Upgrade rather than evict

OPINION
Edward Molopi and S'Bu Zikode

LAST month, Cabinet approved the release of 14 105 hectares of state-owned land for the development of human settlements on recommendation by the Inter-Ministerial Committee on Land Reform.

The committee was appointed by President Cyril Ramaphosa to accelerate land reform processes. The release of additional land for human settlements could aid efforts to reduce the chronic housing crisis in South Africa. This crisis is felt more deeply in major cities where inequality and exclusion abound. South Africa's cities remain exclusionary spaces where market forces and an apartheid past consistently threaten to confine poor people to urban peripheries.

The persistence of informal settlements is perhaps one of the best examples of how little progress has been made towards a more equal and inclusive society. It also underlines the state's failure and the market's inability to provide poor households with affordable accommodation options in well-located areas.

This reality is further entrenched by the eviction of poor residents from their homes either by government or private capital with the support of government.

This is more worrying when the evictions are conducted without due process, often resulting in homelessness. Evictions that lead to homelessness are in direct conflict with the right of access to adequate housing, as envisioned in the Constitution.

A lack of tenure security and the constant threat of evictions is the unfortunate reality of many informal settlement residents. In just one week in October, the City of eThekwini conducted evictions of at least seven communities. The most recent of these evictions was in Parkgate informal settlement in Verulam. The community, established in 2016, is comprised of about 75 people, including school-going children, living in about 20 houses. Evictions such as these ought to be considered only as a measure of last resort. What the municipality should pursue instead is the upgrade of informal settlements.

In recognising the challenge of accessing affordable, well-located, serviced land, the Upgrading of Informal Settlement Programme (UISP) aims to provide a policy framework to make the upgrading process possible. The UISP prioritises the provision of basic services, sanitation, bulk infrastructure and tenure security before the delivery of structural houses. It adopts an in-situ approach to housing delivery, allowing housing to be provided on the site of the existing settlement. The UISP requires the municipality to work closely with informal settlements through participatory processes in which the government and residents engage in a meaningful way about the future of the settlement.

Municipal implementation of in-situ upgrading according to the UISP is generally poor, with municipalities often opting for the relocation of informal settlements to vacant land. Relocations disrupt people's lives and negatively impact their livelihoods, community relations and sense of security.

The Socio-Economic Rights Institute (SERI) has published new research on informal settlements in SA which advocates an upgrading approach that recognises existing local norms, practices and agency in the process.

In October, SERI, in partnership with Abahlali BaseMjondolo, held the eThekwini launch of its research series. The research was done in Siyanda informal settlement in Kwezakhele (eThekwini), Marikana in Philippi (Cape Town) and Ratanang in Klerksdorp (Matlosana).

The research findings provide deep insights into the make-up of informal settlements and offer an alternative approach to informal settlement upgrading. Findings across the three sites reveal that tenure and land-use management are locally configured and sustained by socially legitimate arrangements by which land is accessed, held and transferred. One norm common across the three sites is the approval of shack improvements. People can make investments to improve their homes on condition that they do not block existing pathways. However, they are often hesitant to make improvements due to the fear of eviction. A departure from a regime of evictions to one of adoption and implementation of the UISP is important in realising a more just society.

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