

Evaluating land and agrarian reform in South Africa

An occasional paper series



6

Rural settlement

Sue Bannister



SCHOOL OF GOVERNMENT
UNIVERSITY OF THE WESTERN CAPE

Evaluating land and agrarian reform in South Africa is a project undertaken by the Programme for Land and Agrarian Studies (PLAAS) to respond to the need expressed by civil society organisations for independent research to evaluate progress in, and inform debates on the future of, land and agrarian reform. The reports in this series are:

Land redistribution



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Final report



**Foundation for
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This report was prepared with financial assistance from the Foundation for Human Rights in South Africa (FHR). The views expressed herein do not necessarily represent the official view of the FHR. The FHR is funded by the European Union under the European Programme for Reconstruction and Development.

Rural settlement

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September 2003

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Evaluating land and agrarian reform in South Africa series; no. 6

Series editor: Ruth Hall

ISBN: 1-86808-584-8

First published: September 2003

Layout: Designs for Development

Copy-editing: Roelien Theron

Reproduction: Castle Graphics

Printing: Hansa Reprint

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List of acronyms and abbreviations

ANC	African National Congress
CBO	community-based organisation
DoA	Department of Agriculture
DoH	Department of Housing
DLA	Department of Land Affairs
Gear	Growth, Employment and Redistribution
IDP	integrated development plan
ISRDP	Integrated Sustainable Rural Development Programme
LDO	land development objective
LRAD	Land Redistribution for Agricultural Development
LRS	Land Redistribution for Settlement Grant
LRS	land redistribution for settlement
NGO	non-governmental organisation
NHBRC	National Home Builders Registration Council
NHF	National Housing Forum
PHP	People's Housing Process
PSC	project steering committee
RDP	Reconstruction and Development Programme
RHLF	Rural Housing Loan Fund
SDMC	Southern District Municipal Council
SPG	Settlement Planning Grant
TRAC	The Rural Action Committee
SLAG	Settlement/Land Acquisition Grant

Acknowledgements

The contributions of Tanya Zack, Debbie Newton and other interviewees are gratefully acknowledged. The author, however, accepts liability for all errors or inaccuracies.



1. Introduction

The primary focus of South Africa's land reform programme is the acquisition of land and tenure security. The policies and strategies attached to this programme have provided many people with land. However, access to land is only one component of settlement. Settlement includes the acquisition of land or legal tenure of land, shelter and infrastructure. At present, there is no clear national policy to guide processes of settlement.

Settlement is not purely about solving the physical accommodation needs of the poor. In the wider concept of sustainable development, the creation of conditions that will ensure the ongoing livelihood of households settled on such land must form part of the planning and establishment of settlements. This requires that provision be made for support in addition to securing the right to own and occupy land. The array of services and resources involved in creating these conditions may be referred to as settlement support.

In South Africa's rural areas the primary responsibility for settlement is divided between two government departments, namely Housing and Land Affairs. The split and intersection of functions between these two departments complicate the creation of sustainable settlements. The roles of national, provincial and local government, as well as the functions of other departments concerned with rural development, including the Department of Agriculture (DoA), further complicate settlement.

This report shows that the Department of Land Affairs (DLA) is not providing sufficient land for settlement and that the Department of Housing (DoH) is not providing adequate housing in rural areas. Furthermore, it shows that other line departments and local government are not supplying the necessary resources associated with settlement. These constitute key constraints to achieving sustainable rural settlement. Furthermore, there are significant gaps between policy and practice relating to rural settlement. These are due to the relative newness of most rural development policies and the very real capacity and financial constraints faced in rural areas.

In addition, government policy relating to how and where state funds should be spent in rural areas is contradictory. The Growth, Employment and Redistribution (Gear) macro-economic framework suggests that state funds should be used to increase economic productivity in rural areas, something that is actively being promoted by providing land for agricultural production through DLA's Land Redistribution for Agricultural Development (LRAD) policy. However, the focus of DLA on LRAD has meant that the provision of land for settlement and for micro-scale production has been compromised. The effect of this is that many of the rural poor continue to have no access to places to live.

The issue of settlement in rural South Africa is clouded by confusion, some duplication and many gaps. Sustainable settlements require a range of inputs, which at a minimum level should include land, housing, water, sanitation, electricity, roads, storm water systems and solid waste systems. In addition, rural dwellers need access to social, health, educational, financial and other institutional infrastructure. Only a small proportion of these inputs are currently being provided.

This report considers the issue of rural settlement in South Africa and examines what settlement support rural households have access to and how effective this support is in creating

sustainable settlements. The focus of this report is 'rural' in that it considers settlement programmes implemented outside the major metropolitan areas, that is, in small towns, commercial farming areas and communal areas of the former homelands. Chapter 2 of the report reviews the DLA and DoH policies on, and related to, rural settlement. The status and impacts of these programmes are examined in Chapter 3, which is followed by several examples of rural settlements in Chapter 4. Finally, conclusions are drawn in Chapter 5. These point to challenges for the future.

2. Policy review

The complexity of rural settlement is reflected in the array of state departments involved in it and which impact on it. These include the Departments of Land Affairs, Housing and Agriculture, as well as Tourism, Trade and Industry, Environmental Affairs, Health, Education, and Social Services. It is, however, the Departments of Land Affairs and Housing that have developed mechanisms aimed specifically at rural settlement. This report focuses on their initiatives.

Department of Land Affairs

Land reform policy has undergone significant changes since 1994. These changes have been the result of political imperatives as well as monitoring undertaken by DLA between 1998 and 1999. This monitoring found that the land reform programme was not properly integrated with local planning and other development processes (May & Roberts 2000). The policy shifts have had a notable impact on rural settlement initiatives. However, whether they have resulted in better quality or more sustainable rural settlements is debatable.

Figure 1 outlines the key events in land reform policy that have had an impact on rural settlement. In 1997, the *White Paper on South African Land Policy* introduced a number of grants for land reform beneficiaries. Central to these was the Settlement/Land Acquisition Grant (SLAG), which provided funds for beneficiaries to buy or improve land (see page 3 for details of this grant). SLAG was the department's only tool relating to rural settlement between 1994 and 2003, but was not intended to be used exclusively for settlement. At most, the grant could be used to purchase land for settlement purposes or for residential top structures.

In 1999, the newly appointed Minister of Land Affairs placed a moratorium on the SLAG grant for a period of eight months, citing a lack of clarity on whether SLAG was achieving the goals of land reform in South Africa (Paton 1999). During this period, DLA's capital expenditure dropped dramatically as officials waited for direction on the financial instruments available to them for land reform (Forrest 2001). Since then, DLA policy has been dominated by a focus on the provision of land for agricultural use rather than for settlement or other uses to support diverse livelihoods for the poor. The LRAD programme, introduced in 2001, is the mechanism through which this new strategy is being implemented. It makes available grants of different sizes on a sliding scale to beneficiaries ranging from potential small-scale producers to medium-scale farmers and large-scale farmers. LRAD is not for settlement purposes. Although beneficiaries may live on the land that they purchase, the primary aim of the grant is the acquisition of land for agricultural purposes. As LRAD is not linked to the housing subsidy



scheme provided by DoH, a beneficiary can, in theory, receive both a LRAD grant and a DoH subsidy.

The SLAG grant provided a flexible means whereby the capital expenses for land reform could be funded. Technically, it remains a grant option within the land reform process but is currently not actively promoted or accessed by DLA. There is some confusion among DLA officials as to whether it is still available and how it could be applied (Newton, pers. comm.).

DLA's current approach to rural settlement is articulated in a draft policy proposal entitled *Land redistribution for settlement*, prepared in 2002. It proposes a Land Redistribution for Settlement Grant (LRSG) as an alternative to SLAG. The draft policy suggests a streamlined role for DLA, which will be confined to the provision or securing of rights to land. The remainder of settlement-related tasks are to be the responsibility of DoH, relevant line departments and local government (DLA no date). The land redistribution for settlement (LRS) draft policy does not in any way displace LRAD, but appears to be its non-agricultural counterpart.



Settlement aspects of land policy

The *White Paper on South African Land Policy* outlines the key DLA policies and programmes which comprise South Africa's land reform strategy: land restitution, land redistribution and land tenure reform (DLA 1997a). The White Paper also introduced a number of grants to assist beneficiaries to purchase or develop land. These grants, all of which fall under redistribution, are outlined in Table 1.

SLAG was targeted at the rural poor, amongst whom were expected to be women, farm workers, unemployed rural dwellers and residents of former homeland areas who wanted to upgrade their tenure security. In urban areas SLAG could only be used to buy land and secure tenure (DLA 1997a).

In rural areas SLAG was envisaged to be used for:

- accessing land/tenure security for farm workers
- acquiring land or productive assets in public/private partnerships

- assisting labour tenants who wish to acquire land
- providing additional support for beneficiaries of the land restitution process
- upgrading or securing tenure or acquiring additional land where there are overlapping or conflicting rights to a piece of land.

Table 1: Land reform grants outlined in the *White Paper on South African Land Policy*

Fund/grant	Purpose
Settlement/Land Acquisition Grant (SLAG)	To fund capital expenditure on land, agricultural equipment, internal infrastructure and housing/buildings
Settlement Planning Grant (SPG)	To fund the services of planners and other professionals to assist in preparing project and settlement plans
Grant for the acquisition of land for municipal commonage	To enable municipalities to purchase land for commonage
Grant for determining land development objectives (LDOs)	To assist municipalities that could otherwise not afford it, to produce LDO plans
Training and technical assistance funds	To fund the training and capacity building of applicants, departmental officials and other service providers to gain a better understanding of the land reform process

Source: DLA 1997a

Although SLAG was only made available to individual households, groups of households could pool grants to make available larger sums for the purchase of land. The grant had to be used for capital equipment, land or buildings. In most cases it had to be linked to the acquisition of land, although in restitution cases it could be used solely for agricultural or housing purposes. The tenure options allowed under SLAG were relatively flexible and allowed for communal or individual title, equity schemes and on- or off-farm settlement options for farm workers.

Initially set at R15 000, the SLAG grant was later increased to R16 000. South African citizens who were over the age of 21, had dependants, and had a maximum household income of R1 500 per month qualified for the grant. In the case of group applicants, only those groups with an average household income of less than R1 500 per month were eligible. Beneficiaries who had already benefited from similar government grants, such as the housing subsidy, were not eligible. However, in cases where these beneficiaries did not receive the full subsidy or grant, they became eligible for a lesser subsidy amount under SLAG. The grant was intended to be the rural equivalent of DoH's housing subsidy. It was registered on the same database as the housing subsidy, thus facilitating the prohibition of households from accessing both subsidies

Applications for the grant had to include a business plan which addressed the financial, institutional and land-use aspects of the proposed project. In some cases applicants could apply for a Settlement Planning Grant (SPG) in addition to SLAG. The SPG was set at 9% of the SLAG grant and could be used to fund the costs of drafting business plans, valuations, legal fees and surveying fees.

The process of accessing the SLAG grant was often time-consuming and overly bureaucratic. Potential beneficiaries were required to meet with DLA planners to discuss the suitability and



appropriateness of their projects, after which they would submit their official applications for a SLAG grant and, if necessary, a SPG grant. Only once the business plan had been approved, could the SLAG grant be disbursed.

Department of Housing

The provision of low-income housing in South Africa is the responsibility of the national DoH, which undertakes this role by providing housing subsidies to eligible households. However, the ability of South Africa's rural dwellers to access housing from DoH is constrained. There are a number of reasons for this, including problems with land title and access to the housing subsidy, a history of 'urban focus' by the DoH, and a lack of institutional and private sector capacity in rural areas to undertake housing projects.

A common perception held by government officials, professionals and community members is that the jurisdiction of DoH extends to urban areas only and that rural areas are the responsibility of DLA. This preconception has reigned since 1995, when DLA took on the drafting of, and responsibility for, the government's Rural Development Framework. DoH, on the other hand, has dealt with the government's Urban Development Framework. Although both departments are currently trying to dispel this perception, DoH's weak track record in providing housing in rural areas continues.

The implementation of the DoH housing subsidy has to a large extent been dependent on developers who access a package of housing subsidies involving the building of dwellings for a corresponding number of subsidy beneficiaries. Even in urban areas, this has proved to be problematic, with many of the more competent developers becoming increasingly unwilling to participate in this low-profit, high-risk market. In rural areas there are far fewer developers, materials are often more expensive, and projects tend to be smaller. For these reasons, many developers stay well away from this market. This has led to a significant lack in the number and quality of organisations available to undertake rural housing projects.

Housing policy

Much of South Africa's current policy on housing was developed during the early 1990s, allowing the housing programme to move ahead rapidly after the election of a democratic government in 1994 and to avoid many of the delays that other line departments were experiencing at the time. The ideas underlying the housing policy were first discussed in the National Housing Forum (NHF), a negotiating forum comprising members from business, community and development organisations. When the Government of National Unity was elected in 1994, the NHF engaged in a joint policy development process. The documents that resulted from these interactions were the *National Housing Accord*, in October 1994, and the *Housing White Paper*, released in December 1994.

The housing subsidy is the key instrument used by the government to develop housing for low-income households. There are five main subsidy mechanisms: individual, project-linked, consolidation, institutional, and rural subsidies (DoH 2000a).

- *Individual and project-linked ownership subsidies* between R7 800 and R23 100 are offered on a stepped scale. These subsidies are linked to household income and are available on

condition that beneficiaries acquire secure, registered tenure. Only households earning under R1 500 per month qualify for the full subsidy amount of R23 100, with households earning between R1 500 and R2 500 qualifying for R14 200 and households earning between R2 501 and R3 500 qualifying for R7 800.

- The *consolidation subsidy* provides a 'top-up' amount to households that have benefited from previous subsidy programmes, for example site-and-service or land-related projects. This allows beneficiaries to receive a total subsidy amount equivalent to that of the full subsidy under the current scheme.
- The *institutional subsidy* provides a R23 100 subsidy to an institution that provides housing for rent or instalment sale. The subsidy is for each household in the institution's stock which has an income of less than R3 500 per month.
- A *rural subsidy* may be accessed if the beneficiary occupies land by virtue of the laws and customs of a community or is a holder of registered quitrent tenure rights. The subsidy is also available to beneficiaries who occupy state land by virtue of previous administrative practices as contemplated in the Interim Protection of Informal Land Rights Act 31 of 1996.

The eligibility criteria for accessing a housing subsidy are similar to those of SLAG, with the same emphasis being placed on a household as the qualifying unit. A household consists of a married couple or an individual with financial dependants. The housing database records the subsidy against the identity number of an individual applying for the grant, as well as the identities of her/his spouse and/or dependants. No double benefit is allowed, that is, beneficiaries may not have benefited from a previous subsidy. If they have, the amount of that subsidy will be deducted from the present subsidy. Polygamous unions are recognised by DoH, which will disburse subsidies according to the number of spouses, provided that these marriages are recognised in terms of the Recognition of Customary Marriages Act 120 of 1998.

An example of how the housing subsidy has been put to use in a proactive manner is the Mayibuye Programme in Gauteng.

Box 1: The Mayibuye Programme

Gauteng Department of Housing's Mayibuye/Upgrading Programme is known as 'Stage one' in a three-staged, incremental housing process. It is a response to the problem of landlessness, and subsequent land invasions. Stage one entailed the rapid release of unserviced land for settlement purposes. This was done by providing secure tenure to residents of shack settlements. At a later stage, beneficiaries were provided with residential top structures.

Between 1994 and 1999, land affairs was the responsibility of the Gauteng Department of Housing, but funding for the Mayibuye Programme was provided by DLA. In 1999, the land affairs portfolio was transferred to the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs, after which funding for the Mayibuye Programme was accessed from the DoH's housing subsidy scheme.

Source: Gauteng Provincial Government 2002

Rural housing subsidy

The rural housing subsidy is only available to households who hold individual title to the land on which they wish to build their houses (DoH 2000a). This puts residents of communally and tribally owned land at a disadvantage. This problem has been partially addressed by the



introduction of a rural housing subsidy which recognises 'functional' security of tenure as sufficient to access the housing subsidy. However, a large section of the rural population does not have access to functional security of tenure, and the take-up of the rural housing subsidy has been low (Mphafudi, pers. comm.). Theoretically, the DoH's subsidy instruments are flexible enough to allow for communal ownership of land – for instance, the institutional subsidy could be used to develop housing through an institution such as a co-operative – but these remain relatively unused in rural settings.

The rural housing subsidy was introduced to cater for the housing needs of people with informal rights to land. DoH states that it prefers providing subsidies for the long-term assets of beneficiaries and so stipulates that subsidies for those with informal rights to land will only be given where these rights are uncontested – the proof of which can often be a time-consuming and difficult process. The policy protects beneficiaries by stating that in cases where land is communally owned and the beneficiary is evicted or expelled by the community, the beneficiary may be able to apply for another subsidy under a separate arrangement. DoH would pursue the matter of cost recovery of the subsidy amount with the community.

Rural subsidies are only available on a project basis to groups and not to individual households. Because of the lack of private developers willing to undertake rural housing projects, the subsidy allows for alternative 'implementing agents' such as developmental non-governmental organisations (NGOs), community-based organisations (CBOs) or local government. Their tasks include educating the public about the availability of rural subsidies, planning the projects, submitting applications to the provincial housing boards, and developing housing and related infrastructure. Prospective agents must apply to the relevant provincial departments of housing to become accredited in relation to either rural housing in the province in general or a specific project. The policy does not stipulate the criteria to be used in assessing potential implementation agents.

DoH is currently reviewing the rural housing subsidy and has found that provincial departments of housing are not using it to any significant extent (DoH 2003). Only Mpumalanga and the North West provinces have made use of the subsidy, with as few as 501 subsidies being approved since the policy was implemented. Over half of these subsidies have been allocated in Mpumalanga. The review posits that one of the main reasons why provincial housing departments do not use the rural subsidy is that many officials are not aware of how it could be used, as many of them were trained prior to its introduction in 1999. An independent survey attributes the reason for the slow implementation of the subsidy to lower awareness levels of housing subsidies in rural areas compared with urban areas (Tørres 2003). There has been no national awareness campaign around the rural housing subsidy.

The rural housing subsidy also involves significant time delays in the identification and appointment of implementation agents, with many communities complaining that they do not know who the implementation agents are (DoH 2003). Further time delays revolve around beneficiaries getting documentary proof from registered landowners of the fact that they have uncontested rights to the land (DoH 2003).

Shifts in housing policy

There have been several major shifts in housing policy over the past few years (Rust 2003). Although not as dramatic as shifts in land policy, these have changed the form and process of subsidised housing in three ways.

A movement towards quality not quantity in housing: The African National Congress's promise that it would supply a million houses in five years resulted in the building of as many houses as possible in a short period of time. This compromised the quality of houses developed. To counter this, DoH introduced the Housing Act 107 of 1997 to bring about minimum norms and standards in subsidised housing. Further to this, in April 2002 the Department extended the National Home Builders Registration Council's (NHBRC) warranty scheme to all low-income housing. This means that all housing constructed under the subsidy scheme must be built by a developer or builder who is registered with the NHBRC, which is responsible for addressing building defects where they arise. The significant costs and administrative requirements attached to this tend to keep smaller developers out of this market, notably so in rural areas.

The introduction of the People's Housing Process: In an attempt to increase both the quality of houses built and beneficiary responsibility for housing, DoH introduced the concept of the People's Housing Process (PHP). The PHP places emphasis on beneficiaries' involvement in the housing process by, for example, encouraging them to choose their own builder or even build the house themselves. This has mostly resulted in the erection of bigger top structures and increased levels of satisfaction by beneficiaries.

A shift towards 'rental'/institutional options: DoH increasingly considers that individual ownership is not a priority for all subsidy applicants. It now places far greater emphasis on using the institutional subsidy to provide rental or temporary title. This gives beneficiaries the flexibility to leave their subsidised accommodation if their needs change. The institutional option could be used by rural dwellers who cannot rely on having a long-term attachment to a specific location, for example, farm workers or mine workers. In these instances, an institution could be established to develop and manage housing in proximity to places of work, using the institutional housing subsidy. Whilst living in the accommodation, the beneficiaries would be registered as having received a housing subsidy, but when they leave the accommodation, their names would be removed from the housing subsidy database. They could then go on to access another housing subsidy in another location. The housing institution would be responsible for finding substitute beneficiaries to fill their places. This option would allow large-scale agricultural enterprises to accommodate farm workers in subsidised accommodation. At the same time, farm workers would retain their rights to access another housing subsidy if they were to lose their employment on the farm.

3. Outcomes and status of implementation

Roles and responsibility

The post 1994 policy and strategy directed at rural settlement was a multipronged approach involving several departments, often with overlapping mandates and without much co-ordination between them. These policies were introduced at a time when concepts of integrated development



and sustainable development were slogans rather than tested strategies. At a conceptual level, then, settlement planning and support did not emerge as part of a coherent integrated framework. Furthermore, a spatial framework for settlement development in rural areas was, and remains, elusive. Nationally, spatial planning has no single departmental home (Khanya 1999). Rather, the responsibility for policy and implementation of rural settlement straddles several departments, since attention must be paid to a wide range of development interventions. It is the co-ordination of these interventions that must be managed, however, in order to create viable settlements.

Until recently, SLAG and the rural housing subsidy were linked, forcing households to choose access to land or top structures. This drove rural households to opt for land support in cases where they could build their own housing (Mkhize, pers. comm.). The revised approach, which allows application for both subsidies, has not been tested. The de-linking of these grants indicates a streamlining of responsibilities between the Departments of Land Affairs and Housing.

The emerging policy shift involves a move away from DoH being urban-focused and DLA being rural-centred to a position where DoH will concentrate on housing and DLA on land. In DLA's 2002 policy proposal, *Strategy for the acquisition of private land for settlement*, it is evident that the department aims to move away from the provision of funds for housing top structures, as this is believed to fall outside of its competency (DLA 2002). Instead, the provision of top structures is to be the responsibility of DoH. In its new vision, DLA sees its role in rural settlement as releasing or securing land for development. It is proposed that to do this SLAG needs to be re-worked to create a new grant. Initial proposals refer to this grant as the Land Redistribution for Settlement Grant (LRSG) (DLA no date).

DLA's new policy states that its role in the settlement process should centre around tenure disputes and land rights conflicts *and*, in some cases, the provision of land in support of housing projects in both rural and urban areas (DLA 2002). New land reform projects, which have a settlement component, must be undertaken in conjunction with the use of subsidies from DoH and the provision of bulk infrastructure by local government. DLA will then finance only those aspects of the development that relate to the land, such as land purchase, land rights clarification, planning and project plan submission, and will no longer undertake the funding of top structures. The policy proposal states that where land is easily acquired or where there is no conflict around land rights, DoH could undertake the project on its own, with DLA meeting the costs of project preparation and planning, land acquisition, and servicing and conveyancing (DLA 2002). The cost for these items would be payable by DLA to DoH and deducted from the housing subsidy. Such rationalisation of roles is important to reduce confusion over responsibilities and to increase accountability. However, the absence of significant numbers of DoH-initiated settlement projects in rural areas raises concern about the department's ability to undertake such projects.

The new settlement policy calls for greater levels of co-ordination between the various line departments and local government, and states that advanced budgetary alignment should occur at national and provincial levels between DLA and DoH. At a local level, this should include alignment with local government budgets. This approximates the vision outlined in

the 1998 *White Paper on Local Government*, which presents local government as the driving force and co-ordinating body behind rural settlement.

The focus on a developmental role for local government has been in place at a policy level for a number of years. This is also the level which many see as the most appropriate for the delivery of rural settlement. NGOs and state officials note that local-level planning needs to be the point of intersection for various programmes, support initiatives and services aimed at developing viable rural settlements. The obligation on all local authorities to prepare integrated development plans (IDPs), including plans and budgets for residential development, incorporates a responsibility to undertake settlement planning and development. Yet the local sphere of government has grappled with the task of settlement. Some rural NGOs have found local government to be obstructive. In Mpumalanga, The Rural Action Committee (TRAC) has found that local authorities have been overly restrictive in applying the criteria guiding infrastructure development for rural settlement. In addition, provision for settlement for rural people is not mentioned in the IDPs of many local governments (Williams, pers. comm.). Budgets for infrastructure development and settlement are thus not being allocated at a local level.

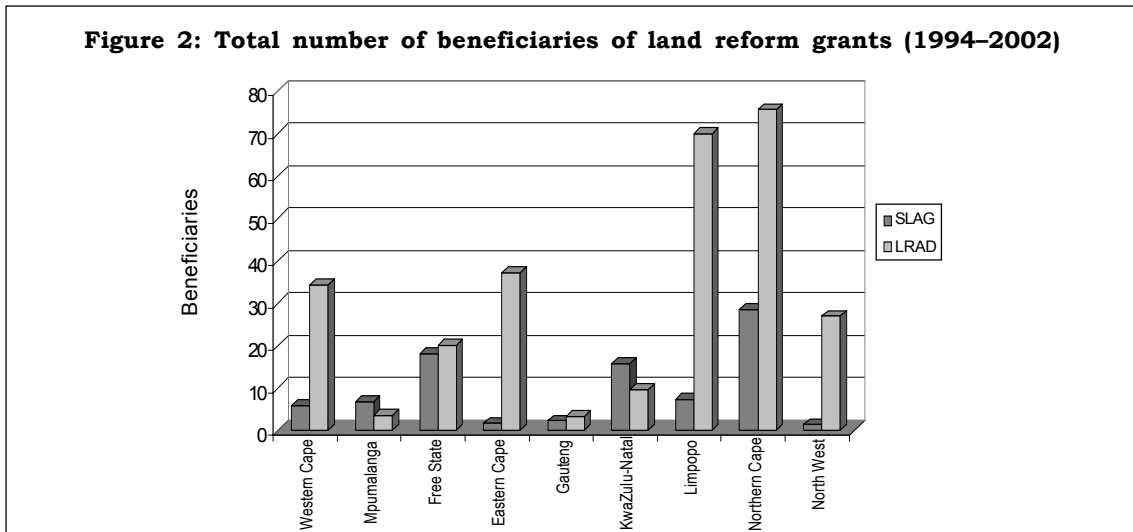
While both NGOs and state officials mentioned a lack of political buy-in at the local level, they acknowledged that the problem was complex. Two explanations for the absence of political buy-in are the extreme resource constraints that plague local government and significant skills shortages. Achieving sustainable rural settlement is complicated and requires the integration of many development services and substantial resources. Creating rural settlements is no less complicated than establishing new settlements for the urban poor; in fact, it is often far more difficult. This understanding is not apparent at the local government level (Westaway, pers. comm.).

The approach to implementation focuses on a 'settlement paradigm' rather than on a 'livelihood paradigm' (Westaway, pers. comm.). The settlement paradigm sees the resolution of rural settlement in a technicist way, focusing on finding sites, providing a layout plan, accessing services and providing top structures, but ignores the component of household livelihood. The livelihood paradigm includes resources and skills to ensure food security, the development of capacity to generate income and productivity from the land, and access to health, welfare and educational amenities. Westaway (pers. comm.) also laments the incapacity in provincial offices to implement national policy because of a lack of adequately skilled staff. This problem extends to the DoA, a critical role player in livelihood creation. The lack of co-ordination and role clarity between DoA and DLA complicates rural settlement approaches.

Quantifying implementation

Figures for the performance of DLA in providing grants for settlement purposes only are not available. This makes it difficult to assess the impact of land reform on rural settlement in quantitative terms. However, broader trends in land delivery, specifically in the use of SLAG, may be examined. Figure 2 shows that the SLAG grant has benefited a far greater number of beneficiaries than LRAD has. By 2003, SLAG grants were given to 87 000 households while LRAD benefited only 12 000 households.¹

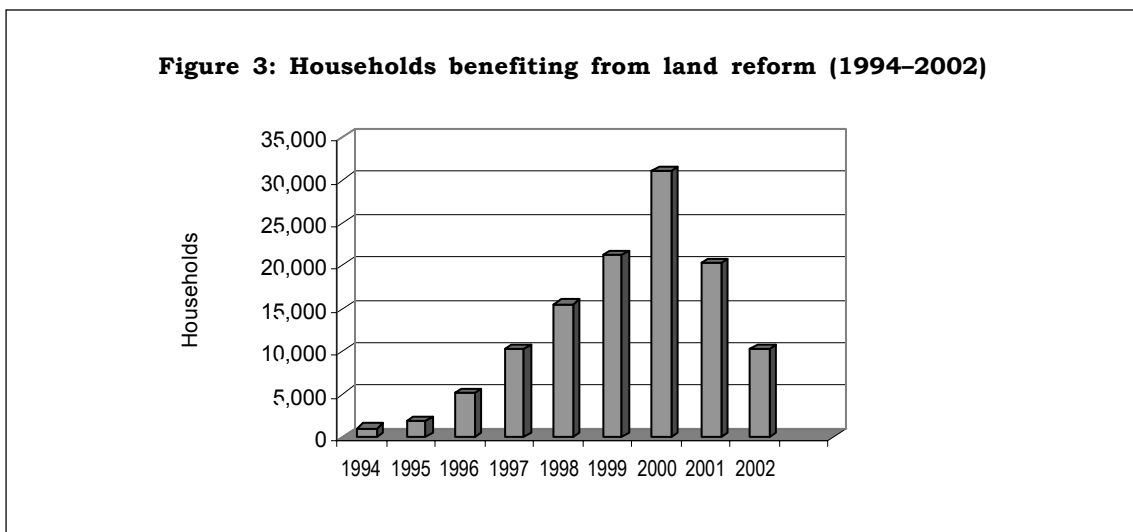




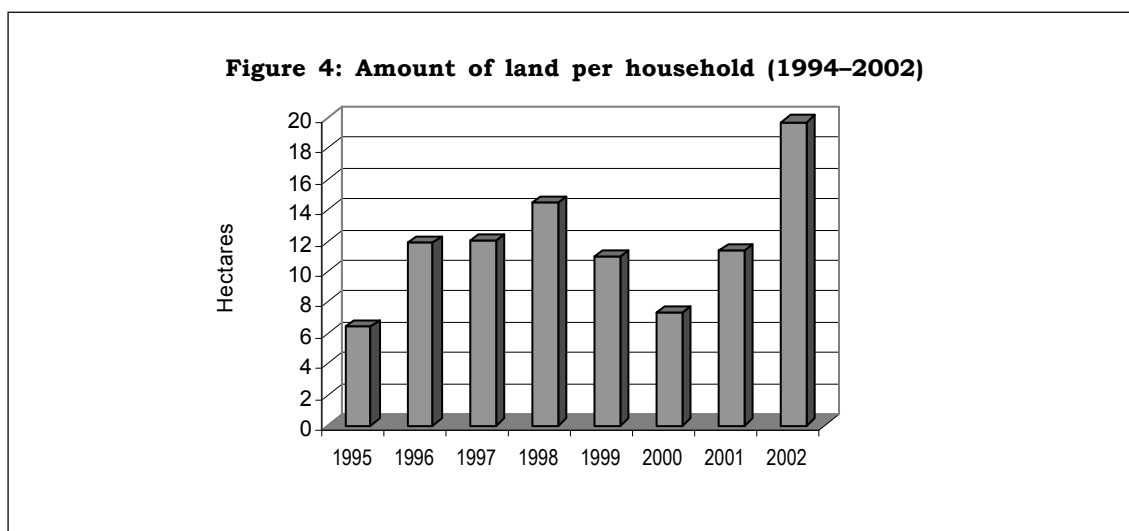
Source: DLA 2003

Figure 2 shows the distribution of SLAG and LRAD grants per province for the period 1994 to 2002. The Eastern Cape and North West have provided SLAG grants to the greatest number of households. The Eastern Cape provided grants to 30 262 households, and the North West provided grants to 22 404 households (DLA 2003).

Figure 3 illustrates how the shift in strategy has resulted in a focus on fewer households, whilst Figure 4 shows that the size of the land provided per beneficiary has increased. The peak number of households benefiting from land reform in 2000 (mainly pipeline projects approved prior to the minister’s moratorium) was over 30 000 per annum, but this decreased to just over 10 000 per annum in 2002. In comparison, the amount of land provided to beneficiaries increased from an average of just over 11ha for the years 1996–99, to 19ha in 2002. Mayende (2003) confirms this focus, stating that the DLA’s strategic objective for the 2003/04 period is to provide 7 309ha of land for settlement purposes, compared to 130 810ha for agricultural purposes through LRAD.



Source: DLA 2003



Source: DLA 2003

Settlement quality

Rural development NGOs have raised concern over the quality of the settlements that have resulted from investments made by both DoH and DLA in rural areas. Mostly this concern is directed at aspects of the settlement itself, and not the quality of the top structures, although research conducted by the Rural Housing Loan Fund (RHLF) shows that the construction of many rural houses is of inferior quality. In particular, the RHLF notes that female-headed households are more likely to experience shoddy construction work because they may have had little or no exposure to construction or are less forceful in negotiations. This makes them more vulnerable to being taken for a ride by dishonest contractors (Topham & Bannister 1999).

Many rural settlement projects initiated through the land reform programme have provided only land and, occasionally, housing. They have not provided the concomitant settlement resources that are needed to create sustainable settlements. DoH proposes that there are four components necessary for creating sustainable living environments: environmental issues, economic empowerment, social capital, and institutional capacity (Irurah et al. 2002). Selected case studies throughout the country illustrate the inclusion of all four elements, but these projects are few and far between. Most settlements address only one challenge, and some address none of these challenges. Even where settlements are multidimensional, that is, they provide resources other than simply housing and land, they are often not sustainable: without an operating budget a rural clinic cannot be staffed; without teachers a school cannot function; and without jobs or a household income, beneficiaries of a land reform or housing project cannot pay for municipal services.

A strategy used by various line departments has been to see the resource they are providing as the key amenity around which other departments should provide their resources. For example, DoH has in the past developed housing in a new location with the expectation that the supply of infrastructure, education, health and other social services by other departments would follow. Unfortunately this does not work in practice, resulting in many of the non-functional,



one-dimensional settlements in South Africa today. It appears that planning for settlement-related services by the various departments occurs in such different ways and according to such different time-scales that there have been few opportunities for all the various government departments to come together in a co-ordinated fashion. Exceptions to this include the presidential lead projects, such as Katorus, the Molopo River Basin and the Integrated Serviced Land Project of the mid-1990s, as well as the Alexandra Urban Renewal Project, which is currently under way. In these projects a concerted effort has been made to co-ordinate the initiatives of the various departments. Whether the learning from this type of programme can be translated into the day-to-day work of the relevant departments remains to be seen.

Rural settlements are, however, not all bleak. A Quality of Life survey undertaken for DLA showed that despite high levels of unfulfilled expectations, 'land reform beneficiaries enjoy comparatively high levels of services when compared to African rural households as a whole' (May & Roberts 2000:5). They also have 'better access to means of communication and services' than other rural dwellers, including electricity connections, piped water and telecommunications (May & Roberts 2000:5). In addition, DoH has found that houses in rural settlements tend to be bigger and of better quality than houses in urban areas. Mostly this is attributed to the PHP, which has resulted in more beneficiary involvement and more money left over for the top structure.

Without further research, it is difficult to distinguish between the quality of rural settlements resulting from land reform and those generated by DoH. This can be attributed to a lack of systematic monitoring on the part of both DLA and DoH. Post-occupancy surveys of rural dwellers who have received settlement or housing grants would provide useful information in shaping the future of settlement policy.

Beneficiary groups

Little is formally known about the impact of the various assistance programmes on the target beneficiaries. Questions such as whether certain groups benefit more than others, what the nature of the power relations are that inform who benefits, and what understanding potential beneficiaries have of the parameters and benefits of the programmes, as well as issues surrounding the control and distribution of information relating to accessing the subsidy benefits, have not been researched in depth. This is a gap in policy making, and reflection on these questions would enable the necessary adjustments to be made at programme level so that targeted beneficiaries can realise their land and housing rights in rural areas.

Only some provincial DLA offices maintain disaggregated data on male and female beneficiaries of subsidies. This is an indicator of the targeting of the most needy and most vulnerable groupings. Given the high proportion of female-headed households in rural South Africa, it also provides a measure of whether the spread of subsidy benefit reflects the demographics on the ground. Table 2 shows that female-headed households have constituted a small, but not insignificant, proportion of SLAG beneficiaries. Limpopo, according to DoH statistics, has the highest proportion of female-headed households among its beneficiaries (DoH 2000b).

Table 2: Proportion of female-headed households among SLAG beneficiaries

	Total households	% of female-headed households
KwaZulu-Natal	9 498	20%
Mpumalanga	7 163	18%
Gauteng	1 580	17%
Limpopo	7 047	46%

Source: DLA 2003

Little is known about the class profile of SLAG beneficiaries, except that they have satisfied a means test based on monthly household income, but there have been indications that the application process itself may be exclusionary. In interviews conducted for this report a problem identified was the difficulty faced by rural dwellers in accessing settlement-related services. This is both time-consuming and expensive for rural communities who often do not have easy access to telephones or transport facilities. Reference was made to time delays: the period from initial application to development was often four or more years.

Location of investment in rural areas

There has been substantial debate about where housing and capital investment should be located in rural areas.² The policy debates range from the 'breadth' approach, in other words, addressing the needs of as many disadvantaged communities as possible, to the 'depth' approach, which proposes that state investment should be targeted to achieve the greatest possible impact within particular geographical areas. The depth approach suggests that the state cannot tackle the development of all rural areas in the country at once, and that state investments should thus be concentrated in selected areas. The formal state position supports capital investment in locations that have the potential to lead to growth and development.

There is also a conviction held by many organisations involved in rural development that state investment in rural areas has been compromised as a result of the focus on urban development.³ There is no formal government policy that prescribes this, but the reality seems clear: urban areas receive a greater share of the development budget than rural areas, even though South Africa's population is split fairly evenly between rural and urban areas, with poverty being concentrated in rural areas.

Spatial development paradigms are largely developed around urban models and are applied uncritically to rural areas. As Westaway (pers. comm.) notes, concepts of nodes, corridors and zones dominate the spatial approach in rural areas, but these concepts are often inappropriate in the rural context. Rather, the spatial concern in such areas needs to focus on locally specific planning interventions that will optimise people's ability to create their own livelihoods. In addition, the long-term viability and sustainability of settlements should be assessed in relation to their location and access to social, economic and other amenities. Communities without access to income-generation opportunities, ranging from formal or informal employment to land-based activities, cannot afford the services and monthly charges that formal housing imposes on them. Yet assessing settlement or locational viability does not seem to be part of the grant-making criteria of DLA.



The locational choices of rural households are as varied as those of urban households and this must be acknowledged. In some areas, groups of people have been allocated land for farming purposes through SLAG and LRAD and have chosen to live in nearby towns while working on the land. They have retained their housing in small towns where access to schools and health facilities is possible. In other areas, rural communities have fought to stay on the land that they had been occupying, with the aim of creating viable settlements there (Conway, pers. comm.). Various types of rural settlement have varying development needs. Some, such as the so-called 'denser settlements', display the characteristics of urban settlements but lack an economic base. The sparsely developed, scattered rural settlements need basic infrastructure – potable water, sanitation and electricity. Finally, the local environment informs the availability of natural resources, the carrying capacity of the land, and the climatic conditions that hinder or aid the creation of livelihoods from the land. A flexible response is needed that acknowledges the diversity of locally specific needs in rural areas.

4. Examples of rural settlements

Examples of different types of rural settlement are presented to highlight some of the key problems inherent in these settlements. The examples also illustrate how rural dwellers accessed settlement services.

Restitution claims

Restitution claimants are entitled to some form of settlement support on the land to which they return. Historically, this has been an area of weakness in restitution, with very little policy and implementation being developed to provide post-restitution support. However, there have been attempts to integrate planning for long-term development into agreements on restitution claims. Restitution claimants might return to the land and the houses which they had left, but usually only the land is restored. The settlement needs in such cases may include:

- water, sewerage and electrical bulk and reticulation services
- roads and stormwater infrastructure
- top structures
- social infrastructure, such as schools, clinics and community centres
- telecommunications infrastructure.

For the settlements to be serviced, township establishment is needed. Most rural claims are community claims and in such cases a legal entity (for example, a communal property association) needs to be established as the private owner of the land. Establishing a township is a long and complex process. Poorly resourced and understaffed municipalities are likely to struggle to extend their responsibilities in this way. Furthermore, township establishment and the servicing of settlements require land to be subdivided into individual plots of limited size and particular layout. In contexts where people's preferences for land use – the ways in which they combine residential needs, food gardens, field cultivation and grazing land – are not suited to an urban format, this approach may not suit beneficiaries. Finally, an awareness of the financial reality of smaller local authorities – which inevitably are the ones burdened with the rural

settlement dilemma – is critical. At this level, local government faces ever-burgeoning tasks and unfunded mandates, but is seriously cash-strapped. Rural settlement beneficiaries represent an added burden; they are unlikely to be a target group from whom rates can be collected, and cost recovery is a challenge.

DLA is not always willing or able to play a central role in settlement in restitution cases. Ideally a single restitution package should include access to land *and* the concomitant services and infrastructure needed to create a viable settlement. In some cases, the restitution community has an existing relationship with DLA officials, which often makes discussions and interaction around post-settlement support more fruitful. However, because there is no longer a requirement for land or tenure, DLA may not be willing to provide this support. The case of the Mogopa community in the North West province shows how this could happen.

Box 2: Mogopa restitution settlement

One of the last forcibly removed communities in South Africa, the Mogopa community was also one of the first to reclaim its land. Between 1991 and 1994 (when Mogopa was declared a Land Restitution Presidential Lead Project), much valuable work was carried out with the community by TRAC. This included lengthy negotiations with apartheid government departments to get basic infrastructure and services restored to the village. It also involved substantial capacity-building and participatory planning exercises, which resulted in a village plan being drawn up.

The Mogopa Development Forum was formed in 1994 to bring together all those agencies and departments that were involved at Mogopa. Meetings were held in the village and were open to all community members. During this period, negotiations with both DLA and DoH to access subsidies proved fruitless. Only the Department of Health was prepared to invest funds and these did not correlate with community needs. In order to negotiate the development needs of Mogopa, community members made over 30 car trips (of one-and-a-half hours' duration each) between Mogopa and Mafikeng. Most of these trips were futile.

The Mogopa Development Forum was dissolved in 1997, when the Southern District Municipal Council (SDMC) took over the planning and co-ordinating functions. A project steering committee (PSC), comprised of local community members, was appointed to oversee all on-site project implementation. In 1998, the SDMC involved the community in drawing up a business plan for the building of houses in the village, and workshops were held with villagers to get consensus on the design of the houses.

In 2001 (seven years after the community had moved back to Mogopa), 300 houses were built on the Trust land, funded by a SLAG grant from DLA. The 'emerging' contractors used local labour, and community members were trained in a range of project skills (from administration to sewing and carpentry), funded by the SDMC and ESKOM. The houses are 48m², and have three to four rooms each. The construction of the foundations makes allowance for extensions to be built in the future. Since the community agreed that its preference was for the biggest possible floor area that the budget would allow, no ceilings or fittings were provided, nor were the houses plastered. These will have to be provided by the community at its own cost. The Village Trust Fund (which receives money through leasing village land to diamond prospectors) will be used for these purposes, and a stokvel has also been established to collect money to improve and/or complete the houses.

A number of projects have been undertaken in the village, all of which have been directed at poverty alleviation for community members whilst at the same time physically developing the village. These projects have included communal vegetable gardens, a bakery, communal building projects such as road construction and maintenance, and the laying of water pipes.

Source: Irurah et al. 2002



Farm workers

Permanent and seasonal farming work in South Africa provided employment to close to 1 million people in the mid-1990s.⁴ There is evidence of substantial job losses in the agricultural sector since then. This means that fewer farm workers need housing on-farm, but a growing number of ex-farm workers (evicted farm dwellers) need housing. Job losses and evictions from farms have provided the catalyst for rural settlement. People moving off farms are a major constituency in need of rural settlement – and the recent phenomenon of new informal settlements emerging in rural areas, which reflects the shifting patterns of urban-rural and rural-rural migration, demonstrates this (Hall, pers. comm.). While these issues need to be further explored, they are noted here to provide a context for the massive and increasing need for adequate rural settlement support and servicing.

Prior to 1994, DoA provided subsidies to farmers to provide housing for their workers on their land. Once the housing subsidy was introduced, this scheme was suspended and no alternative was developed. Problematic issues in the settlement of farm workers revolve around the location of the place of settlement, tenure and servicing options. On-farm options tie the farm worker to the farm: if the farm worker loses her/his job, the entire family also stands to be evicted. On-farm options within dispersed farming areas limit workers' access to educational, health and other social infrastructure. Most housing subsidies, with the exception of the institutional subsidy, require beneficiaries to have some form of title to the land, otherwise the state will be subsidising capital improvements on the land for the benefit of the farmer rather than the intended beneficiary. Off-farm options provide more flexibility and could take the form of Reconstruction and Development Programme (RDP) townships on the edges of rural towns, or agri-villages, with workers from a few farms settling in a central location. However, the provision of social, educational and other services to agri-villages is often problematic. In addition, transport problems arise in low-density farming areas where it is difficult for farm workers living in agri-villages to get to and from their respective places of work.

Large farming concerns (or other rural employers such as national parks, mines and forestry concerns) could also engage in public-private partnership schemes with local government to establish agri-villages. This would require significant administrative set-up and would only really be applicable in areas where long-term employment possibilities existed. Many mining companies which set up company villages have found that local government is not willing to take on responsibility for these settlements. In most remote locations, employees do not purchase their housing units, and the company becomes the sole landowner.

At present, there is no clarity at the policy level on the provision of housing for farm workers or other employees who require accommodation near their places of employment, although DoH is currently examining the issue. DLA has suggested that agri-villages would be a suitable solution, but no policy exists on this at present.

Upgrading housing in existing settlements

Approximately 30% of South Africans live in the former homelands, many of them in scattered or dense settlements to which households may have formal or informal rights. Generally,

residents in these settlements live in existing residential structures, which range from traditional dwellings and shacks to brick structures. The form of these structures often depends on tenure, the length of stay and any previous disruptions to settlement. Characteristics of these areas include large populations with minimal access to services and a small or non-existent economic base.

The primary requirements of this type of settlement are improved services, social and economic infrastructure, serviced land, and housing. In dense rural settlements and small towns where title exists, residents could apply for a housing subsidy. Those living on tribal land could access the rural housing subsidy. However, the location of these settlements and the potential for their development would be key factors affecting the involvement of DLA, DoH and the Department of Provincial and Local Government. DoH's concern is that the provision of housing subsidies to beneficiaries in remote rural settlements, where economic, social and other types of infrastructure are absent, may further impoverish residents and entrench existing poverty.

In conclusion, the land reform process has provided over 1.2 million hectares of land to approximately 110 000 beneficiaries since its inception in 1994 (DLA 2003). As DLA only provides figures for the amount of land that has been transferred, it is not clear how much of this land has been used for settlement or for other purposes such as agriculture. The examples of types of rural settlement provided in this section show the complexity of the settlement process and highlight the need for a range of line departments and spheres of government to join together in creating viable rural settlements for poor people.

5. Conclusions

More rural households in South Africa have access to a secure place to live today than they had ten years ago. Rural settlements on the whole have improved, with people having better access to land, more secure tenure, more formal housing structures and better access to water and sanitation. Yet problems facing rural settlement persist. These include confusion over roles and responsibilities for rural settlement; a lack of emphasis on the provision of land for settlement by DLA; a lack of clarity on the capacity of DoH to provide housing in rural areas; a lack of co-ordination around the provision of social, economic and other infrastructure; and a lack of livelihood opportunities to support the occupants of settlements. These factors impede the development of sustainable rural settlements.

Roles and responsibilities: Confusion surrounding the responsibility for rural settlement, development and support is a problem fuelled by both current policy gaps relating to a lack of clarity about which agency is responsible for which aspect of rural settlement at a national level and the differences between local and provincial implementation methods. There has been widespread confusion over the status of LRSG and its relation to the housing subsidy. Ministerial approval has not yet been given for LRSG, and although the SLAG grant is still in use, it is not currently being used for housing purposes. Furthermore, once DoH has finalised changes to the rural housing subsidy, information about these amendments should be made available. Information needs to be disseminated to government officials (particularly at a provincial and local level) on the status of settlement support in rural areas. In turn, this



information needs to be extended to rural development organisations and to rural communities. Rural communities stand to be the real losers as a result of the confusion surrounding the provision of settlement services, as they have less access to information about state responsibilities for development support and incur greater time losses and costs in accessing settlement services than their urban counterparts do. Rural communities that do not have the assistance of NGOs may never become aware of the potential support they could access. In addition, communities that do apply for assistance often become disheartened when, after several years, they have still not received any support. Linked to the need for role clarity is the need for capacity building of the implementers of the rural settlement strategy. The lack of capacity at both provincial and local levels to implement the policy developed nationally around rural settlement requires urgent attention. Wholesale transformation and upgrading of skills is required (Westaway, pers. comm.).

Gaps in the provision of settlement resources: The introduction of LRAD has resulted in a diminished focus on land for settlement purposes by DLA. Whilst the proposed LRS policy takes up the settlement land issue, DLA seems to have prioritised land for agriculture above that for settlement. Given that budgets are limited and largely dedicated to LRAD, DLA may need to seek additional budgetary support or restructure its current priorities in order to provide sufficient land for settlement purposes in rural areas. DoH has not been particularly successful in the provision of housing in rural areas and current housing subsidy instruments are confined to providing for internal servicing and a top structure within a limited subsidy amount. Given the costs of land servicing in rural areas, this is a highly restrictive approach. Where previously DLA had been willing to fill this gap in the provision of housing by using SLAG, this is no longer the case.

Beneficiaries: Participatory development, which acknowledges the role of beneficiaries in deciding their settlement futures, has been accepted at a policy level in South Africa. Local-level IDPs need to identify rural settlements, desirable patterns of development and locations within a participatory planning framework in the first instance. Such plans also need to ensure that the resources and range of measures available from DoH, DLA and non-state agencies, as well as beneficiary equity in the form of sweat equity or financial equity, are applied to local-level projects. The proposed LRS strategy presents an opportunity for local authorities to identify and purchase land for settlement, which, in theory, will allow DLA to circumvent the problem of potential beneficiaries having to group together in large enough numbers to purchase a parcel of land – the ‘rent-a-crowd’ syndrome.

Investment priorities: National development priorities have increasingly focused on economic growth. This imperative cannot be dismissed as a move away from a focus on the poor without reflecting on the investment dilemmas faced at a national level. The balance of benefit is tipped in favour of investment in social services, security and economic activity. Where frameworks, such as the Integrated Sustainable Rural Development Programme (ISRDP), focus on the development of rural nodes, a clear spatial choice is being made in favour of agglomeration. In such cases, the focusing of resources in a cost-effective manner needs to be balanced with the spreading of interventions and resources across a wider area. The provision of physical accommodation without the means to access economic opportunities to support

households is not sustainable in the long term. Both shelter and economic imperatives need to be addressed, as they are intimately linked, and both carry a political urgency given historical deprivation.

Best practice learning: Nodal development provides a contained area within which new policies and development methodologies may be tested. However, unless the lessons are shared on a greater scale, the results will be inequitable. There are numerous case studies and examples of settlement programmes that have been undertaken in rural areas. Where best practice examples can be drawn from these, their lessons should be disseminated to practitioners and policy makers. This has been done for urban areas, through books, publications and websites, yet nothing exists for similar projects in rural areas.

Local level: Rural settlement requires co-ordination between various state departments and different spheres of government. Rural settlement is neither a problem of accessing land, nor a problem of constructing shelter. Rather, it is a complex problem that involves creating economic benefit, building the capacity of households, providing financial support, accessing a wide range of development resources, co-ordinating the planning and implementation efforts of various agents, and responding to the needs and wishes of the households that will benefit from the settlement interventions.

There have been limited successful interventions to support rural settlement in South Africa. Although there have been some gains, little has been achieved in relation to both the scale of rural needs and the achievements in urban areas. The importance of rural development and rural settlement needs to be determined and acknowledged at a political level, and crucial decisions need to be taken about the allocation of fiscal resources and the capacitation of state agencies to intervene in rural settlement. This requires the upgrading of skills and the resourcing of national, provincial and local-level officials responsible for rural initiatives. The co-ordination of efforts to support rural settlement is critical and can only be achieved at the level of local government. Finally, the diversity of rural problems and the unique combination of development issues and potential within each settlement need to be embraced to ensure that rural settlement occurs in response to local needs and potential.



Endnotes

- ¹ Presumably, as the LRAD programme becomes more established, the proportion of these figures will change.
- ² The policy debates may be followed in documents such as the Development Facilitation Act 67 of 1995, *Housing White Paper*, Rural Development Framework and National Land Transport Interim Arrangements Bill, as well as in the DoH's procurement regime in respect of greenfield developments.
- ³ These organisations include the National Land Committee, TRAC, Rural Development Services Network, Institute for Democratic Alternatives in South Africa (Idasa) and the Centre for Public Participation.
- ⁴ These figures were extrapolated by the author from 1996 Central Statistical Services (CSS) figures provided in Hall et al. (2001).

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Appendix A: List of key informants

Anton Arendse	Human Settlement Policy and Integration Directorate, Department of Housing (interview conducted by Debbie Newton)
Angela Conway	Southern Cape Land Committee
Ruth Hall	Programme for Land and Agrarian Studies, University of the Western Cape
David Makin-Taylor	Land Development Unit, University of the Western Cape
Sihle Mkhize	Association for Rural Advancement
Lucky Mphafudi	Human Settlement Policy and Integration Directorate, Department of Housing
Debbie Newton	Consultant
Carmen van der Merwe	Redistribution Implementation Systems Directorate, Department of Land Affairs
Peter Wakelin	Consultant
Ashley Westaway	Border Rural Committee
Chris Williams	The Rural Action Committee, Mpumalanga

