledge that the material was substandard and always referred to the limited budget. With regard to the poor quality foundations, it emerged that the foundation design selected was a raft foundation that is not ideal for a slope. Furthermore, no trenches were dug and a thin layer of concrete poured into a wooden box. No steel reinforcement was used and the concrete mix was done by hand to create jobs. The concrete mix was weak as it was not consistent and also did not have the appropriate strength. A community member who is a semi-skilled bricklayer explained:

> On the back of a cement bag it gives you directions on how to mix concrete. It says, use one bag of cement and mix with four parts of sand and six parts of 19-inch stone. We were mixing one bag of cement with four

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wheelbarrows of sand and six wheelbarrows of stone making the mix extremely weak.

The argument given by the contractor and the housing officials for the method used in the foundation was that the house structure is small and therefore did not require a normal base.

With regard to the plumbing in the houses, community members physically showed raw sewerage running down the streets. In some instances, the sewerage was coming out of the water taps. The respondents explained that at the time of construction, thinner pipes were used for plumbing, as was the usual practice. They also explained that the water and sewerage pipes were placed in the same trench to save costs. With pipe bursts, the water and sewerage mixed. The bursts were caused by a lack of maintenance and also because of people using other materials rather than toilet paper in the toilets. The community admitted that they at times used newspaper and other paper materials in the toilet causing the system to block.

The community complained that the houses were cold in winter and hot in summer. Further to the earlier explanation, the community said that the cracks in the walls, thin roof sheeting and bag wash on the walls, caused the houses to be cold in winter. There were also gaps in the window and doorframes that let the cold in. As the project is on a hill it was prone to wind. The community also complained that the houses were unbearable in summer as the heat seeped in through the walls, windows and thin roof sheeting.

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The community sharply raised the issue of poor roads. Even though the study focus was the houses, this community felt very strongly about the condition of the roads. They claimed that the police and ambulances refused to enter the side streets when there was a need to due to the condition of the roads. Without storm water and curbing, the roads had disintegrated in a short time. When asked about the municipality's role in maintaining the roads, a community member had this to say:

> We complain about the road to the municipality and they tell us that we should be happy as we still have roads, as there are parts in the municipality, in the Mqanduli area, where communities did not have that luxury.

Further to the statement above, the municipality, through its representative, cited the low revenue base as the challenge to maintaining roads.

The issue of small houses came up strongly in this community. As is the case in Qumbu, this community has large families and considered space a major deficiency in the houses. In one of the houses, a child slept in the toilet while another made the open plan kitchen area her bedroom. The community complained of it being socially unacceptable to live in a small space with your children and grandchildren. A respondent said:

> In the rural area where I am from, we build a hut as a kitchen, another hut as a lounge and huts as bedrooms. We all help each other in the community to build and the costs a low. Here the house is half the size of our rural huts yet we must all live in it.

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When probing the community member further as to why then they did not remain in the rural area, the response was that they felt entitled to receive a free house from government and would not miss the opportunity when it presented itself. They also explained that they were running away from poverty in the rural areas and wanted to be in the city were the chance of survival was greater and schools better for their children.

Photograph by Lynton Sharpley

The community highlighted the reliability of water and sanitation. While not a mainstream rectification issue, the community complained about the unreliable supply of water and electricity. The shocking evidence was that it was a regular occurrence for the water or electricity supply to be cut, particularly after a storm, due to a lack of general maintenance. A respondent revealed a further shocking situation by stating:

> Our water is supplied by the district municipality and electricity by the local municipality. We regularly have water outages at least once per week and sometimes we won't have water for days. When the water is out, sometimes the district municipality will patrol the town with a loud hailer informing residents that the water was out due to there being no electricity supply from the local municipality.

The one municipality was blaming the other to the community and spending additional resources to do so rather than addressing the challenge. In the area raw sewerage is a normal occurrence in the streets to the extent of it creating deep gouges in the roads making them inaccessible.
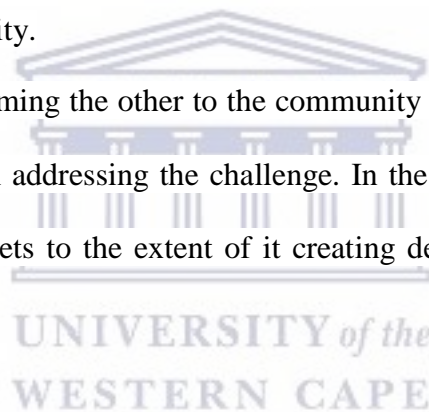
Community members complained about the houses that they had extended themselves not qualifying for rectification. The rectification programme does not permit an extended house to be rectified. This was a major issue to some community members who had extended their houses, however with clearly no quality assessment being considered. The main reasons for the extended houses not qualifying for rectification is that there is no compliance to building regulations, the houses are not enrolled with the NHBRC and the houses were larger than the policy $40m^2$. As a serious matter to the community, some felt that the government should then give them the money for the rectification and they would do it themselves. A respondent said:

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I would have not spent my own money here if I knew that the government was going to come back and fix its mess. I am demanding my money like others, it's my right.

The sense of entitlement seemed to be a commonly agreed view and was standard amongst the community.

Summary

The five key themes of the study where analysed in line with the case study and the following conclusions drawn. With regard to **community participation** in the value chain, this community had a limited role in the process and only benefited from the few part time jobs that were created on site. Due to the project being in an urban setting, the contractor was faced with a more militant workforce from the community that increased the labour budget. There was a need for more intense **social facilitation** as beneficiaries were not available during the day. Even with this reality there was inadequate facilitation that did not include consumer education. Like the Qumbu case study, the entire project had to be Rectified meaning that the **quality of the houses** was poor and confirmed the findings of the research. The house size was also a notable challenge in the project. The research concludes that **beneficiary analysis** explores a wide range of deficiencies in the roles and responsibilities of the beneficiaries. The fundamental cause of the Rectification programme is the lack of proper **stakeholder management**. In the case of this community, the high expectations from the beneficiaries compromised the entire project.

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Case study 3: Ilitha - Mthatha

Ilitha is located south east of the city hall of Mthatha. From the city centre, the township is on the main access road to Ngangelizwe Township that is considered as one of the larger townships in the country. The project is located past the main cemetery known as Mbuqe. The road passing the project is a secondary road from Mthatha to Mqanduli. The project is on a hill opposite Ikwezi and has a view of the Mthatha city centre.

Ilitha was selected as a study area for its involvement in the PHP and its urban setting. The district and its local municipalities are implementing agents and support organisations for the housing projects carried out in this area. All projects that are implemented through the PHP are people-driven.

PHP is a low-income housing delivery approach promoting the involvement of the beneficiaries in the development of their own houses. In this programme, government encourages and supports individuals, families or groups who wish to enhance their subsidy by organizing, planning, designing and building their own houses and their contribution is sweat equity, as opposed to hiring a contractor (DoH, 2002).

The project in Ilitha was due for rectification, as most of the houses were poorly built. An assessment was done and it was reported by parliament in their Committee Report in 2013 that out of the 500 houses that were built under the PHP programme, the majority were to be demolished and the remaining units requiring completion. There

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are no accurate statistics of the population in Ilitha and therefore no conclusive figure can be provided. A sample of the community was interviewed by in the Ilitha area and the following statistical information was collected and this is also transformed into a bar chart to provide a clearer outlook of the statistics. The study area consisted of about 500 houses. This project is a clear example of a failed PHP.

Photograph by Lynton Sharpley

The self-help model known as PHP is predominantly a response to the assertion that housing can be linked to a culture of social dependency. According to the Ilitha community they were not prepared to work on the project for free and still get the same product, as other projects. They were given the notion that the houses would be bigger with beneficiary input.

The PHP model sparks significant debate and remains the implementation method of choice to most political leaders. It is explained that the community-assisted method in rural areas is informed by a communal spirit that is entrenched in African culture. Furthermore, in the PHP, the fact that the community appoints the Community Resource Organization (CRO) legitimizes the sense of ownership. In the rural setting the communal home building method is known as *"ilima"*. It refers to communities assisting each other in the construction of their traditional mud homes.

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Photograph of Ilitha Home

The entire project is based on sweat equity and the participants rewarded with a meal and traditional home brewed beer. Even the materials are gathered using the community. The bricks are made from soil/mud and the roof from grass. However, a fundamental difference between the rural practice and the PHP is that the latter is funded by the state.

It is the view of this research that the PHP method should be terminated and all housing made project-based. In the Ilitha project, there are a similar proportion of male and female populations in the area with the male population being 45.5 percent and the female population being 54.5 percent. The services such as roads are in a poor state of repair and the municipality has not maintained the infrastructure. The project can be considered one of the worst cases of financial mismanagement.

This area was selected as part of the research to highlight RDP projects carried out in an urban environment. The project is closely located to a working class suburb and also serves as the urban edge boundary. Urban areas are defined as being more developed with a higher density of human structures such as houses and roads, and so on. There are usually larger numbers of people residing in these areas and the region is usually surrounded by a city, making employment opportunities more accessible.

The project has 63 vandalized and or incomplete houses. The whole project displays signs of poor workmanship. The houses all have visible defects. All houses were poorly constructed and show a lack of supervision and little adherence to basic norms and standards for both construction and materials used.

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A sample of 34% of households out of a total 500 houses was visited. The 34% served as a higher sample than the intended 10%. The community was receptive and granted valuable insight into the project. Furthermore, a focus group of community members was interviewed.

Table 6: Beneficiary Status - Original Beneficiary Still in House 2014

Status Quo of the Occupant of the RDP House	Percentage
Original beneficiary	71
Original beneficiary deceased or housing being rented	28
Number of people who refused to conduct the interview	10 households

The community confirmed involvement in the PHP and had high expectations of skills and employment. The consultation was through community meetings. There was also a Project Steering Committee (PSC).

The community referred to the PSC that was established to offer training for active participation in the project through sweat equity. This community was particularly excited about the question of the first night in their houses, as they explained that moving into the house that they helped build was significant. One responded said:

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"This house has my own hand in it and I laboured here watching it form right before my eyes."

Unemployment is high in this community and the main source of income is from social grants. The community explained that at the beginning of the project they expected to be employed, skilled and benefit from the project. The community however complained that the state did not pay them sufficiently for their labour and that the project management company must have benefited from the funding intended for them. This perception was fuelled by the project value being used as the benchmark for benefit.

- Allegations of Community Members Selling Building Materials

According to the community, the project management company allocated building material to each owner for the various stages, starting with the foundations. Each owner was allocated cement for the foundation; however, some people sold the cement and weakened the mixer required for the foundation. The foundation concrete was mixed manually.

Substandard building material is a cause of defects on the houses especially in the foundations and in the quality of the bricks. The foundations were raft design and did not have trenches. The hand mixed concrete created an uneven distribution of the materials used such as sand, stone and cement. Furthermore, the slab was not substantial in thickness, creating a weak base for the walls. The building bricks were sourced from local, small brick manufacturers in an attempt to empower and encourage enterprise development. The brick manufacturers, according to the community, were very convincing in the presentation of their products.

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There was no evidence of the number of brick makers used on the project. The bricks were made with hand held brick machines and did not meet the quality standards. Furthermore, the strength of the bricks, according to the community, was as weak as the mud bricks they made in the rural areas. The community also complained about the weak cement mix in the brick layering process. A respondent explained that too much sand was used in the mix and that the sand was never tested for quality.

The roof timber was untreated and in cases, it was installed wet. The wet roof timber bowed when it dried, thereby popping the roof screws off and exposing the roof sheeting. This explains the bricks on the roof of the houses. The roof sheeting used was thin and did not meet the minimum standards. The houses were not plastered and only received bag washing. Bag washing is a mixture of cement and water brushed over the brickwork like paint. This created water seepage and permanent dampness.

The community appreciated the PHP approach, however blamed the private developer for the structural defects. The project management company had to comply with the demands of the community and only served as a source of advice. This created the unfortunate situation where the company blamed the community and the community in turn blamed them for the defective houses. The company benefited from the professional fees, however, the community accused them of taking project funds intended for the construction.

If a "Primary Structural Defect" was indicated in the foundations then the houses needed to be rebuilt. The conventional method employed to build a house is to

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construct strip foundations. This method is done by digging a trench and pouring what is called footing. Footing is a concrete mixture that is poured at a minimum depth. When the footing is dry, bricks are used. The challenge with the project was that there were no footings and concrete was poured directly onto a measured cleared area. The thickness of the slab also did not meet the required standards.

In some cases, the House did not meet any standards. The self-help approach in the project seems to have created more harm than improve the lives of people. The community complained about the quality of the houses, yet they participated in the construction. Some respondents explained that at the beginning of the project they demanded the skilled jobs and insisted on site training. This process saw unskilled labourers working as bricklayers causing a challenge for the principle agent of the project.
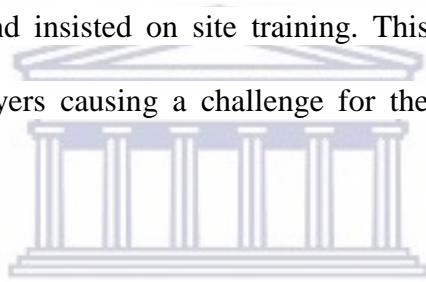
The involvement of the community did not create long-term sustainability. The overwhelming weakness of the project was the fact that the community focus was on their immediate daily needs of survival. Therefore, the frame of reference in the PHP was that the community wanted to benefit from all elements of the project including the profit to the project management company. From inception, this sense of entitlement resulted in the project being a bad example.

Summary

The five key themes of the study where analysed in line with the case study and the following conclusions drawn. With regard to **community participation** in the value chain, this community was involved from the onset with the intention of full

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participation. The **social facilitation** was adequate, however due to the lack of consumer education, the roles and responsibilities of the beneficiaries were blurred. The entire project has to be Rectified meaning that the **quality of the houses** was poor and confirmed the findings of the research. In the case of this project, the poor quality workmanship is worse than the other two case studies due to the lack of professional project management. The research concludes that **beneficiary analysis** explores a wide range of deficiencies in the roles and responsibilities of the beneficiaries. The fundamental cause of the Rectification programme is the lack of proper **stakeholder management** and the reliance on democratic consultation for technical decisions.
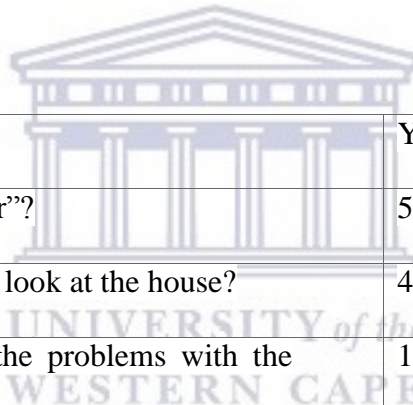
 Focus Groups outcomes

The community focus group was interesting methodologically because as sometimes happens in these focus groups, several participants competed for the title of knowing the most about the project. A cynical community member remarked that the focus group was better in the morning as some community members would not be sober in the afternoon. The exceptional level of reliance on social grants left the community not able to generate sufficient money to sustain themselves once grant money ran out, let alone maintain a badly built RDP house and pay municipal services. Community members explained that the economic activity in the village only happened on social grant pay-out days. The rectification of the project was seen as an economic activity that the community intended to maximize. The housing project according to the community discussions became an electioneering point of reference for candidates offering a better product or improved conditions.

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The individual focus groups from the three study sites were interviewed utilizing a fixed questionnaire and the outcome was analysed. All those interviewed were beneficiaries of RDP houses. They were questioned regarding their involvement in the processes as well as to determine whether they were satisfied with the RDP houses allocated to them.

The following questions were also posed to them and the responses are indicated in the table below:

Table 7: Statistics from Individual Community Members' and Focus Groups' Responses

Question	Yes	No
Did you sign the "happy letter"?	50	1
Were you offered a chance to look at the house?	43	6
Did you tell anyone about the problems with the house?	18	30

Consultation occurred mostly via meetings that were held with the community members, informing them of the construction process of the house. There were numerous problems with some of the RDP houses and these were reported to various parties including the supervisor, site supervisor, project manager, and the company on site and the manager. In order to resolve these problems, the person that it was reported to would check the house, fix using polyfiller or ultimately state that they would examine it, but nothing was done about the matter. From the 47 interviews carried out,

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the responses to the question as to how their first night in the house were mainly positive.

Figure 4: How was your first night in your house?
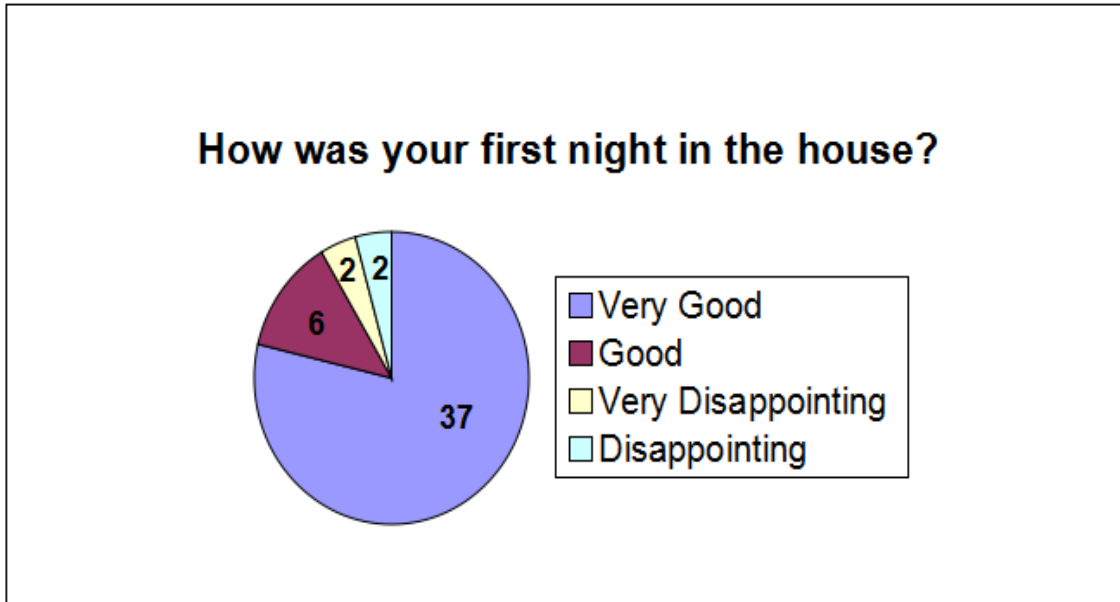
There were mixed emotions regarding the RDP houses received by the beneficiaries with some either being very happy and grateful for the opportunity to own a house of their own, whilst the other beneficiaries aired their dissatisfaction regarding their RDP houses, stating that they were not built satisfactorily and were defective and that they were of a sub-standard quality.

Among the complaints aired in the focus groups were that there "are cracks in the walls, the door does not lock and the ceiling is not good". Members noted that the house becomes damp and wet on the inside when it rains. "The size of the house is too small and doesn't accommodate all my furniture and my family. The rain comes in through the windows and ceiling and there is water under the floor tiles. The house is starting to crack". There was also insufficient space for furniture and a family to live.

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The walls of the toilet do not reach the ceiling, meaning that there is no privacy. Adult couples are also not able to be intimate due to the open plan of the design and small size. The foundations were built cheaply and no steel was used as reinforcement.

Beneficiaries were also of the view that inspections should be carried out on the houses before they are requested to sign the "happy letters" in order to ensure that the contractors have completing the jobs satisfactorily and up to standard. Beneficiaries reported that the structural defects on the RDP houses often resulted in roofs that were not firmly secured and resulted in them rattling or even blowing off when it was windy. Or inferior products being used and rain coming through the roof, doors that did not fit securely in their frames causing it to rain inside or water flowing in from the door and cracks in the walls that developed soon after the beneficiaries moved in, particularly around the windows, doors and corners, also creating dampness in the house.

Conclusion

In this chapter, a brief outline of the Eastern Cape region was given, followed by a discussion on the selected case study areas providing the relevant geographical, demographic and population profile as well as the history of the areas. The projects in the various areas were also highlighted. The chapter elaborated on the analysis and summaries of the data collected from the communities in these case study areas. The community interviews revealed that public participation and interest in housing issues are high. However, the contradiction is that community members are expected to participate in technical discussions and make choices that are the domain of

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professionals. It can also be stated that the free house given by government has had an unintended consequence of communities expecting the state to offer total solutions to their survival without generating their own creative survival techniques. In the PHP, there is no evidence of a transfer of skills or community development in the construction industry. Community members spoke of "cracked houses". Households had very few resources and maintenance of badly built houses was experienced as an additional burden. Invidious "choices" between food for three days and a windowpane showed how stark the problem has been.

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CHAPTER EIGHT: PROFESSIONAL PERCEPTIONS OF HOUSING RECTIFICATION

This chapter outlines and analyses interviews with fifteen respondents performing various roles in the human settlements sector and a three-hour focus group session with private practitioners. The interviews were conducted with the aid of a questionnaire and took place at different times in an East London office. This provided a neutral space. Interviews were intentionally detailed, as the study's purpose was to produce a systematic review of the implications of the Rectification Programme. The group of fifteen respondents represents three main drivers: policymakers (politicians), practitioners/professionals and implementers (administrators). The same questions were asked of all participants. All respondents played a direct role in the housing delivery value chain, offering viewpoints informed by practical experience.

There was a general sense of concern for the sector and willingness to share information from all participants. Furthermore, the extensive experience of some of the interviewees whose involvement in housing stretched back to the introduction of RDP housing delivery demonstrating that they played a significant role in the delivery value chain, which led to the Rectification Programme.

Table eight shows the breakdown on interviews and number of respondents by category.

Table 8: Breakdown of Professionals Interviewed

Interviewee Role	Number of Interviews
Political office bearers	2
Private practitioners	5
Government administrators in Dept. of Human Settlements	8
Total	15

Political Office Bearers

Two political office bearers from the Eastern Cape Provincial legislature serving on the Human Settlements Portfolio committee were interviewed. One respondent represented the ruling African National Congress (ANC) and the other, the official opposition in the province, the Democratic Alliance (DA). Their selection was based on two considerations: firstly, that they are responsible for oversight of the provincial department acting as the primary developer of houses in the province; and secondly that they also approve the budget - through the legislature - for the department as well as review the annual reports of the department.

An interesting observation in response to the first question - "Do you know what rectification is and why it has been introduced?" - was that the answers were different and hence politically constructed. The opposition party respondent said:

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The concept of rectification arose as a result of contractors building shoddy houses and were allowed to get away with it. Nobody monitored if they built the house in line with the norms and standards that government created and they just left. Government wanted to restore the credibility and dignity of poor people and they were then forced to introduce rectification to fix these houses. **(Respondent B, 2014)**

The opposition DA respondent focused on the state's failure to monitor. On the other hand, the ruling party respondent said,

Rectification was introduced due to *pre-1994 housing* that was built by the apartheid government and that has now reached its lifespan. Some of them are falling apart. Post-1994, a lot of contractors didn't succeed in delivering good quality housing. So, there is a definite need for rectification at this time. But in future, government should review its position, as they can't carry on rectifying and rectifying forever. **(Respondent A, 2014)**

As can be seen the ANC respondent suggested that the start or impetus came from pre-1994 housing stock. When asked who was to blame for rectification, the ANC politician noted:

…at the end of the day, budgets are provided and the buck stops with the Head of Department and the MEC/Minister and they are primarily accountable, in my view, for the quality of houses. **(Respondent A, 2014)**

With regard to government avoiding "rectification of rectification" (repeated rectification), the one respondent focused on accountability, while the other regarded monitoring and evaluation (M&E) as a tool for maintaining high standards in the construction of houses. Interestingly, both respondents considered the delivery of free

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houses to the poor as the appropriate approach to address the challenge of homelessness in South Africa.

> I believe free housing is essential for South African citizens, specifically at this moment in time. We need to help and uplift the poor where we can and shelter is a basic need for all human beings. As soon as the economy stabilizes, the economy grows; we would have to review that position of free housing. (**Respondent B, 2014)**

The ANC interviewee noted:

> The clause captured in the Freedom Charter that there shall be houses, security and comfort and therefore government - constituted of the people for the people - has a responsibility to provide these houses, accompanied by amenities. By providing these houses, government restores the dignity of the community ravaged by the previous apartheid government. RDP houses are free because in instances where people don't have the means to build houses, nor to rent, government has intervened and builds free RDP houses.
> **(Respondent B, 2014)**

Both political respondents supported free housing and didn't see this as promoting social dependency. Furthermore, the respondents agreed with the principle of promoting the empowerment of small contractors as well as sourcing materials locally. The role of the community, according to the interviewees, is to ensure beneficiaries are identified and become part of the development of the RDP houses. Government should in turn focus on the quality of the houses being built by the contractors and ensure that there is proper M&E in addition to ensuring the establishment of sustainable human settlements for communities.

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The overall view was that government was doing too much and that communities needed to take responsibility, such as maintaining their own houses. No blame is placed on the legislative oversight role. This also places the department in the spotlight for delivering quality housing whilst also meeting the political expectation of broad community and local involvement in the beneficiation process.

Private Practitioners

With regard to the poor quality of RDP houses that resulted in rectification, there was general consensus from private sector respondents that the key factor was the lack of adequate project management. One of the respondents shared the following:

> Firstly, we have poor quality contractors being issued with contracts to deliver housing. Secondly, there are very poor project management skills to monitor and evaluate the quality of houses being built. The CIBD developed a framework for the grading of contractors, Civil Engineering & Building Contractors and the NHBRC has a list of the grading. But the department doesn't abide by the grading of contractors, especially for big projects, whilst contractors default on their contracts and build poor quality units. The department also doesn't monitor and evaluate the process correctly. There is no proper oversight of the quality of services, structure or the top structures. **(Respondent C: 2015)**

In a bid to empower the majority of the population marginalized by the apartheid government, the state's policy of black economic empowerment brought in a new group of contractors. This approach also introduced contractors that did not have sufficient experience, but who were, nonetheless, awarded projects. Respondents further levelled blame for poor M&E at the state.

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Respondents also highlighted the role that middle class business ambitions and community pressure to employ local unskilled and semi-skilled artisans played, as well as the fact that contractors had to conduct on-the-job training. The logic of trying to do everything and achieving nothing did not result in a better product. The quality of materials provided by the "community" used compromised the quality of the structure.

> What I've seen on the one's we're rectifying - workmanship has contributed a lot in terms of quality, as this plays a huge role. As much as we work on targets we cannot lose focus of providing a quality product for a client. Some also don't see the need to use good quality material… using inferior material saves money. **(Respondent D: 2015)**

Interviewees explained that construction companies were expected to support the local economy of the project area and source materials from local businesses. According to respondents, structural defects in the construction of the houses were due to the weak quality of locally made bricks. The SABS did not test materials for quality.

When asked who should be blamed for the poor quality of the constructed houses, respondents made a range of assertions. Of significance is the fact that respondents diverted blame away from their own areas of competence.

> It's an issue of supervision and inspection as well as organisations like NHBRC not doing inspections - signs of things like foundations & roofs etc., but I'd say the main issue is the supervision and inspections. **(Respondent E: 2015)**

The practitioners did not reflect on the mandate given to government that it would be acceptable for standards to be lowered to achieve the million houses in five years. This, at a cost per unit, that was significantly below market value and instead relied on the goodwill of contractors and communities to make the system work rather than comply. There was agreement though that the supervision of the construction project should have been done by an independent body such as the NHBRC.

Government Officials

State officials, the third group, were of the opinion that government should be responsible for housing and providing it free in order to correct the inequalities and injustices of the past and to restore dignity to the communities as well as provide adequate housing to the poor who could not afford their own housing. Communities, they argued, also have a legal and moral obligation to maintain the houses and keep them for their own use and not sell them as an economic commodity. An official explained the concept of rectification.

> Rectification tries to address the whole problem of poorly built, below-standard houses, which is an unintended consequence of what government has been trying to achieve in terms of housing the poor. It has come as a result of people who don't necessarily have the know-how and skill and found their way through housing development to be part of those building these houses, but also some are even established contractors who also started taking shortcuts using poor materials. This has resulted in poorly built houses that are undergoing rectification. (**Respondent H, 2014**)

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Further to this, the interviewees felt that the beneficiaries should rather be trained to maintain their houses as many had deteriorated due to neglect and poor maintenance on the beneficiaries' part. According to the same respondent:

> Rectification is (needed as) a result of the shoddy workmanship of contractors. That's the basic reason why we have rectification, but we also need to look back. When we came in as a new government in 1994 we were more concerned with chasing numbers. It was a matter of quantity versus quality. We emphasized quantity rather than looking at the quality of the housing units we built, and also looking at the sustainability of the environment. There was also an issue of taking chances - people emerging as contractors and not being familiar with construction or understanding the complexities of the construction industry as well as laxity on the part of government to monitor the houses to ensure quality. There was also inadequate capacity to ensure proper monitoring for defects to ensure they are rectified at an early stage. (**Respondent H, 2014)**

According to the interviewees, the *entire process* was faulty in addition to the fact that the housing code does not talk to the "value chain". In order to reverse this, they suggested that there needs to be a return to basics and proper planning and that municipalities ought to be capacitated to take on the responsibilities of providing adequate housing.

Another respondent claimed that the entire planning process was carried out in a haphazard way and needs to be reviewed and consolidated, as there were also various other funding streams that need to be incorporated with planning like roads, schools, etc. One of the respondents suggested that government stick to the specifications and

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also alternatively look into providing prefab houses, which required minimal maintenance, more economical and solid and lasted for many more years.

> I think it is a waste of national state limited resources. There was appointment of contractors who are not suitably qualified or don't have the capacity. We need to hold the contractors, professionals even officials accountable for that money. **(Respondent J, 2014)**

Furthermore, one respondent felt that rectification should be managed outside the domain of a Human Settlements Department by a separate entity with a different approach. The various stakeholders are responsible for the poor quality of houses but responsibility could not be pinpointed to one single party. The point also being made here is that the same institutions that were responsible for the problem should not be the same fixing the problem. Most state officials agreed that poor planning and failure to locate housing as a municipal function were fundamental causes.

> It should start from the need - identification of land, planning of the house and then the actual construction of the houses. We seem to be planning housing very haphazardly as there are too many sectors driving different agendas. The responsibility for human settlements actually lies with the municipality, but the funding streams are not limited to it, i.e. housing, roads, schools are all funded differently and each have their own approach to how they are going to contribute to human settlements. Now it has to be a consolidation in terms of the planning. (**Respondent J, 2014**)

> There is a need for the establishment of a rectification agency and government should make sure that we hire credible construction companies that can take on big projects. We also need to take into consideration that there is a need for opening up opportunities for emerging contractors - they should sub-contract through established contractors until they reach the

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level of being fully-fledged contractors. So I think government should create an agency and also employ well-established, huge construction companies that have the capacity not only to build, but also develop emerging contractors. (**Respondent H, 2014**)

With regard to who was to blame for the problem, all respondents tended to divert blame away from their area of responsibility. One of the interviewees said that the contractors should be held responsible for providing poor quality houses as well as the project managers for not doing proper quality checks on site. To improve this, proper monitoring of contractors must be done in addition to ensuring that qualified and registered contractors are appointed to the projects. Further to this, supply chain management policies and regulations also need to be tightened on bidding and monitoring.

Incapable contractors found their way through to the development of these houses. The issue of the shortage of financial resources to put the required number of human resources in place should be looked at. Government needs to tighten up the process of appointing contractors and do thorough verification with regards to capacity and demonstration to entrust them with big projects. (**Respondent G, 2014**)

Most of the respondents felt the contractor should be held liable for this in a quantifiable manner. In order to ensure that there is no further rectification, the designs must be correct and the contractor appointed should build these accordingly and within the correct norms and standards. This should also constantly be monitored to ensure that a quality product is built.

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One of the interviewees also believes that in order to ensure there is no further rectification, government should be clear about consequences and enforcing contract terms that relate to the blacklisting of contractors that compromise service delivery. Another respondent was of the opinion that housing is a value chain that needs individuals within each area of responsibility to be accountable for their own actions within their core area, although ultimately government is responsible for housing. This statement reflected the frustration of the sector with the "blame game" regarding what went wrong with the quality and who should be held responsible.

There are various stakeholders that are responsible for housing: namely government, engineering councils, NHBRC, CSIR, national building regulation and SABS as well as the manufacturing companies. Interviewee H believes that the involvement of the NHBRC, from inception, is very important to ensure that a quality product is built and minimize the volume of rectification. Various parties can be held liable for the production of poor quality houses due to poor quality control and inspections not being carried out. A proper system should therefore be in place to assess defects and ensure the quality of the houses being built.

A different (minority) view was that government should create an enabling environment for people to be able to build their own houses. However, due to the impoverished conditions of disadvantaged communities emanating from the previous government, the current government has intervened and taken responsibility for providing free housing for the poor. Despite this, the interviewee H believes that this has had unintended consequences in creating *counter-entitlement*, leading people to believe that they are entitled to a house from government and then "abusing" this by

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selling or renting the house provided by the state, and then also going back and requesting another house. According to this interviewee, communities should mobilize themselves into cooperatives and more around the Enhanced People's Housing Process. This would in turn give them more ownership over the house and they would take responsibility for maintaining the houses whilst being encouraged to beautify them and the areas they live in, making them more sustainable.

Focus Group Interview

The focus group session was held for three hours. Here seven members of this stakeholder group participated. The discussion was held on 7th September 2015 in East London.

The first question posed to the group was why the quality of RDP houses was so poor. The group moved from blaming contractors to placing the blame at the door of municipalities who were tasked as being the developer, despite not having the staff or financial capacity to implement this successfully. The group noted that the NHBRC was not in place at that time to ensure proper monitoring of quality when the houses were being built. Even after the involvement of the NHBRC they argued only random samples were being used to certify quality. The respondents contended that even with the absence of the NHBRC, municipalities should have used their inspectors to verify quality and therefore failed to provide adequate supervision of contractors.

Another factor discussed by the group was that the PHP wrongly used a *community* based approach and emerging contractors rather than reputable contractors. Again, this

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private sector view contradicted the general view by government officials and politicians that beneficiaries should be involved in the construction process. The group supported the approach of using a Community Resource Organization (CRO) made up of professionals to provide adequate project management support to the community rather than expect communities to be involved without experts.

The group did, however indicate that the beneficiary should play a role in the process of the housing cycle through the Project Steering Committee (PSC), which would have regular progress meetings and regular community consultation. This would allow them to be involved in the planning of the house as well as guide and assist in the success of the project. Consumer education should have also played a very important role in ensuring that the beneficiary was properly advised and educated regarding their expectations and proper maintenance and upkeep of the house. The reference group agreed that government should ultimately be responsible.
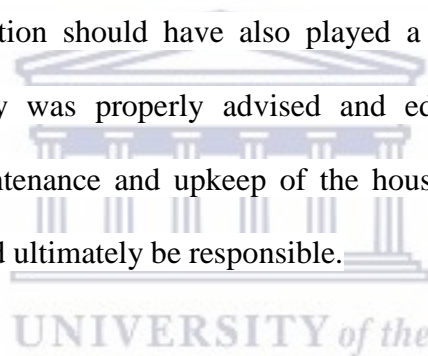
Another issue that the reference group raised was that they believed that rectification of more recently built houses was becoming a *maintenance issue* rather than the correcting of structural defects. The group felt the beneficiaries also play a big role in ensuring ownership responsibility for maintaining their houses. Structural defects should only be considered for rectification and this should be clearly defined.

The advice of the group was that the National Housing Code clearly laid out the procedure for housing delivery, and should be followed. There was also a lack of institutional capacity to carry this out successfully. The group also raised concerns that there was no clearly defined prioritization model in the Housing Code since it was

meant to target specific destitute groups in impoverished communities. Another factor discussed by the focus group was the areas that required improvement in the housing delivery cycle.

The group also agreed that government needed to review and possibly rewrite the policy, which defines the housing delivery cycle. An idea raised was that innovation, in terms of delivery, was also lacking and needed a mechanism to be implemented successfully. Cycles and timeframes were also required to be more realistic, as this was creating problems in the entire housing delivery cycle.

Conclusion

Communities, government officials dogmatically argued, have a legal and moral obligation to maintain the houses and keep them for their own use and not sell them. The professional group discussed and concluded on the following key statements/recommendations:

- The NHBRC needs to make sure that the appointed contractors comply with all requirements.
- There should be a framework in place to ensure that the correct controls and measures are in place and the NHBRC should ensure that what they put their stamp of approval on is compliant.
- The department needs to enhance quality controls starting from the design and ensure that it is implemented correctly.

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- Contractors should have quality management plans or systems in place.

- The department needs to hold professionals accountable through the signed professional indemnity if there are problems.

- Quality is paramount and the relevant officials monitoring the quality should do this correctly and have the necessary skills.

- The department should enhance and increase capacity to ensure that rectification is not repeated.

From the interviews conducted, the government officials had institutional knowledge on rectification. They articulate the challenge, but fall short of taking more responsibility. Most state officials regarded housing as a belonging to the domain of municipal functions.
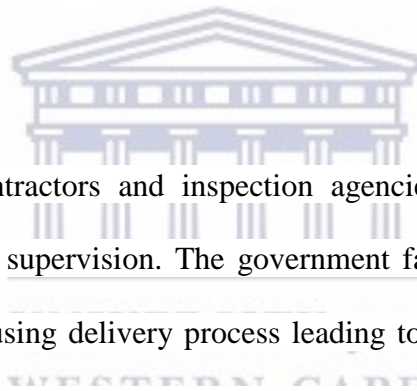
They shift blame to the contractors and inspection agencies with no government accountability for the lack of supervision. The government failed to coordinate roles and responsibilities in the housing delivery process leading to rectification, as no one was held accountable. The private practitioners were cautious and systematic in their responses. At the same time, they did not directly blame government.

With fingers pointed at the contractors, the obvious question is how the contractor got to build, complete and handover a house without being supervised, instructed, paid and monitored. Furthermore, why did the beneficiaries sign happy letters?

The interviews revealed that the building norms and standards were lowered significantly. The primary cause for defects to the houses was the structural weakness of the houses. The research proved that raft foundations were used without

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reinforcement steel, as the professionals claimed that the structure size was small and would not crack. The two politicians interviewed led to the conclusion that there was no need for additional interviews with policymakers as the challenge was in the implementation of the policy.

The political choice was to build one million houses in five years with an emphasis on ownership to restore dignity to the poor and not to lower standards. The implementation process embarked on was a response to the political wishes and should have resulted in an honest admission to political principals that the task was not possible due to the limited budget per unit and the numbers expected. In other words, the implementers made it work. This resulted in rectification. The professional focus group offered considerable valuable information.
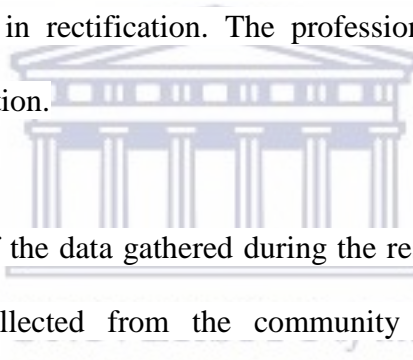
This concludes the analysis of the data gathered during the research and discussed the responses of the results collected from the community profile data collection questionnaire, the research questions from individual community members and focus groups. Further to this, the interviews carried out with the practitioners, policy practitioners in national administration and the policy decision-makers was captured and then summarized to provide an overview of their opinion. The next chapter will focus on the general findings of the analysed data that was collected and they will be briefly discussed.

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CHAPTER NINE: FINDINGS AND CONCLUSSIONS

The study concludes with a synthesis of the previous chapters, specific findings and general analytic findings around the five themes identified in chapter one. As the Researcher has argued, the ANC-led government formulated the housing problem in terms of the need for the poor to own homes and at the same time to *rapidly* delivery such houses as starter homes. It also sought to develop a black owned construction industry. Once it went down this path (already designated by the previous regime) all manner of consequences followed. A key finding, drawing on the community interviews, is that the RDP houses beneficiaries, although home owners, are largely very poor and reliant on government grants and therefore unable to maintain the house. Furthermore, the community attitude to maintenance is that the state remains ultimately responsible for the upkeep of the house.
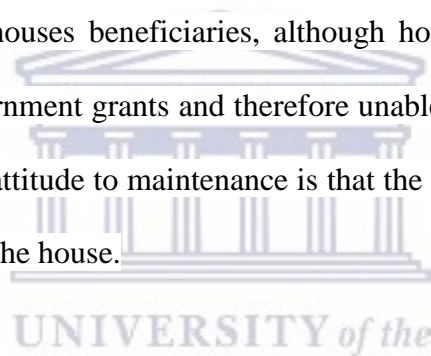
This chapter reflects on the five key themes established in the analysis chapters (Chapters 7 and 8). An additional theme relevant to the findings as a standalone is the issue of "**value for money"** for the state in broadest sense of the term namely: citizen satisfaction. This relates to the question as to whether the houses are an investment for the community or a financial burden on the state. The five main themes include the following.: Firstly, **community participation in the value chain** – the research has found that there has been a general desire from both the government and communities for participation in the construction process. However, the research findings prove that this has not yielded the desired results. Secondly**, social facilitation** – the lack of effective social facilitation has resulted in beneficiaries not clearly understanding their

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roles leading to high expectations. Thirdly**, quality of the houses:** the fundamental basis and finding of this research is that because of the poor quality of the houses the political ideal of restoring dignity to beneficiaries was deeply compromised. Fourthly**, beneficiary analysis** – the central stakeholder in the housing delivery process is the beneficiary. The research confirms that beneficiary expectations exceeded government's delivery. Lastly, **stakeholder management** – the research has found that due to a lack of adequate stakeholder management, roles and responsibilities were blurred. It is difficult to identify the responsible stakeholder accountable for the rectification, from project to project. The blame can be levelled at several stakeholders in the value change that can and should be accountable for their particular in the construction process. The policy makers enacted laws that entrenched the ideology to restore the dignity of the citizenry through a housing opportunity. The pronouncement of 1 million houses in the first five years of democracy led to the focus on a housing opportunity, neglecting the quality of the product. This included size, quality, land conditions and location. The state should take responsibility for reducing the minimum building standards and for inadequate monitoring and evaluation. The professionals should be blamed for their failure to effectively project manage and advise the state on the logical building minimum standards. They should also take responsibility for allowing poor quality materials to be used. The beneficiaries should take responsibility for the unwillingness to conduct basic maintenance work. It can also be stated that the beneficiaries had the opportunity not to sign the "happy letters".

FINDINGS

Community participation in the value chain

The PHP intended to transfer skills to the historically disadvantaged communities and empower them, but it is clear that inadequate or no training was given to these beneficiaries resulting in the standard of workmanship being very low and therefore poor quality houses being built.

The research finding is that the PHP case study revealed that the project failed in all respects. The use of the community was unsuccessful because they regarded themselves as beneficiaries, not homeowners per se and hence they deny that they are responsible for housing maintenance. The decision-making process, even on technical matters, in the community was made in a PSC meeting and/or in a community meeting with the majority view taking precedence over the professional facts that needed to guide decisions. The new approach of including a community resource organization (CRO) still places the decision-making power in the hands of a community that is not trained to internalize the consequences of the choices made.

Experience has proven in South Africa that public participation falls short as it tends to involve all who will listen rather than the relevant stakeholders. Research also shows that powerful gatekeepers that are not directly affected by the issue under discussion usually hold the loudest opinions (Mansbridge, 1983). This opinion is informed by their own interest or that of the group or individual who sent them to the session. The lesson

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has been to ensure that only relevant stakeholders are directly involved in the decision making process of a project and that power issues are considered.

Another key area of consideration is that government raises the expectations beyond the ability of the project. This results in disgruntled community members. As a case in point, it is commonly understood that when a project budget is announced, community members think this is the available funding for the community. In depth social facilitation is required to ensure that the community understands the various line items in the project cycle.

The Provincial Housing Department has experienced severe staff and skills shortages to ensure that these projects are completed successfully. These shortages are exacerbated by the excessively high rate of municipal vacancies, especially with respect to technical staff. This means that municipalities have difficulty in actually being able to carry out their mandates.
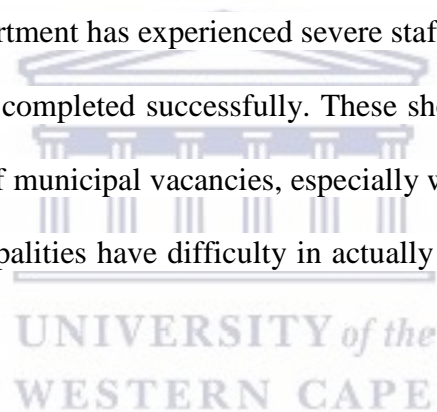
The result of this capacity shortage is a serious lack of housing delivery and a sense of resentment between the provincial and municipal departments. The municipalities feel that they have been forced to take on the role of the preferred developer by the province, despite having neither the resources nor the skills to undertake such work. The province, which is already overstretched, feels that it has to take on not only its work, of which there is already too much, but the municipality's as well.

The large number of projects also requires substantial resources in terms of needing equipment to undertake the required work. In addition, the province does not realize the

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large distances in the province, and under-capacitated local authorities are designated to look after areas and report back in unreasonable timeframes.

The serious shortage of competent people at both local and national government level to evaluate and administer construction projects and identify contractual irregularities on all sides ultimately contributes to defective construction. Weak capacity makes it difficult for project managers and other technical personnel to regularly visit housing sites and inspect the quality of each unit that is being built. Ideally, the developer would be the "eyes" of the department to ensure that each payment made is for "value-created". Unfortunately, as stated above, the lack of staff and skills at the local level means that municipalities, who are frequently the developer on housing projects, cannot fulfil this role. This compels the provincial Department to send its over-stretched staff all over the province to the large number of housing projects. A key finding of the case studies proved that there was a serious lack of accountability on the side of the entities involved in the construction value chain and also on the part of individuals with responsibilities within the value chain. The research has been unable to conclusively point the finger at any one individual and or entity as the lines of responsibility are blurred and accountability absent.

Social Facilitation

The delivery of housing in South Africa required substantial social facilitation, however, the research shows that the outcome of the facilitation was influenced and informed by perceived popular demand for ownership rather than scientific evaluation of the community's genuine needs and capacities. Furthermore, the research has shown

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that certain trends emerged in social facilitation around poorly built RDP houses that forced government to adapt policy and programmes to be responsive to the demands of communities rather than a systematic attempt to reduce homelessness. A number of key patterns influenced decision makers in responding to community demands around the Rectification Programme, namely:

- Communities demand that extended RDP houses be rectified even though the extension does not have formal building plans.

- Communities "burn tyres" and demonstrate for demands outside of the policy.

- The policy states that the old house be demolished when a new RDP house is built, however communities demand that the old unit remains so that they can lease them.

- It has become challenging for government to conduct social facilitation with the relevant stakeholders and to this extent the outcomes of consultation do not always reflect the views of the beneficiaries.

- Communities do not accept home ownership responsibilities of maintenance.

- There is massive manipulation of beneficiary lists resulting in undeserving individuals occupying houses intended for the poor.

- Political parties holding differing positions for how to address homelessness, in some instances, influence communities not to accept government programmes as presented and demand that their own political agenda be reflected in the process.

Importantly, the study has revealed that substandard government houses make it costly and difficult for the beneficiary to maintain the house. It is proposed that government look at building low-maintenance, quality houses that are affordable for beneficiaries

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and to educate them on the maintenance thereof. It also emerged during the study that community expectations at the commencement of the project are not placed into a realistic context

Quality of the houses

This finding is in three parts, namely; **size of the RDP house** and **Norms and substandard Building Material Supplies**. The research has determined that the size of the houses became one of the thorny issues for communities. The open plan, small box type houses deprived large families from basic dignity of privacy. The reduction of building norms and standards compromised the quality of the finish product. Furthermore, the insistence of buying local to support the local economy lead to substandard materials being used in the construction process. The third area is the need for communities to maintain their houses. The argument of communities remains that the original quality of the houses was compromised and hence the need for rectification. The striking paradox is that the community is rightly expected to maintain their properties because they are owners with title, yet the poor quality of materials and workmanship exacerbated the need for repairs and maintenance.

Size of RDP House

Together with location of houses, housing quality and the level of infrastructure, house size is also of importance as an indicator of the success of housing delivery. Numerous beneficiaries of the early RDP houses complained that the houses were small and that they did not have enough space in their houses for their families. They felt that the

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space needed to be enlarged in order to accommodate most families. Therefore, the housing policies need to be adjusted in terms of the area or size of the RDP houses.

In the case studies carried out by the researcher it was reflected that there were a large number of overcrowded houses in the study areas. When beneficiaries were questioned on the number of people residing in a house, some had up to thirteen family members. Beneficiaries also felt, especially having such large families, that the houses are often smaller than the average shack. High occupation rates clearly impact on the maintenance burden.

The Department should consider this when planning housing projects, so that delivery corresponds with the nature of the families needing housing. The government is using a supply-driven method to housing delivery and is therefore not planning for extended family structures, which are commonplace in South Africa.
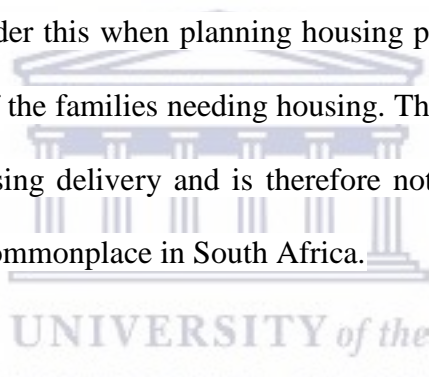
The study findings suggest that the main challenge raised by the three communities regarding the size of the houses was that it forced family members of all ages to wash, eat, sleep and even use the toilet in the confined space of the house. This was seen as having a negative impact on the dignity of the community members.

Norms and substandard building materials

The research finding is that projects opted for the raft foundation design rather than the traditional strip foundation. This was done, as it was cheaper and faster. The challenge with this choice was that the raft foundations were not reinforced with steel and could not hold the weight of the house structure. Furthermore, the concrete mixture was done

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by hand to create jobs, however, this weakened the consistency of the strength of the mortar. The houses did not include ceilings and used untreated roof timber. The exclusion of ceilings made the houses hot in summer and cold in winter. Furthermore, the roof structure was not reinforced by a ceiling for additional strength. The timber used on the roof trusses and/or beams did not meet the minimum standards and were also not treated in most projects. The result of this was that the timber would expand and dislocate the roof nails holding the roof sheeting together. Hence, it has become common to see bricks holding down roofs in RDP projects.

The RDP houses were not plastered and no skirting was built on the outside. All housing projects, with the exception of those built in the Southern Cape Coastal Consolidation Allowance (SCCCA) regions, experienced water seepage. The preferred method for clearing the housing site was to level an area. This inevitability created a slope in one area or another that would collect water against the structure and cause cracks in the foundations.
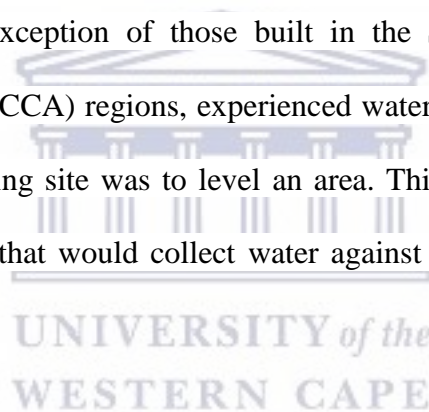
Community members have insisted that building materials and supplies be sourced from local people rather than having it brought in from outside sources in order to boost the local economy where they are living and support local suppliers. However, the concern with doing this as a rule for development is that the products supplied are often of inferior quality. As this researcher found the blocks were not of a standard size and were not tested. This compromises the standard of the house. The use of inferior and untested local building materials often leads to structural failure and could result in buildings collapsing, if not adequately checked.

When contractors were not adequately supervised in mixing mortar, the prescribed strengths were not followed. This resulted in an uneven mix of the mortar causing structural defects. An example of poor quality construction is the fact that building contractors did not follow the provided guidance of concrete mix strength. For example, the SABS enforces the principle of quality by providing the mixture guidance on a 50kg bag of cement. Contractors mix one bag of cement with three *wheelbarrows* of sand. Furthermore, to save costs, contractors opted for bricks that did not meet the SABS minimum strength requirements causing structural defects. The housing foundations used to save costs were predominately raft rather than strip. This proved to be unacceptable even for small buildings.

The research finding is that projects used inferior building materials. In the case of Qumbu there was evidence that the bricks were manufactured using river gravel rather than mined aggregate stone. Furthermore, substandard materials were used for doors, window frames and roofing. In this context it was unreasonable to expect homeowners to embrace their maintenance responsibilities.

Maintenance

As indicated, buildings start to age from the time they are completed but the aging is very rapid in the case of the RDP dwelling. An SHF study showed that the average durability of an RDP house was only about 20 years (about 25% of a normal house). From the moment of completion, the RDP house needed both regular vigilance and constant maintenance to remain in good condition while structural faults condemned such vigilance and repairs to being mere short-lived expedients. In normal houses, leaky plumbing and poor guttering, for example, need to be fixed immediately or they
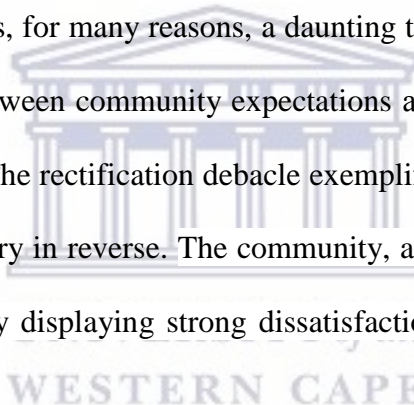
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can create long term damp. This steady deterioration is inevitable on the best-built houses, but the quickness at which it proceeds can be reduced by the way in which buildings are maintained.

The centrality of maintenance, the means to maintain property and the incentive to do so as well as competing demands of household budgets emerged as a key theme of this research. Although the RDP was introduced with good intentions, it is also greatly contributed towards the creation of a dependent society in South Africa, as the implementation of the RDP has led many to perceive government as the sole provider for their socio-economic needs. Beneficiaries of RDP houses were for the most part not properly educated or advised of their responsibility or role to ensure the proper maintenance of the asset given by government. They also fundamentally lacked the financial means and access to resources that prevent the house to deteriorate to such an extent that rectification was required. It is vital that the government should realize that if homeowners of RDP houses cannot maintain them, then the logic of homeownership may not be appropriate. Another option is that government assist communities to be able to find local teams of unemployed workers (or public works programmes) to do basic repairs at a low fee or for free. As it is clear from this study, government remains committed to its chosen policy path of home-ownership even if the location of such homes make little sense (See discussion on Pierson). It is also confirmed, as Pieterse (2009) has shown, obsession with shack eradication.

The research findings show that while there are projects requiring rectification across the country, not all can be ascribed to shoddy workmanship, structural defects, inferior quality materials and the reduction in norms and standards. The majority of projects

with these issues are located in the Eastern Cape and KwaZulu-Natal. The study has confirmed that the poorest areas of the Eastern Cape Province have the highest cases of rectification in the country with 113 862 units in total being assessed and committed to be rectified as at November 2015. Between 2008 and 2014, a total of 25 640 houses were rectified in the Eastern Cape. According to the NHBRC (August 2013), approximately 70 000 assessments of defective houses were conducted in the Eastern Cape, with the ECDHS actively attending to 63 660 houses.

The research also contends that RDP rhetoric created a superficial belief that the community could rely on government to provide a full housing package. Providing low-cost housing in South Africa is, for many reasons, a daunting task and this research has exposed the persistent gap between community expectations and government's ability, with the available resources. The rectification debacle exemplifies a case of woeful bad governance and service delivery in reverse. The community, at times, responded to the government housing policy by displaying strong dissatisfaction with the quality, size and location of RDP houses.

The research has revealed that rather than improving the lives of the poor, the handing over of poorly built houses in bad locations (flood zones etc) presented communities and government with new maintenance and other challenges such as transport. Residents also had to find money for the payment for formal municipal services such as water and electricity exacerbating the problem of finding money to fix and maintain their homes.

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Beneficiary analysis

At the centre of the housing policy in the new South Africa, is the beneficiary. The ideal scenario was for beneficiaries to be the key point of community consultation and be involved in the delivery process. The political ideology was to restore the dignity of the community through ownership. Furthermore, it was expected that the beneficiaries would maintain their homes and create a sense of community and pride. The expectation that homeowners would maintain these substandard products was patently unreasonable.

This research has analysed three theories, namely; historic lack of urban freehold, self-help and sweat equity and the role played by housing in terms of creating a feeling of belonging. Given the three above and the intentions of policy, the research concludes that the government failed to adequately package the roles and responsibilities of the beneficiaries. This raised community expectations leading to discontent with even the achievements registered by government. The finding of this research is that even the Rectification programme was not adequately consulted with beneficiaries leading to communities expecting rebuilt houses rather than structural corrections.

The criteria to qualify as a beneficiary of a low cost house meant that the poorest of the poor qualified. This segment of the population generally rely of state grants for survival and saw the house as a government product in their use rather than the true responsibility of a home owner and the house being an asset.

Stakeholder management

Intergovernmental Relations (IGR)

Intergovernmental relations have emerged as a common area of concern in the Eastern Cape and beyond but is especially evident in the housing and rectification as this research showed. The basis for coordinating legislation and policies is integrated strategic planning, but joint strategic planning is not always possible given the wide spread of state and non-state actors and the strategic plans of participating governmental spheres not always compatible. The research findings show the major challenges to effective housing delivery lie in poor intergovernmental relations. These included uncertainty and contestation over the different mandates of the three spheres of government, a perceived lack of consultation with municipalities on the part of provincial government and district level frustrations with local government capacity. With few exceptions, government spheres and institutions continue to be fragmented and dysfunctional, unable to collaborate, and unable to clearly define roles and lines of authority.
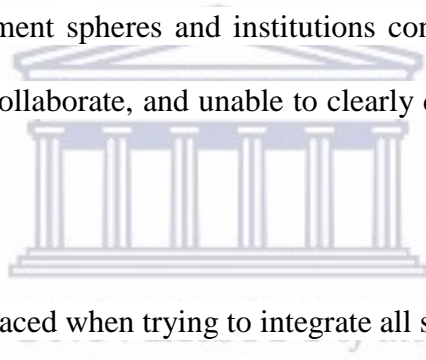
The following challenges are faced when trying to integrate all spheres of government:

- Lack of a shared focus on key national strategic priorities and lack of joint planning and coordination between provincial departments and municipalities.

- Insufficient sharing of information & best practices.

- Lack of emphasis on crosscutting issues.

- Irregular participation in coordination structures.

- Managing different planning cycles.

- Pressures generated by tight financial accounting processes.

- Lack of clear roles, responsibilities, powers and functions around which sphere or sector is responsible for what in terms of planning and coordination - where poor

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coordination undermines performance and risks confusing mandates, responsibility and accountability and where duplication of functions emerge.

Therefore, there is a need for the municipalities to intensify the practice of intergovernmental relations that comprise all stakeholders to ensure the integrated human settlements and social inclusion based on networking, knowledge sharing, capacity building and planning. National government must strategically position itself as an effective leader and regulator while the provincial government supervises and supports municipalities. A step in the direction toward delivering integrated settlements would be the alignment of provincial and local government budget cycles. Another suggestion would be to re-define or to streamline overlapping provincial and local government functions that have created confusion and undermine effective delivery. Interdepartmental coordination bodies should be established at provincial and municipal levels, involving the responsible departments dealing with the different aspects of the delivery of integrated and sustainable human settlements. In doing so, it might ensure the delivery of human settlements in a well-coordinated manner that complies with the holistic definition of 'sustainable human settlements'. It will also allow for settlement projects to be aligned with the national and departmental strategies within a province or local authority, such as Local Development Objectives, Integrated Development Plans, Integrated Transport Plans, the Urban Development Framework and the National Development Plan.

The findings from this study revealed that in most cases there is a serious lack of partnership and coordination between the various spheres of government in the case of RDP housing in the Eastern Cape to the detriment of beneficiaries of RDP houses. The

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researcher recommends the implementation of the integrated service delivery model that will encourage the Department of Human Settlements to work together with Municipalities and various other departments. This will also reinforce government relations and encourage effective and efficient service delivery.

Accountability

The three case studies produced considerable evidence that there was limited monitoring of the project by technically qualified individuals who should have signed off professional indemnity that would have made them legally liable for poor quality. The research established that government did not ensure that proper control measures were in place to provide strict oversight, and M&E of projects, which resulted in considerable blame shifting. Government, in most instances, appointed emerging contractors or unregistered contractors to these projects, who did not have the required financial and human skills or proper construction knowledge to successfully complete the project and has thus resulted in the rectification of those houses.

The research has uncovered that there were several entities that monitor projects but without clear accountability. Agents discovered on a typical housing project include, the principal agent, the provincial department, the district municipality, the local municipality and in recent times, the NHBRC. The interviews with various professionals have proved that while there are many hands on housing projects, when there are problems, the blame game emerges. Successful delivery and particularly delivery of quality housing units must be based on regular monitoring of the delivery of contractors on site by a legally assigned entity forming part of the contractual

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obligation of the construction company as well as holding the company liable for quality defects.

In the interviews conducted in this study, housing administration practitioners agreed that there is a lack of proper M&E, supervision and management of projects. These processes along with supply chain management processes need to be tightened up in order to ensure the effective and efficient delivery of quality RDP houses to communities. Sub-standard housing has compelled the government to regulate the employment of contractors by stipulating that they must be registered with the CIDB and NHBRC.

The finding is that there was no accountable M&E of projects. Furthermore, all projects failed to identify the primary source of monitoring that could be held legally liable for defects in construction. There are three specific entities that should be accountable for various elements of monitoring, namely, the NHBRC, private developers and the principle agent.

The principal agent (project engineer) cited reduced norms and standards and inferior materials as the cause of rectification that was beyond their professional ability to stop. Engineers interviewed considered the signing off on payments to contractors after a milestone was reached, as a project management function and not a professional liability confirmation. They therefore believed that they could not be held accountable for the quality of the milestone - just the achievement. It should be implied that the professional that certifies construction milestones must be held legally liable through

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professional indemnity for the quality of materials, compliance to the project design and building plans and adherence to the Project Steering Committee (PSC) resolutions.

Value for money

The research analysed value for money for the country with the housing programme serving as a potential investment for beneficiaries. It was further considered that the house through its title deed presented the beneficiary with an economic asset that could elevate the family out of poverty. There are five issues that direct attention to the waste of resources through the Rectification programme, limiting the state's ability to roll out the delivery of houses to more beneficiaries. The issue of **Corruption** emerged in the research as a challenge. The issue of **Limited Financial Resources for RDP Houses** also came up strongly in the findings against other government apex priorities. In addition to this, it was evident that Rectification was a **Duplication of Service.** Furthermore, the

Lack of Project Readiness and awareness of environment placed the focus on poor planning due to the desire to deliver mass housing in the shortest time. The research has found that government neglected assessing the housing delivery process and changing policy for improvement leading to Ratification. The lack of **Monitoring and Evaluation** is glaring. Lastly, the **Geographical Spread of Rectification and the urban land question** increased the burden on resources.

Corruption

One of the factors that seemed to be extremely detrimental to the success of contracts was that of corruption. Corruption, in the form of awarding tenders to contractors who

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were not able to deliver decent standard units, was described as a key factor in two worst-case scenarios of housing delivery. This involved lack of compliance with procurement regulations, followed by lack of monitoring of delivery and linking payment to successful delivery. There is no question that proper supply-chain management protocols and consistent monitoring are needed in order to achieve consistent and good quality housing and human settlements. Over time, money lost to corruption adds up with negative effects on resources and the department's ability to meet targets. Therefore, there must be serious consequences for those who fail to comply with laws and regulations or for officials who defraud the department of its already limited resources. Preventing corruption and recovering funds lost to the department after being defrauded by the private sector and public officials, plays an important part in effectively and efficiently using resources. The Special Investigation Unit (SIU) started investigations in 2007 leading to the arrest of

> 1910 government officials who were unlawful beneficiaries of housing subsidies, and successfully prosecuted 1 297 of these. Disciplinary files have been prepared against another 1 297 officials. In addition, the SIU has recovered R44m from provincial and municipal officials, which goes back into the human settlements grants for service delivery". (http://www.politicsweb.co.za/iservice/crackdown-on-dodgy-housing-contractors-continuing-).

In 2009, "the SIU identified more than 50 000 government officials who fraudulently received the state's low-cost houses" (http://www.sabc.co.za/news/a/61a5d7804c2da3b99202b76995218ba3/Govt-looks-at-housing-issues-in-E-Cape--20120731).

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In 2013, President Zuma announced that investigations into construction companies' showed improper conduct by large construction companies in his State of the Nation address. He also urged government departments to investigate allegations of corruption, fraud or maladministration. The researcher found that each year government loses millions in rectification and double handling. Given the decline in the Human Settlements budget over the Medium Term Expenditure Framework (MTEF), Departments cannot continue to spend money on rectifying poorly built houses. The department of Human Settlements reported to parliament that in 2015 the "SIU has advised that an estimated amount of R747 530 961. 75 had been identified by the SIU as the amount that can be considered by the affected provincial departments recoverable from the liable contractors and/or officials" (DHS 2015 website, reply to question no. 4036 16 November 2015).
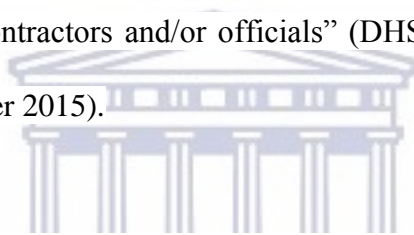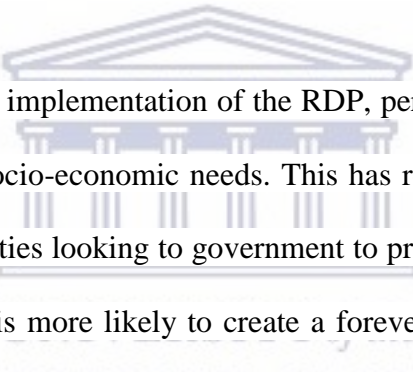
There are clear signs from this research that prices have been inflated in the rectification of houses to the benefit of contractors and not the beneficiary. Furthermore, in some projects the community complained that the government paid for temporary shelters while the house was being rectified yet they were told to live with neighbours or family. This cost is not recovered by the government from the contractor and is also not deducted from the project spend.

Limited Financial Resources for RDP Houses

Financial resources measured against community expectations remain one of the biggest challenges in governments endeavour to provide adequate quality housing to the poor. Budgets for housing compete with other priorities. The current administration of the ANC government has adopted health and education as its apex priorities. With

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millions of South Africans requiring shelter, government's resources are spread very thinly to accommodate and provide for all those in need while building material costs have been more than inflation. The community expectation that government can offer comprehensive solution is an impediment to the relationship and understanding of roles and responsibilities. South Africans born both before and after the end of apartheid thus take the view that "they have a right to a free house" if their monthly income is below R3 500 per month. Accordingly, households continually break themselves up into smaller units in the expectation that each new unit will become entitled to a housing subsidy. This has been referred to this as the growth of an "entitlement syndrome" and it has made the goal of eliminating the housing backlog simply unattainable.

Many South Africans, with the implementation of the RDP, perceive government to be the sole provider of all their socio-economic needs. This has resulted in the formation of passive-dependent communities looking to government to provide everything for all. This "dependency" syndrome is more likely to create a forever-demanding nation – a phenomenon called the "overloaded state" in welfare state literature. The reflex approach of the ANC -- characterized by a philosophy of 'eradicating' informality and premised on formalization through the delivery of RDP housing, realized as being a formal and very slow process, which delivers a top-structure, full level of service and title deed -- is now recognized by scholars and some policy makers as being unworkable at scale and unsustainable for various reasons. Thus, the introduction of rectification of defective houses has been seen to create unintended consequences whereby communities feel entitled to government support in all respects. The Minister of Human Settlements issued a directive to end the rectification programme and all rectification to be done only after an application for deviation. The new approach is that

the NHBRC would conduct remedial work on defective houses. It is the opinion of this research that the remedial work is the same principle as rectification and will not stop the practice.

Duplication of Service

With the implementation of rectification, government has had to utilize funds from the same budget allocated for the provision of housing. Therefore, this would mean that the state has to pay a subsidy to the same beneficiary twice, firstly in building the house and then to rectify that same subsidized house. The research has reflected that when calculated, the costs incurred for the rectification was substantially higher than the original cost of building that same house. Additional costs then reduce the amount of money available to provide a housing opportunity to communities in need to reduce the current rising backlog.
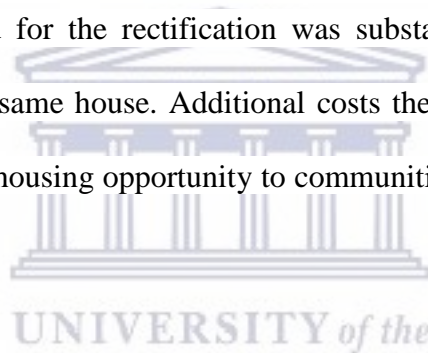
At the three study sites, the state is spending considerably more on the rectification of the project than the initial cost of construction even when calculating the relevance of the figure both at project inception and at rectification. The cause of additional costs in all three projects is that they have structural defects and must be demolished. The costs to the state are threefold - a structure to temporarily house the beneficiary and their family during construction of the new house, followed by the cost of demolishing the existing structure and finally the cost of constructing a new house.

Lack of Project Readiness and awareness of environment

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General safety, where an area may be located in an unsafe environment, e.g. on a floodplain or on unstable and undermined land etc. must be seriously considered when building houses, as ignorance of this may result in disasters becoming a common feature of household's lives, reducing their quality of life.

The following constraints were identified as stumbling blocks to the integration of human settlements:

- Lack of basic infrastructure and services (roads, lights, schools, clinics, etc.).
- Lack of understanding and interpretation of the housing policies leading to incorrect implementation of projects.
- Illegal occupation of completed houses.
- Poor planning and weak intergovernmental relations at the local levels.
- Lack of understanding of the complex nature and livelihoods of residents of informal settlements
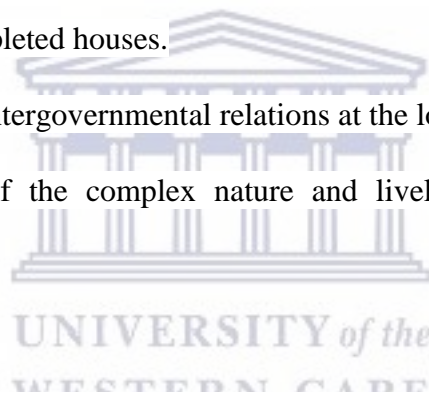
Planning at municipalities also remains one of the obstacles, which affects the integration of informal settlements. It can be argued that most municipalities face budget constraints, but lack of proper planning has largely been identified as the main problem. Poor planning has also been associated with housing delivery delays due to increasing project costs, because funds allocated to projects were not able to keep pace with inflation. This lack of planning and project management capacity would affect the department's ability to deliver on time, quality, specification and budget.

A lack of bulk infrastructure was highlighted as one of the major causal factors of rectification by the professionals interviewed because municipalities placed an additional burden on existing infrastructure to carry the new development. Project prioritisation was informed by political choices rather than by scientific evaluation of need for the rapid delivery of housing including starter homes. This exposed projects to construction commencing without consideration for project readiness - including beneficiary verification, environmental impact assessment (EIA), the township establishment and pegging of sites not concluded with all manner of consequences followed.

Monitoring and Evaluation

A key conclusion of the research is that the government was wrong to compromise quality by reducing the minimum norms and standards and focusing on the "one million in five years" target. Furthermore, the state's ambition to create a housing opportunity to restore dignity for the majority who did not enjoy land tenure rights under apartheid ironically has had the reverse effect. Therefore, government should have spent more money per household and rather reduced the targets.

One of the leading contributors to the Rectification Programme has been shoddy workmanship and absence of proper monitoring. RDP housing development did not attract a large number of registered building contractors of a good quality. Instead, it attracted emerging contractors. Even in cases where a large contractor was used, they relied on local emerging contractors to do the actual construction. Furthermore, the desire for community involvement through the PHP failed in all respects.

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In order to ensure adequate and sustainable development, housing delivery needs to achieve a balance between quantity and the overall quality of houses delivered to beneficiaries. Poor quality housing perpetuates a poor quality of life for beneficiaries of RDP housing and fails to create "a better life for all", as outlined in the Freedom Charter.

The housing administration practitioners interviewed during the study agreed that companies and contractors, that did not have the required financial and human capacity, competence, capability and leadership, were appointed to the RDP contracts. This inevitably resulted in shoddy workmanship. Contractors did not carry the responsibility for these consequences, leaving the state to deal with the problem. The private sector (even the emerging one) is driven by profit and return on investment whilst profits on RDP housing are extremely low. This, in turn led, to contractors cutting corners and using sub-standard materials to reduce costs.

There was an expectation that community members would in mass provide 'sweat equity' to reduce the costs and in an endeavour to empower communities, on-site skills training was provided and they were expected to perform as qualified builders. Due to a higher female population group in rural areas, the majority of community members trained were women. The use of 'sweat equity' particularly in the PHP projects such as Ilitha resulted in the RDP houses being of inferior quality as the prescribed norms and standards were not implemented and the same level of expertise was not applied as would be expected of a qualified registered builder.

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A key finding is that shoddy workmanship is the result of the following issues that emerged in the research:

- The use of inexperienced contractors.

- The desire to involve communities in the physical construction of the houses without the necessary skills.

- The use of inferior local quality materials that did not need minimum standards.

- The lack of supervision by government.

- The reduction of the building norms and standards.

Geographical Spread of Rectification and the urban land question

There are two aspects to geographical spread, namely, location of projects needing rectification and location of projects in relation to economic and social activities. A key finding is that the rectification of housing projects is on houses that remain distant from economic activities and social amenities. In other words, the state is spending more money on areas that are in many ways "unviable". Furthermore, the new mandate of the department of Human Settlements pertaining to sustainable, *integrated* human settlements cannot be achieved on existing built projects, as these projects were built on poorly located land. The middle class and business community (Nimby-ist) object to low-cost developments close to their properties in areas with services, resist better located RDP projects, therefor directly contribute to the waste of resources in the housing problem.

Government, in 2014/15, allocated R6 000 per site with an average size of 200 square metres, while the general market price for well-located land can reach R200 000 for the

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same size. Even with medium density projects, the land cost is not viable closer to economic activities and social amenities. The land issue and apartheid spatial legacy needs to be confronted and the use of state owned well-located land become policy

CONCLUSION

Paul Pierson (2000) argued in his seminal "path dependency" theory of policy, that parties and nations tend to fall back on old ideas and frames and policy is certainly not really new. Once policy actors have taken a definite path, they become invested in particular ways of seeing and solving problems and find it hard to think outside of the self-constructed box and change course. The contention of this research, that the conventional title deed and ownership ideology in South Africa needs to be reviewed. Converting policy decisions into democratic conversations however is complex.

But if the policy intention was consistently developmental, the focus would have been on the location, size and quality of the house. However, the imposing of other dimensions attempting to address multiple needs of the wider stakeholders compromised the limited resources and quality of houses. The government simultaneously wanted to have job creation, its home ownership ideology, community participation, skills development and empowerment of local business through material supply.

The upshot was that in 2011 the Director General of Human Settlements, Thabane Zulu, put the rectification bill at R58bn – noting that many of the problems lie beyond the capacity of beneficiaries to address. The national department spent R2bn fixing

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badly built RDP houses, although the initial estimate was that it would cost R58 billion to repair RDP houses. In 2015 it terminated the Rectification Programme, pronouncing that beneficiaries must fix their own houses as part of their maintenance obligation. Yet, although there is an end date to Rectification, the government will struggle to find closure and housing is likely to remain a very volatile dimension of South Africa's socio-political life.

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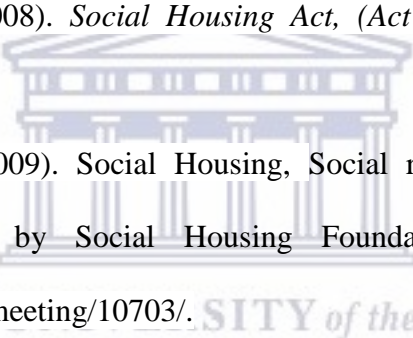
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LIST INTERVIEWEES

Respondent Designation	Place of interview	Date of Interview
Technical Advisor-Consultant. Project Management Expert	East London	04 June 2014
Technical Advisor-Consultant-Town Planner Eastern Cape Human Settlement. He has a Masters in Town Planning	East London	23 June 2014
Head Alternative Building Technology Eastern Cape Human Settlement	East London	15 July 2014
Regional Manager: NHBRC	East London	17 September 2014
Quality Co-ordinator Eastern Cape Human Settlement	East London	24 June 2014
Chief Director: Housing Asset and Property Management Eastern Cape Human Settlement	East London	17 July 2014
Director-Rectification Eastern Cape Human Settlement	East London	24 June 2014
Director: Informal Settlements, Upgrading and Projects Enhancements Eastern Cape Human Settlement	East London	31 July 2014
Chief Director: Project Management and Quality Assurance Eastern Cape Human Settlement	East London	21 July 2014
Director: SCM: Demand and Acquisition Eastern Cape Human Settlement	East London	24 July 2014
Qualified Lawyer and Deputy Director: Contracts Management	East London	31 July 2014
Contractor	East London	07 November 2014
Member of the Provincial Legislature and Human Settlements Committee.	Bhisho	12 August 2015
Consultant and Human Settlements expert	Port Elizabeth	21 November

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		2014
Member of the Provincial Legislature and Human Settlements Committee. He is also a former MEC.	Bhisho	12 August 2015

Research questions for households and focus groups

The following questions were posed to the households and focus group:

1. Are you the beneficiary of an RDP house?

2. Were you consulted on the type of house built for you?

3. If yes, can you describe how the consultation happened?

4. Did you sign the "happy letter"?

5. Were you offered a chance to look at the house?

6. Did you tell anyone about the problems?

7. Who did you tell - the person?

8. What did the person do?

9. How was your first night in the house? (Very Good/Good/Disappointing/Very Disappointing)

10. How do you feel about your house now? Can you explain your feelings a bit more?

11. If you want to prove a different response from the above choices, please tell me.

i.   Who in your view is to blame for the problem in your house?

ii. Do you have anything else to add or do you think I left something important out?

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Research questions for Professionals

The following questions were posed to Project Managers and consultants including engineers and contractors. The questions focused on the role of the stakeholder, their professional opinion and their role in the solution.

1. What is your role in the construction of housing?

2. Why is the quality of RDP housing poor?

3. Who should be blamed for the poor quality of RDP housing?

4. What is your understanding of the rectification programme?

5. Should government correct the situation of a poor quality house?

6. Who should be held accountable for the rectification programme?

7. Who should deal with rectification of RDP houses?

8. What should the role of the beneficiary be in the housing cycle?

9. What are your views on the tender processes relating to housing construction?

10. What is your future role in the RDP housing industry?

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Research Questions for Government

The following questions were posed to the government sector including politicians, government administrators, regulators and agencies of government:

1. What is your role in RDP housing development?

2. Who should be responsible for housing?

3. What, in your view, is the reason for the allocation of free housing?

4. What do you think is the role of the community in free housing?

5. Do you know what rectification is and why it has been introduced?

6. How should rectification be managed?

7. Who should be held responsible for the poor quality houses?

8. What do you see as your future role in housing?

9. Please explain, in your view, how the housing delivery cycle should work?

10. What do you think government should do to ensure that there is no rectification of rectification?