

Black housing

— weapon of apartheid —

What will change?



Pauline Morris

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To help members monitor the government's promised changes in housing and influx control, here is an account of the existing regulations, written in September '84.

This article

- outlines the South African government's urban black policy as it is currently applied, taking Soweto as an example;
- indicates the manner in which housing, settlement and land policies are used as mechanisms for implementing urban black policies
- assesses the implications of these processes for the Soweto community and certain groups within it; on the private sector as a housing agent; on the Soweto Council; on the local Development board.

Urban black policy

From various official policy statements made since 1976, it would seem that the general policy being applied in urban black areas such as Soweto is as follows:

- permanency

The permanency of those residents with the required qualifications to reside in the urban areas of 'white designated' South Africa (Section 10 (i) (a) (b) and (c)) is accepted. This is a significant change from former policies, which regarded such persons as 'temporary sojourners'.

- the restriction of numbers

The intention is to restrict further permanent movement of persons from the rural areas and from the homelands into these areas, and to initiate a process to contain or even to relocate surplus population to areas outside the Central Witwatersrand.

- the creation of a middle class

The basic premise of the Riekert Commission (1979) was to strengthen the position of established black com-

munities in the 'white designated' urban areas of South Africa, and afford them new and wider opportunities. The government has accepted the main recommendations of the Commission, and certain of these, such as the lifting of trade restrictions and the establishment of service industries, are being implemented. Home ownership, as will be shown, is being actively encouraged.

- the increased participation of the private sector in the implementation of urban black policy

Numerous official statements suggest that the government is anxious to encourage greater private sector, and particularly employer responsibility, in its strategy to create a stable middle class through the promotion of education and training, black advancement, and, as will be highlighted later, participation in its housing programme.

- the withdrawal of South African citizenship

The withdrawal of South African citizenship may be another aspect supporting the containment of the permanent group of blacks living in 'white designated' South Africa. Apart from the fact that influx control can be implemented under legislation permitting the deportation of 'foreigners', citizenship status, as will be shown, is used as a criterion for access to residential and employment rights.

Special Parliamentary Committee

Certain aspects of urban black policy, such as influx control and citizenship, will be clarified once the proposed urbanisation bill (formerly the Orderly Movement and Settlement of Black Persons Bill) is presented to Parliament. This legislation, the third of a 'trilogy' of Acts relating to urban blacks, is currently under investigation by a Special Parliamentary Committee under the chairmanship of the Minister of Constitutional Development and Planning.

Policies in other regions

Broad urban black policies, as well as supporting settlement and housing strategies, differ among regions. In the Western Cape for instance, although a new

township. Khayelitsha is being established and freehold title is now to be granted to 'legals', a major emphasis of the housing policy in this region is to remove 'illegal' persons through the control and demolition of 'unauthorised dwellings'. In the Durban/Kwa Zulu region, the number of persons having permanent urban rights is being limited through boundary changes which incorporate urban townships in 'white designated' South Africa into Kwa Zulu.

The housing policies being applied in Kwa Zulu and in other homelands are very different from those being applied in Soweto, and emphasise a self-help, site-and-service approach. The housing and standards are more flexible in these areas where vast informal settlements have emerged on the urban periphery.

It should be borne in mind, too, that particularly after the 1976 disturbances, national and international attention was focused on Soweto. This gave particular impetus to a process aimed at stabilising and upgrading the area.

Housing policy as implemented in Soweto

Having outlined the broad policies being applied in Soweto, an attempt will be made to identify and examine certain housing, settlement, and land use strategies which support this overall policy.

Permanency

The introduction of the 99-year leasehold system which is being promoted actively in Soweto is a clear indication of the recognition of the permanency of qualified persons in the area. In terms of the Black Communities Development Act 1984, this leasehold is automatically renewable and the leases are registered in the Deeds Registry Office. The stated intention of the home ownership programme is to promote the free enterprise system and to develop an active property market, as well as to involve the private sector in this process.

However, as will be shown, the promotion of home ownership plays a significant part in other urban black strategies such as the creation of a middle class. While home ownership may be in line with the development of a free market system, its application in an artificial market such as exists in Soweto is likely to have negative implications for many Sowetans.

The restriction of numbers

Certain policies are aimed at restricting the number of permanent residents in Soweto, and may even indicate an intention to relocate residents from Soweto to certain growth points located outside the Central Witwatersrand. The migrant labour system is to be retained and promoted. The following policies support this view:

- decentralisation
- restricted land allocation
- the removal of 'unauthorised' structures
- the further provision of hostel accommodation
- the availability of approved accommodation as a criterion for residential and employment rights.

Decentralisation

Certain policy statements show that a strategy is being devised and implemented to curtail development in the

Central Witwatersrand and to redirect it towards a development axis stretching from Brits to Middelburg, with Bronkhorstspruit as its focus.

A document drawn up by the Physical Planning Branch of the Office of the Prime Minister (1981), 'A Spatial Development Strategy for the PWV Complex' spells out this policy. The Central Witwatersrand was designated as an area of future surplus black labour, which would have to be moved to areas having a shortfall of labour.

Housing policies are to promote this decentralisation strategy. The Director of Local Government for the Department of Co-operation and Development has emphasised that housing provision is to be linked to a specific development project. Within the PWV Region housing provision is to be specifically linked to the Bronkhorstspruit Development Area (Cronje, 1982). The Steyn Commission of Enquiry into the Financing of Black Housing (1983) stated clearly that housing policies formulated for the 'white-designated' areas should not be in conflict with the decentralisation policy of the State.

In terms of the Black Communities Development Act of 1984, the Minister may designate a development area within or outside its area of jurisdiction (Sections 33 and 34). This would allow a board to participate in the establishment of decentralised growth points. It is pointed out that funds accruing from charges levied on residents in Soweto as well as from the proceeds of the housing sale could be used for the financing of these areas. The East Rand Development board is already actively involved in the development of Ekangala (see below).

The Bronkhorstspruit growth point (100 kms to the north-east of Johannesburg) is being rapidly developed. In January 1984 it was reported that the first 620 houses of a scheme intended to create a township (Ekangala) of 300 000 people by the year 2000 had been built. In 1983 the government spent R14 million on its development and was planning to spend the same amount in 1984 (*Rand Daily Mail*, January 3, 1984). The proposed township of Ekangala will straddle the boundary of South Africa and Kwa Ndebele. The standard of housing being provided in the first phase is relatively high although it is expected that rentals and sale prices will be heavily subsidised. It is likely too, that future projects, particularly those situated within Kwa Ndebele, will be mainly site-and-service schemes.

Restricted land allocation

The retention of the Group Areas Act as well as state control over the allocation of land provide further means of controlling the number of permanent residents. Statements on the 'optimum size' of the population of Soweto and on its expansion confirm the intention to constrain development there. Mr J C Knoetze, Chairman of the West Rand Board, has said that the size of Soweto should be limited. He accepted that the unofficial population was some 1,2 million and stated that the 'optimum' population should be 1,5 million. The decision was based on management, administrative and economic considerations. The additional 300 000 people could be accommodated by adding on rooms to existing houses, by increasing densities and by developing vacant sites (Soweto: A Survey. Supplement to the *Financial Mail*, March 25, 1983).



A typical Soweto house

The Black Communities Development Act 1984 (Sections 33 and 34) provides for the retention by the Minister and the board of all powers relating to the allocation of land for black development. No consultation with a black local authority is required. This provision is in line with the stated intention of government to concentrate on the provision of land and infrastructure rather than on the provision of housing (See 'Increased private sector participation').

The removal of 'authorised structures'

In January 1983, when Dr P J Koornhof, Minister of Co-operation and Development announced the government's 13-point strategy for black housing, he made it clear that 'squatting' had no place in this policy. The continuing raids on squatters in the Western Cape makes it clear that this policy is aimed at restricting the entry of 'unauthorised' persons into certain urban areas.

The action taken by the Soweto Council and the West Rand Board between February and July 1983 in Orlando East, where many 'unauthorised' shacks were demolished, suggests that it is also the intention of government to apply these controls strictly in Soweto. It is probable that the demolitions were halted because of the realisation that this action would reduce the credibility of the Soweto Council and the 'new' local authority dispensation for urban blacks. Elections under the Black Local Authority Act, introduced in July 1982, were due to be held in November 1983. It was also evident that certain loopholes regarding the Soweto Council's authority to demolish 'unauthorised' accommodation existed in the legislation being applied at the time.

In the new legislation introduced for urban blacks clear provision is made both to control and demolish

shacks and 'unauthorised' settlements and to direct that a black local authority be responsible for the implementation of such action.

In terms of Section 23 of the Black Local Authorities Act, it is provided that the Minister may under any law instruct a council to take action to prevent or combat the unlawful occupation of land or buildings and the removal of such structures. The Black Communities Development Act (Section 37) provides that the Minister may direct a board or a local authority to 'disestablish a town or portion thereof', if in his opinion, the conditions under which persons are living endanger the health or safety of the public or any group or person or if 'it appears that any such measure is desirable with regard to any town or regional planning undertaken or the furtherance of this Act or any other law'. This provision may give justification for the removal of a settlement or town on the grounds that it is in conflict with the decentralisation strategy.

The ruling party in the new Soweto Council, the Sofasonke Party, was actively involved in the campaign to halt the demolitions that took place in Orlando East. Since the introduction of the new legislation no significant demolitions have been implemented in Soweto and it remains to be seen whether ministerial directives will be given to continue the process initiated in February 1983.

Further provision of hostel accommodation

While permanent movement into Soweto is to be controlled, the contract labour system is to be maintained and promoted. To implement this the government is encouraging the private sector to provide hostel accommodation, and planning to expand existing hostels in Soweto. (See also 'Increased private sector participation')

At present there are ten hostels in Soweto housing



some 45 000 persons. It is proposed that Mapetla, Dube and Jabulani hostels be expanded to accommodate a further 23 300 persons (Soweto: A Survey. Supplement to *Financial Mail*, March 25, 1983; *Financial Mail*, December 2, 1983.)

The availability of 'approved accommodation'

If the intent expressed in the OMSBP Bill and indeed in the Rieker Commission's proposals is incorporated into the proposed Urbanisation Bill, influx control will be tightened up and will be linked to the availability of employment and 'approved accommodation'. The lack of such accommodation could be a means of restricting movement into and even forcing people out of areas like Soweto.

The creation of a middle-class

While policies aimed at creating a middle-class are, in world terms, a common socio-political strategy and may be a natural consequence of urbanisation, the application of such a policy in the context of separate development may be unique and have specific repercussions not only for groups within Soweto but also for those excluded access to permanent resident and employment in metropolitan regions such as the Witwatersrand.

It is held that the following policies on or related to housing are aimed at supporting the policy to establish a stable middle class in Soweto:

- home ownership
- the upgrading of infrastructure
- the type and cost of new housing being provided.

Linked to these policies is the stated intention that residents must pay the full costs of infrastructure, services and housing.

Home Ownership

The government's home ownership campaign, whereby certain discounts are being offered to buyers for a period ending in July 1985, is being promoted actively in Soweto.

It is maintained that the promotion of home ownership is an important part of the process aimed at creating

a middle-class. Not only does it commit participants in a financial sense but it also is intended to give them something to defend and protect.

The home ownership programme will also tend to act as a filter aimed at excluding illegals and those who, in a socio-economic sense, do not fit into the middle-class mould. Leasehold rights are granted only to 'qualified persons' and it is required that all dependents and sub-tenants living in the dwelling be listed and approved. The shortage of housing, the limited expansion of Soweto, the high cost of new housing being provided and the increasingly high service and other charges being levied in Soweto mean that a restricted number of persons will have access to home ownership. In general those excluded are likely to be in the lower income category.

Upgrading

To assist in creating a middle-class environment, special attention is being given to the upgrading of services in Soweto. While the improvement of essential infrastructure such as water and sewerage reticulation is undoubtedly necessary, particularly since the maintenance and development of these systems have been neglected, the priority given to the costly electrification programme has been questioned. The present council, for instance, maintains that the provision of housing is of a higher priority and has expressed reluctance to repay the large loans acquired to finance the programme (*The Star*, June 26 1984). As will be shown, legal provision is made to enforce such repayments.

The type and cost of new housing being provided

The type and cost of new housing being provided supports the view that it is the intention to create a middle-class in Soweto.

While low-cost housing options are being provided in other parts of South Africa, such options are not being encouraged in Soweto. The lowest priced new housing available is a shell house scheme in Chiawelo where houses are being sold for over R13 000 (including services). In 'self-help' schemes being implemented in areas such as Khutsong in Carltonville, in Constantia near Kroonstad and in Inanda near Durban, housing is being provided at considerably lower costs (Nell et al, 1983)

Most new housing in Soweto is being built by the private sector for sale to high income groups. Some employers are assisting their higher paid employees to purchase these houses.

To further illustrate the cost of new dwellings being built in Soweto, it is noted that the price of two- and three-bedroomed flats in Diepkloof Extension is R36 000 and R40 000 respectively. (*The Sowetan*, April 3, 1984). The minimum expected cost of housing in an Urban Foundation scheme in Protea North is R20 000 (*Financial Mail*, March 23, 1984).

Residents to pay

The dire financial state of most black local authorities has been widely publicised. Councils are expected to be self-sufficient financially and receive no outside funding although their areas are, in economic terms, fully integrated into the metropolitan or urban systems of which they form part. Sowetans contribute significantly and to an increasing extent towards the Johannesburg metropolitan area's economic development, both in terms of production, profits and tax revenue, and the consumption of goods produced and sold.

Despite this it is a fundamental part of the new housing strategy that the community must pay the full costs of services provided. Site rentals (equivalent to assessment rates) and service charges (for water, refuse removal, etc) have been increased substantially in Soweto during recent years. A compulsory levy is charged to all households to finance the electrification scheme. It has been stated that house rentals (at present a fixed charge of around R4,00 per month based on the repayment of the original loan raised to build the house), are to be increased after July 1985 when the special housing sale campaign ends.

The increasing financial burden being placed on resi-

dents in Soweto and other areas is consistent with the strategy of creating a middle class. Those unable to meet increasing payments may have no alternative but to move out of Soweto in search of affordable accommodation.

Provision is made in the recently introduced legislation to enforce the payment of increased charges and levies. In Section 43 of the Black Communities Development Act a board may increase service charges by an amount determined to be 'fair and reasonable'. In terms of Section 45 of the Act 'a warrant of execution against the movable property' of persons failing to pay such charges may be issued by the Commissioner.

Under the Black Local Authorities Act it is provided that if a council fails to make 'adequate' charges for services or to meet financial and loan commitments, and if its finances are 'unsound', the Minister may direct the council to enforce such charges or alternatively dissolve the council.

To date the Soweto Council has neither reduced nor increased site rentals. In July, 1984 the council agreed to increase the electrification levy from R12 to R17 per month (*Rand Daily Mail*, August 8, 1984). Subsequently, however, this increase was temporarily shelved by the council 'because of the financial climate in the country and the confusion the levy created amongst residents' (*Rand Daily Mail*, September 10, 1984).

This reversal is likely to be a response to protests and rioting in other areas such as Daveyton, Tembisa, Tumahole and Lekoa where site rentals have been increased.

Increased private sector participation

It is stated policy that the government is to concentrate on the provision of land and infrastructure. The private sector (employers, financial institutions and developers) and the individual are expected to be responsible for the provision of housing. In Section 52 of the Black Community Development Act provision is made for the private sector to acquire land under the 99-year leasehold scheme and to develop this land. In Section 58 of the Act it is stated that an employer falling within a prescribed category shall provide the prescribed accommodation or housing for his black employees of their families.

While it may be important to involve the private sector in the housing process, it is evident that this sector is concentrating on the provision of or assistance with housing for the higher income groups. Many employees may live as sub-tenants in existing houses and have no access to lower priced accommodation.

It is pointed out too, that if certain provisions of the OMSBP legislation are reintroduced, employer responsibility both for providing housing and for ensuring that those employed are housed in 'approved' accommodation will be enforced.

Citizenship and leasehold rights

This matter as already mentioned, is being investigated by a Special Parliamentary Commission and is expected to be clarified in the proposed urbanisation Bill.

However, certain provisions in the Black Communities Development Act clearly link access to



leasehold rights and permanent residential rights to citizenship status. Section 10 qualifications are retained as a basis for the granting of 99-year leasehold rights. Since persons born after the acceptance of independence by a homeland of which they are citizens lose their Section 10 rights, they would automatically be excluded from acquiring leasehold rights. In addition the legislation allows only for the first generation descendant to inherit these rights and then only if such a person is a South African citizen or was born before the independence of a homeland of which he is a citizen. (Hansard No 2, February 8, 1984, col 588).

Thus the legislation as it stands and subject to provisions in the proposed Urbanisation Bill, suggests that fewer and fewer persons will be eligible for residential and leasehold rights. If this is the case it supports the view that it is the intention to limit or even reduce the number of black persons living permanently in areas such as Soweto.



as mentioned, it is intended that house rentals will increase after July, 1985.

— Sub-tenants

The already large number of sub-tenants in Soweto will inevitably increase. Over-crowding will become chronic and given the shortage of accommodation, tenant rentals will escalate. If the authorities are able to control the emergence of shacks both within Soweto and on adjacent vacant land, large numbers of sub-tenants will have little alternative but to move to other areas. Those who can afford it may move into formal houses provided in growth points like Bronkhorstspruit or in the Far East Rand. Those who cannot afford this housing (and it must be remembered that sub-tenants will not gain financially from the home ownership campaign) will have to seek affordable options which are, for the most part, only available in the homelands.

— The private sector

The responsibility for housing is being openly shifted from the state to the private sector. Employees will expect employers rather than the state to assist in or provide housing, and this may become a significant issue in labour relations. The state may force certain categories of employers to provide housing (see 'Increased private sector participation')

Employers will also have decreasing options as to whom they may house and where these houses can be

Implications

The implications of the trends and processes that have been identified, as they affect certain groups of Sowetans as well as others involved in the housing process, may be as follows:

— All Sowetans

All Sowetans will be faced with increased costs for infrastructure, and service charges. These increases, as is evident from past experiences and from the reaction of communities where such increases have recently been implemented, are an explosive issue. The whole community will also feel the effects of increased overcrowding and increased state control. Divisions may appear between the elite group living in modern, high standard housing and those who have no or limited access to housing, as well as between a landlord and a tenant class.

It is unlikely that the capital gains associated with an active property market will be realised by many of those who buy their homes for the simple reason that the shortage of housing will limit the acquisition of alternative accommodation within Soweto. Only those owning houses and moving out of Soweto will be able to realise the profits to be gained.

— The elite group

The elite group, who can afford the housing being provided or who have been assisted by their employers, will be suitably accommodated. However, land for such housing will soon run out. This means that members of this group may move out of Soweto into areas where new housing is being provided or they may use their influence to acquire existing houses. The increasing financial burden being placed on Sowetans will make it difficult for lower income households to retain their housing.

— Registered tenants in existing houses

Those who are registered tenants (and therefore 'legal') and who have bought their houses will be relatively secure if they can maintain their repayments and meet the increased services and other charges.

Those unable to buy their houses will be less secure. As tenants they will be more vulnerable to eviction, and

provided. Administrative procedures and the high costs involved will prevent employers, and particularly small employers, from contributing significantly to housing provision. Perhaps most significantly, they will have to assume the role of influx control officers by being responsible for ensuring not only that those employed are 'legal' but also that they live in 'approved accommodation'.

— The Soweto Council/Development Board

The financial constraints (leading to increasing charges), and the pressure to provide more housing to control 'unauthorised' dwellings will make it increasingly difficult to manage and administer Soweto. If the council undertakes to or is directed to increase charges substantially or demolish shacks its credibility will be reduced further and this may even result in the breakdown of the local government system. Conflict between the board and the council over these and other issues seems inevitable.

Conclusion

The general theme emerging from the study is that it is the intention of government to initiate a process in Soweto which is aimed at containing its size, and at creating a middle class living in an upgraded environment, able to pay for this development and for the administration of the city. Excess population and particularly those people in the lower income groups may have little alternative other than to move out of the Central Witwatersrand area to other decentralised growth points, preferably those located in or adjacent to a homeland.

Land, settlement and housing policies as well as financial strategies are aimed at supporting this process. While it may be difficult to assess the effectiveness of the strategy, it is considered that certain key factors may counteract the process:

- Soweto is an area of high employment opportunity. It is likely that residents will resist having to move to other areas;
- measures introduced to encourage movement out of Soweto, such as the control or demolition of shacks and the increase of site rentals and other charges may tend to destabilise rather than stabilise the population;
- the Soweto council is likely to be reluctant to take responsibility for the implementation of the above-mentioned measures. If they are directed to enforce them, the local government system, which is part of the strategy to create a stable middle class, may be jeopardised;
- given the poverty and lack of employment opportunities in the homelands, measures aimed at restricting the movement of persons from these areas into Soweto and particularly at removing 'illegals' or even lower income groups from Soweto will be increasingly difficult to implement.
- black persons or communities who see the strategy of creating a stable middle-class as a co-optive measure aimed at establishing a buffer between permanent urban residents and those living in the homelands may react against such measures. Certain constraints such as the Group Areas Act as well as other settlement and housing policies may themselves frustrate potential participants in the strategy.

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Photographs in this article by Ingrid Hudson



The bookstall at the Jhb morning market — from left, Netty Davidoff, chief cashier for many years, with convenor Judy Stacey. Standing is Joyce Michel who organizes sales of the leftover books throughout the year.

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Transvaal Rural Action Committee (TRAC) newsletters:

R5 per annum locally, R7 overseas, R20 airmail overseas
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