

TRAC



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Starting off as an organisation fighting forced removals, TRAC has in the last few years become involved in development work. TRAC's involvement in development lies in the areas of organisational de-

velopment, negotiations and development forums.

TRAC does not yet have a closely defined role in development; rather, our role emerges as we engage in practical com-

munity work. The examples in this newsletter show some of the dynamics that shape the debate about TRAC and development.

The Hartebeesfontein community reflects this shift "from removal to reconstruction, having been forcibly removed from their original home, Majakaneng.

Hartebeesfontein:

CONTESTING THE TERRAIN OF DEVELOPMENT

In 1983 the community of Majakaneng, near Brits, found itself joining millions of other South Africans in the wilderness of Apartheid's forced removals. The next eight years were marked by yet another battle against forced incorporation into the notorious Bophuthatswana "Republic". Since the reprieve from forced removal in 1989/90 the content of the struggle changed to that of contesting the terrain of development control:

"We are the residents of Hartebeesfontein, we are the people directly affected by the decisions you are



Pegging sites for land allocation, Hartebeesfontein.

Pic: TRAC

making. We suffer the consequences while you enjoy yourselves in the suburbs of the so-called white South Africa. Therefore, we have the right to decide for ourselves - we are the ones to determine our own development",

said Nathaniel Mmusa chairperson of the Hartebeesfontein civic association.

Once bitten twice shy

The forced removal from Majakaneng was successful only because the tenants were not warned prior to removal. Negotiations were entered into between the government officials and the black landlords. Thus, it was a painful surprise on the part of the tenants and a well calculated strategic offensive

by the authorities to evade potential organised resistance and challenge from the tenants. As one woman from Majakaneng alleged:

"A landlord called us together before the removal and told us that if we pay R1,00 for certain card we will not be moved. 3000 of us (tenants) paid the money and relaxed. One day with no warning GG trucks arrived loaded people up, demolished houses and buildings and took us to Hartebeesfontein"

In Hartebeesfontein, the Majakaneng people were joined by the victims of massive forced exodus of farm labourers from the neighbouring white farms. They began forming a new community in an open space

punctuated by a sea of pit toilets, bushes, grass and rock boulders at the foot of a small hill. But rumour had it that the consolidated three farms, named Hartebeesfontein, were earmarked for township establishment, and were meant to be incorporated into the bantustan of Bophuthatswana.

Once bitten twice shy, the community ceased to take rumour for granted and refused to take the potential humiliation lying down. They invited TRAC to intervene. The brief was to challenge incorporation and not to reclaim their land. The people are happy to pay an annual levy of R1,00 as opposed to R40,00 charged by the previous landlords. Moreover, there was ample fuel wood and they have relative security of tenure on the plots they occupy.



A yard in Hartebeesfontein, against the backdrop of the dry Western Transvaal hills.

Pic: TRAC

The struggle against forced incorporation took the form of correspondences and counter-correspondences between the Department of Development Aid (DDA), Bophuthatswana, TRAC, Lawyers etc. The threat was withdrawn at the beginning of 1990. This ushered in a new era where the content of the struggle was redefined. The DDA was disbanded and the Transvaal Provincial Administration (TPA) took over the responsibility of managing the town.

Negotiations between the TPA and the Hartebeesfontein Civic Association (HCA) became centred around the development of the township.

The battlefield was laid for contesting the terrain of development control. This took the form of heated debates around the allocation of residential sites, provision of services and the formal proclamation of the area into a formal township.

The TPA's approach to the running and development the town was rooted in the traditional thinking of the top-down approach. The HCA, on the other hand, pushed for a community

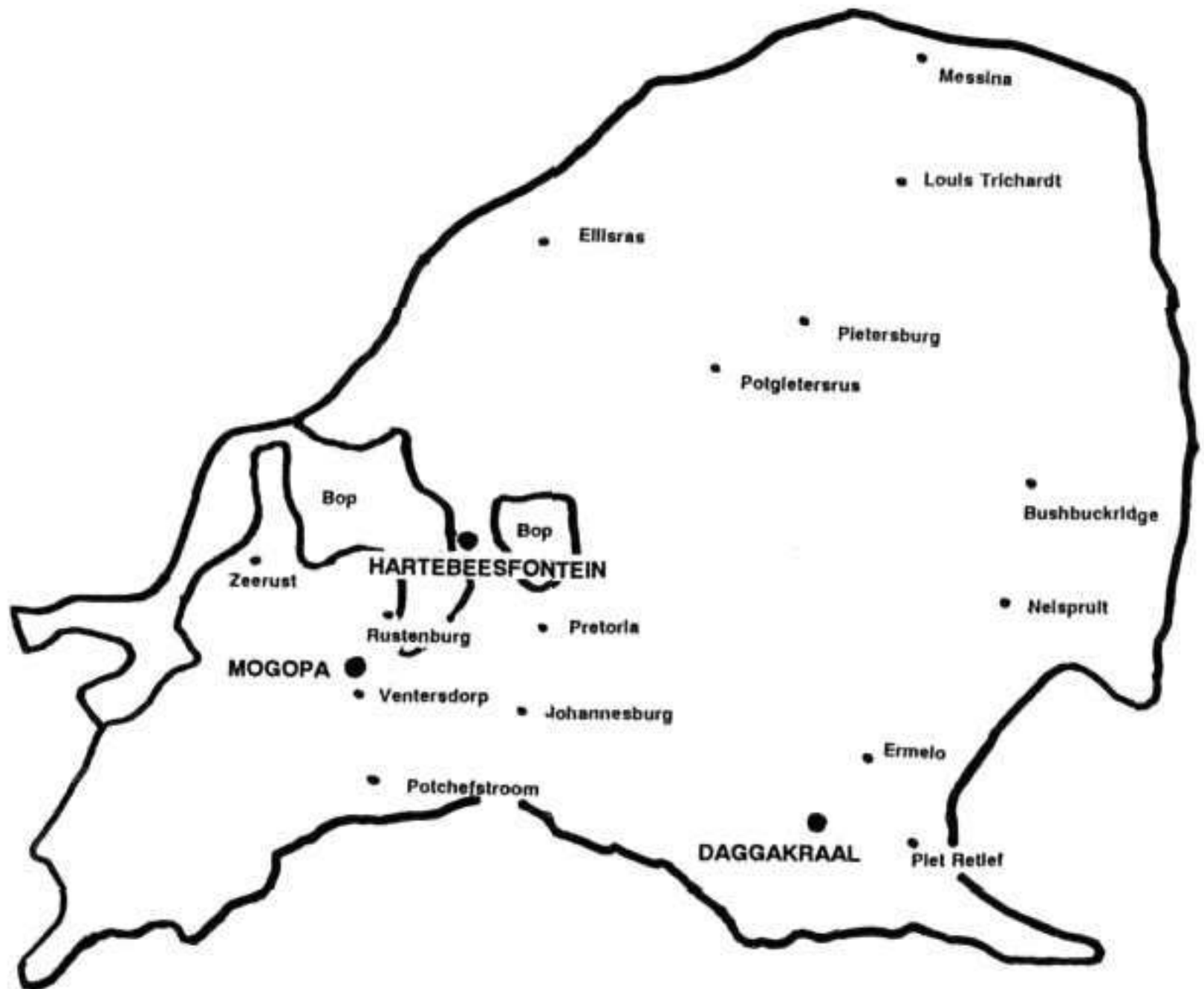
controlled development approach.

Contesting the terrain ...

This fundamental contradiction in principles continue to permeate all negotiations between

of forced occupation of residential plots.

The TPA tried to stop the process by bringing in the police to intimidate, harass and threaten community leaders, but failed. This fostered a new attitude to negotiations on the side of the TPA. The TPA was



Where are Mogopa, Hartebeesfontein and Daggakraal? This map tries to show you, in relation to major towns in the Transvaal.

Map by TRAC

the two parties and between the HCA and other government departments.

Allocation of sites

Allocation of sites is one form of contesting the terrain of development. There has been a long waiting list for people requesting residential plots - about 4000 names. Persistent negotiations yielded no fruits. The HCA launched a campaign

later forced to register the people it initially labelled 'illegal occupants', and to release a limited number of sites for further occupation. As part of the deal the HCA had to make an undertaking that it will call a moratorium on land occupation.

The politics of the land involved are that the TPA wants to release as few plots as possible now so that they can

sell plots after the proclamation to recover the costs of the land. The HCA, on the other hand, wanted to accommodate as many landless and homeless people as fast as possible. Due to TPA's delaying tactics the parameters of negotiations were extended to include the decision-making process regarding land allocation.

The TPA initially believed that it has the sole rights of deciding on land allocation as they were statutory body given such powers. The HCA opposed this idea on the basis that all decisions made by the "illegitimate" statutory body directly affects the life of the community which they are representing. A joint venture agreement was reached regarding the allocation of land.

Service Delivery

The provision and maintenance of services is informed by the Less Formal Township Establishment Act of 1991, though the township does not formally fall under this law. The only services provided at Hartebeesfontein are communal water taps at 250m intervals on the street pavements, two secondary and three primary schools, and refuse removal services once per week. Public facilities of recreational nature are virtually non-existent.

Service delivery is another point of contention. The issues involved here are who decides on the services to be provided and how they are provided. The TPA's approach is informed by the principle of cost recovery. The HCA, on the other hand, is guided by four principles ac-

countability, upgradability, affordability and job creation.

In terms of the TPA's approach, the city engineer with the help of his staff and the office of the township manager decides on the services to be provided and the necessary budget. Notices for tenders are then issued and successful tenders are taken to carry out the projects. Faced with high unemployment in the community the HCA challenged this approach.

The community raised questions about who decides on the projects and the budget for the township. The HCA argued that projects should be the outcome of community needs and not what the authorities feel or think are community needs.



Refuse removal in Hartebeesfontein -- one of the services being by the Hartebeesfontein Civic negotiated with the TPA.

Pic: TRAC



Digging potatoes in Daggakraal.

Pic.: Gille de Vlieg

"Gone are the days when you emerged from nowhere with 'grand' plans to impose on us. We are no longer going to allow you to plan for us. You should plan with us",

commented Modise, acting secretary of the HCA.

Therefore, a system of consultation should be built into the process of drawing the budget, the HCA argued. Although the HCA is not content with the minimal services (water reticulation in particular) provided they argued that they be provided such that those who can afford can extend them to suit their needs.

The Civic Association also believe that charges are necessary for the continued provision and maintenance of services but cautions that rates charged

should take into account the question of affordability. Furthermore, job creation should also inform the way services are provided.

The TPA indicated that they do not have the powers to prescribe to their contractors whom to hire or whom not to hire. But the TPA made an undertaking to indicate in their notices of tender and to make it a prerequisite that a given percentage of local labour should be employed in the process of implementing the projects.

Service provision and maintenance are financed out of government grants. The community contributes only R1,00 per household per annum. The situation will certainly change when the impending proclamation is enacted.

Community based projects

Much as the community feel that the government has a role to play in the development of their township they reject dependence on handouts outright. The local Rural Women's Movement (RWM) always show great enthusiasm in initiating projects.

The women at the moment place great emphasis on early learning institutions. A number of community creches are operating, although they face serious financial constraints to carry out their tasks. There is also a community school for the handicapped also initiated by the RWM. Government departments such the Urban Support Programme of the TPA and the Department of Mental Health also provide support for the projects in the form of ca-

capacity building and various forms of material support.

There are also plans to engage in income generating projects, and a brick-making project has been identified as the starting point. Plans for the project are at an advanced stage.

On the implications of proclamation

As indicated earlier the government intends to proclaim the area as a township under the Less Formal Township Establishment Act of 1991. The most immediate disadvantage of the move will be that the community will lose the state grant which virtually runs every aspect of the town.

In real terms that will mean that the community will begin to share the costs of refuse removal, water reticulation, grading of roads, extension of services to newly occupied areas and maintaining the staff in the local authority office. For instance, to pay for the monthly water account of R114,000 and an annual account of R84,000 each household is likely to be liable to contribute about R31,05. This includes only the costs of maintenance and not of provision.

The determination of rates is likely to be the most contentious issue immediately after the proclamation. This is the area where the contrasting principles of cost recovery and affordability are more likely to raise tense debates.

The most single advantage is that occupants of residential plots will be granted title deeds



Ms. Lebethe proudly showing off the stove in the Mogopa bakery, October 1993.

Pic: TRAC

which in theory will qualify them for housing loans and other forms of mortgages. Agreement between the negotiators is that those who occupied plots prior to proclamation will be granted title free of charge and the post proclamation occupants should buy the plots at a rate not yet determined.

Local government is going to be another area of contention after proclamation. Currently the local authority is staffed by

TPA's seconded officials with locally based clerical staff and labourers. After proclamation a new form of local authority is expected to be established.

The community is in the process of preparing itself to occupy the citadels of local power. There have been a number of workshops on educating the community about the nature, functions and financial running of a local government. However, the debate is clouded by the lack of clarity on the out-



Children in their garden in Daggakraal, June 1985 *Pic.: Gille de Vlieg*

come of the local government negotiation forum. Decisions cannot be finalised regarding the demarcation of boundaries, the structure of local government in the democratic South Africa and the powers of each tier of government.

Changing scenario

It is noteworthy that negotiators from local authorities, the TPA in particular, always strive to dictate the direction and tempo of the negotiations. In Hartebeesfontein the scenario is changing. The TPA negotiators' power is speedily being eroded in negotiations. The township manager, assistant director of local government and the town planner attached to the area have been removed and new faces are expected. The community is concerned about these dramatic changes as this could reverse the enormous gains they made in negotiations with the TPA.

The Hartebeesfontein struggle is unique amongst the communities TRAC is dealing with. In other communities negotiations between the authorities

and the community are either non-existent or hostile so much that very little, if any, progress is achieved. In such conditions NGOs play a significant role in the provision of services. Daggakraal and Mogopa belong to this category. Realising that different NGOs use different approaches when providing services and that there is often duplication of tasks where a number of NGOs are involved in one community, TRAC decided to embark on the programme of establishing community based development forums.

Mogopa & Daggakraal

DEVELOPMENT FORUMS

The central objective of establishing development forums is to co-ordinate the activities of various NGOs and to develop a common understanding of issues and a common approach. TRAC has gained some initial experience with development forums in Mogopa and Daggakraal.

Mogopa Development Forum

This forum is in its embryonic stage of development. At the moment nothing much has been done other than developing the following principles for the forum:

- The direction of development is the community's decision.
- The development forum should ensure the transfer of skills for self-sustainability.
- The development forum should push the government to take responsibility for the provision of services.
- The development forum should facilitate sharing of information among development organisations, and their experiences.
- It should coordinate the efforts of different organisations to avoid duplication.
- The forum should be politically non-partisan.

These were the principles developed by participating development organisations and the community representatives. They were then taken to the broader community for consideration and ratification. The forum has now been launched, following a decision at a general meeting of the community. The practical work of the forum is about to begin.

An interesting dynamic will be the relation between NGOs and government departments. The NGOs have initiated the forum,

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The Bakwena ba Mogopa'a own cattle now graze again on their farm, In front of tanks for an IDT-aponsored water project

P/c: TRAC

and placed great emphasis on accountability to the community. While the government departments in many cases also speak the language of "consultation", it remains to be seen whether they take this seriously. The acid test will be whether they are prepared to deliver services in the way that the community wants them.

further advanced in that various development organisations have been allocated different tasks. TRAC has been given the task of coordinating the forum. The forum is its undertaken to fundraise for the projects identified.

sures participation and continued support of the community for its leadership.

Secondly, that negotiators from the local authorities always endeavour to sway the direction and determine the pace of negotiations in their favour. Where they are engaged successfully, undermining tactics such as changing the negotiation team are employed to ensure their upper hand in negotiations.

CONCLUSION

There are a number of lessons to be learnt from the case studies above.

Firstly, that a community united can never be defeated. Constant reportbacks and renewal of community mandate en-

The importance of learning from the development forums is that they gradually shape a model of good service delivery. TRAC hopes that we will still learn much more about development and local government.

Daggakraal Development Forum

This forum is a product of similar frustrations as in Mogopa, thus, it is aimed at solving similar problems and is also based on the same principles. It