

**TOWARDS THE FORMULATION OF A RURAL HOUSING
POLICY: A CASE STUDY OF OSHWASHWENI**

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ABSTRACT

South Africa is one of the Third World countries which are mainly characterised by underdevelopment in almost all aspects of life. This would include social, economic and to certain extent, physical aspects. Their rural areas are in a critical condition as compared to their urban areas. The major problem with such areas is that the rural poor (tribal areas inclusive), cannot contribute significantly to their own development . This is mainly due to inherent inequalities in the benefits of economic development, and technological advancement which operates under the umbrella of capitalism.

Rural housing development is a deliberate intervention programme that should be designed in such a way that the people themselves are gradually drawn into the mainstream of development action. It would mean that any governmental assistance to communities should at the time be a learning process for the beneficiaries. Such actions would act as attempts to alleviate the poor conditions in the rural areas, and then empower people in realising their potential and restoring human dignity.

This dissertation is a critical overview of the formulation of a rural housing policy. The study looks mainly at the housing condition in the tribal areas, with special focus to housing problems in these areas. A special reference was made to Oshwashweni (Empangeni) in KwaZulu/Natal. The area was chosen because of the rural communities that are still living according to the traditional style of the Zulus. Furthermore, their housing situation is dominated by traditional style.

The study revealed that rural housing development is hindered by administrative, social and even technical constraints. Thus, a need for a well-structured housing development was confirmed. Policy formulation has been regarded as the structured and secure instrument for bringing development within the tribal rural areas, and the rural areas as such. On the basis of outcomes of the study, some recommendations have been offered towards guidelines for formulating a policy.

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CHAPTER ONE

1.1. INTRODUCTION

This introductory chapter will consist of an outline to the topic which will be the focus for this study, as it is explored through a literature review. The main focus will be on addressing the identified problem, and thereafter, the need for a policy. The direction that is bound to be considered in the policy is one that will specifically address the needs of the rural communities, under tribal leadership. Thereafter, a conceptual framework will be given to clarify the major concepts forming the features of rural areas. The methodology will also form part of this chapter, showing steps to be implemented in undertaking the whole study.

1.2. THE AIM

The most common objective among people who are involved in working with the communities is development, and it is defined at different levels or categories. What has raised concern to the author is the way development has been addressed mainly in relation to geographical differences. This simply refers to the differences between the urban and the rural areas. As development entails a variety of categories, for this research, the focus is specifically on housing as part of the development process within rural communities.

Formal housing development does not operate on its own; it is a driven process. The driving force in this case could be an independent organization or a governmental organization. In this case, a special focus is on the involvement of the government in housing the nation since this has been a major political promise and focus of the government. According to Rubenstein, Otten and Dolny in Rubenstein and Rust (1996), about 73 % of the rural population is living in absolute poverty, as opposed to 21 % in the urban areas. “Despite this rather alarming picture, housing remains the single biggest investment that rural families undertake in their lifetime”(p.249).If there is a growing concern to meet the needs of rural communities then large scale state assistance is essential. This is necessary because poor people in rural areas struggle to have a residual amount to invest in housing. The present concern is to meet the needs of the rural communities; a large scale state assistance is required. The reason lies with the fact that many people in rural areas struggle to have residual income to invest in housing.

There can be little doubt from an examination of delivery records that the Housing Department focuses on urban housing needs at the expense of rural areas. The aim of this research is to address this shortcoming.

1.3. A CASE STUDY ON RURAL POLICY DEVELOPMENT

A recent similar case study can be drawn from Britain where surveyors and planners came together to work on developing a policy for rural affairs . This holistic intervention included the reform of a common Agricultural Policy, the use of Village Design Statements, Transport,

Housing and the integration of rural strategies by government (CSM, April 1999). The issues that are being addressed in Britain are similar to those that are imprinted in this study. The vision of the British proposed policy has a broader scope, than being limited to the most common. This has been identified through a quotation from their report: “Our rural heritage is increasingly important for the Nation, not simply as a source of food but also as a place of recreation, conservation and environmental protection” (CSM April 1999).

The experience in Britain indicates that there are an increasing number of agencies that are already at work in the rural areas. It is then identified as an important strategy that their activities be coordinated to ensure best use of public funds and maximum benefit of their rural areas. The coordination is advised to exist at, and among all levels of government. Thus, from the report that was made by the planners and the surveyors, a few important recommendations were made which can also be a challenge to the South African context. These recommendations are as follows:

- * sustaining communities
- * maintaining sustainable economies
- * conserving the rural environment

In summary, the aim of this piece of work is: ***to identify the unique requirements that need to be taken into account with the formulation of a Rural Housing Policy.***

1.4. OBJECTIVE OF THE STUDY

The main objective of this study is as follows;

- * Identifying possible strategies on which a policy on rural housing (including tribal areas), can be formulated.

1.5. NATURE OF THE PROBLEM

“Housing and its environment is a major dimension of the quality of life. Thus, it is a reflection of a nation’s economic- and social-well being” (Hofferth and Iceland, 1996: 70). Reflecting on the above quotation, it can be said that housing is not all about a physical form, but also extends to infrastructure and social services, thus enabling it to emerge as a major factor that forms good quality of life. Housing can therefore be defined as pertaining to the physical structure that shelters people in pursuit of their private lives, while also acting as a setting where certain activities take place. Low and Chambers (1989) further define housing as a major setting for reproduction within a household, as a result requiring a suitable material context in terms of water, electricity and other services.

Housing supply is therefore strongly influenced by the provision of infrastructure, the regulation of land and housing development, the organization of the construction and material industry and the support of the public sector in housing production. The lack of infrastructure hinders housing investment. The same applies to the legal and regulatory framework which affects housing supplies and thus the price and quality of housing (Myataza, 1992).

The concept 'rural' can be very broad, as it includes farms, missions, tribal areas and state land. It therefore needs to be focused. For the sake of this study, it will be narrowed to land under traditional tenure.

Due to the powers invested in them, the Tribal Authority structure and powers have been identified as obstacles towards development within the rural areas. The authority structures are represented by the chief who has control over a particular domain. In general terms, the chief considers the traditional and cultural beliefs above the governmental laws. It can therefore be said that the leadership structure or the nature of leadership style that operates in the rural areas is pivotal to the promotion of the housing policy in tribal areas.

Is there a need for rural housing policy? Since people in urban areas are desperate for top-structures, can the same response be predicted to apply equally to the rural communities? It also raises a question why the government considers the needs of the nation, but ignores the needs of certain communities? If the government were to give out subsidies for rural housing (as it is promising) a specific strategy will have to be drafted. However, since these areas are under the authority of traditional leaders. The problem arises because the current Housing Policy calls for secure tenure.

One of the major debates around rural housing policy is that there is a need for an 'institutional home' (Bernstein and Rust, 1996). The existing structures and institutions have been designed to focus on the urban needs of housing. Until now, they have not been able to accommodate the complexities of the rural housing needs. "Attempts to ensure representation of rural interests at

provincial and national level have been constantly thwarted by the disorganized and fragmented character of rural areas” (Bernstein and Rust, 1996).

It has further been argued that “the depth of rural poverty and the scale of rural resource needs require an integrated ‘rural development’ approach as opposed to what has been seen as a narrow housing focus” (Bernstein & Rust, 1996. p. 255). The argument can then be said to hinge on tribal laws which are apparently a hindrance for housing development in the rural areas and thus making an integrated approach impossible. Housing development in our rural areas could involve mobilizing communities to take part in their own development, with the consent of tribal authorities. One component in housing development is the availability of land and the individual right to secure tenure. Therefore, addressing the issue of land tenure in the tribal rural areas could be the major tool towards implementing a policy of rural housing.

The problem of developing a rural housing policy is not unique to South Africa, but it is an international problem and the evidence comes out through literature.

Every society, developed or developing, has a basic need for housing. For every individual, alone or as part of a family unit, be it a cave or castle, is hopefully more than just physical shelter. It should be a home, a resting place in which to try to fulfill the fundamental purpose of human society namely: a secure, rewarding, happy or at least livable life (Pama, Angel & de Goede, 1977 p.1111).

Pama et al (1977) have looked at the major issues which contribute to the nature of this study. These issues are shaped by the experience of India. When looking at the importance of housing, Pama et al (1977) regard the family as the fundamental unit of a society. They view a house and a home as representing an extended womb for the children during their formative years. This

means protecting the physical, psychological, educational and emotional development of children.

These are very important to both the individual and the community.

It has been noted that the nature, physical condition, location and the features of a house play an important role in providing an enabling or constraining influence on other services. Other services in this case would include water, transport, telephone community services, and especially opportunities to generate income.

“For individuals or families, a house is both shelter and symbol, the physical protection and psychological identity, of economic value and a foundation for security and self-respect” (Pama et. al, 1977 p.1112).

With regards to rural housing policy, Pama et. al (1977) have argued that housing policies should come to realizing that ‘solutions’ might not even exist, towards the problem of housing. Apparently, the parties involved should be able to come up with a tentative approach. This should be designed to enhance working with the proposed housing policy and its utilization. This is said to be inclusive of the spectrum of housing services, with the available human and material resources (Pama et al, 1977).

Looking at a comprehensive housing policy, Pama et al (1977) have suggested that housing policies for each country be individualized. Particular suggestions have been made towards the formulation of a housing policy. It has been suggested that a policy should identify and define the role of housing and also consider comprehensively all aspects of housing needs and services, for all segments of the community. Furthermore, Rubenstein and Rust (1996) have suggested that rural housing policy follow certain guidelines. These would include ensuring a comprehensive

rural representation and that the measures of delivery should be the institutions concerned about rural complexities.

A comprehensive policy has been defined as having implications, not only on new construction, but also on the maintenance, improvement, rehabilitation and best utilization of the existing stock and services. Therefore, the development of a policy of this nature can be a learning process of acquiring insight, understanding interrelationships and then try to avoid future policy 'boomerangs' (Pama et al, 1977).

When specifically looking at the rural housing policies, it has been said that rural areas are unique in many ways compared to urban areas. Land has no cost, and traditional house building materials are generally natural resources and locally available. This is one of the characters that gives unique nature to traditional housing. For Pama et al (1977), the primary need for rural settlements is "not for complete houses, but for basic infrastructure which includes water supply services, roads and electrical energy and technical assistance in house building" (p.1132). Besides the lack of basic services in the rural areas, building and management skills to enable production of acceptable housing are also lacking. This should be considered in the formulation of a rural housing policy in South Africa.

"The economic prosperity of the developing world, and its social and physical well-being and its future depends greatly on the success of its food production, agriculture and rural communities" (Pama et al, 1977 p. 1132). From this quotation, the importance of agricultural production is highly esteemed. However, the current situation in most, if not all rural areas reflect agricultural

development being virtually impossible. Thus, if rural housing development can be linked to agricultural development; it is believed that life could be more viable and this may stem the flow of people to our cities in search of survival opportunities. As a matter of fact, the existing housing policy precludes spending money on fencing which is essential for rural agriculture, to keep goats out.

The present spatial distribution, where cities are very far from the rural areas has been identified as one of the factors that has resulted in rural areas being retarded. For example in India, there are a hundred of thousands of small rural villages but most have a market of bartering system which lead to higher order centres, towns and finally cities. This hierarchy is not evident in South Africa which results in rural areas being isolated from towns and cities.

1.6. OTHER OBSTACLES TOWARDS A SUCCESSFUL RURAL HOUSING POLICY

These are some of the obstacles towards success of rural housing policy that have been identified by Rubenstein and Rust (1996) with specific reference to the South African context;

- Lack of accurate information in respect of rural need to inform fund allocation process at a national level.
- Difficulty in facilitating the cross-sectoral linkages that there are crucial in addressing rural needs
- Urban bias in Provincial Housing Departments.
- Lack of dedicated rural capacity in rural communities in the context of a housing subsidy allocation process that is demand-driven.
- The absence of effective rural local government.

1.7. RESEARCH SUBSIDIARY QUESTIONS

- * What is the current housing situation in the rural tribal areas ?
- * Why is the current policy very difficult to be implemented in the rural areas?
- * What is the attitude of the government towards housing in the rural areas?
- * What legal mechanisms exist to effect land tenure system?
- * What is the situation in the rural tribal areas in terms of security of tenure?
- * What nature should the rural housing policy take?

The hypothesis therefore is that rural housing is unique according to areas, and therefore requires diverse creative strategies towards its provision . The government can therefore be able to design policy that will ensure the provision of rural housing needs.

1.8. SCOPE OF RESEARCH

This section is an indication of how far this study will be undertaken. As it has been stated, the study is based on the rural areas under the tribal authority and how a policy that can address their unique (or particular) housing needs to be formulated. Therefore, the scope of this study will be guided by the major factors that form the context of the tribal rural areas. This would include maintenance of traditional values, such as traditional architecture. Initiatives undertaken by the government towards rural housing are critically considered. This mainly includes Part 11 of the National Housing Policy.

1.9. RESEARCH METHODOLOGY

1.9.1. Introduction

The methodology part of this study is a reflection of how the researcher planned to structure the whole research process. This section forms a guideline that was followed in conducting the study, especially collecting and analysing data. This section of methodology looked at issues on how the survey was carried out, i.e. the instruments that were used, who the subjects of the study were, and the reasons for selecting them. There is also a consideration of ethical issues that were given attention while undertaking the study.

1.9.2. Sources of Information

1.9.2.1. Secondary Sources

These are the sources of information that assisted the researcher in the development of the conceptual framework. Moser (1975), points out that it is of no use to hurry into field research without starting by relevant books, journals and other useful secondary materials. In the case of this study, the literature reviewed was mainly on the background of rural areas, traditional structures, rural development and rural architecture.

It should also be noted that significant case studies that have dealt with rural housing and related developments, have been reviewed in this study. These case studies would

include Britain and Mhingaville (in Venda). In addition to that, further reading was done from publications on rural development.

1.9.2.2. Primary Sources

The study is also based on primary research which was carried out through the interviews and discussions with the Local Government and Housing officials and the community members . Before the whole study was being undertaken, there were consultations with staff from the Housing Department. These acted as direction-givers, especially in relation to the focus of the study. Through consultation, the researcher was even able to access important governmental documents in relation to rural housing such as Part 11 of the National Housing Policy, which updated the researcher on the initiatives by the government with regards to issues related to the research problem.

1.9.3. Research Strategy

The research strategy adopted for this study was the qualitative approach. Mark (1996), has defined the qualitative approach as a way to study a phenomenon using general description to describe or explain. Such approaches are said to be more focused on narrative description of persons, events and relationships. Findings can be presented either in a form of categories or general statements in relation to the complexity of nature of persons, groups or even events.

The subjects for this study were formed of two categories of people. The first group that

was interviewed were the authorities in local government, working with the rural areas from the Local Government and Housing Department together with the Land Affairs Department. The reason for selecting such people was that their responses were most likely to be based on experience. Consequently, they were sharing their experiences and even making constructive suggestions towards the aim of the study.

The second group was the tribal community members. It was believed that these would be the people who are part and parcel of the tribal rural life. They know more about their traditional background and how it has shaped their lives, even to the present time. Moreover, it was the researcher's belief that their responses would be more detailed on what their needs really were and how their areas should be developed. The number of subjects interviewed was forty.

In collecting the data, the method that was adopted was the face-to-face interview, as the researcher was visiting the subjects in their homes. Appointments were made telephonically with the subjects where it was possible to do so, especially the local government authorities. An unstructured questionnaire was a guiding tool in collecting data. The importance of using this form of a questionnaire was that it provided the researcher with a guide to asking common questions from all the subjects. However, this was also subject to additional comments to give clarity on the questions asked, depending on the context of the subject. It was also possible to pursue specific contributions that they made in greater depth.

The researcher proposed to use a tape-recording system during the interviews, so as to ensure

that all the responses have been accurately recorded. However, using recording depended on permission given by the subject interviewed. Where no permission was granted, the researcher resorted to note taking.

The type of questions that were asked were direct and indirect, depending on the type of information the researcher required. At times the subjects responded to questions in line with the nature or the form of the question phrased. The research interviews involved close-ended and open-ended questions. The researcher was considerate of the ethical issues, especially the community members since they were based very much on cultural values and there could be unwarranted suspicions.

1.10. RELEVANCE OF THE STUDY

Development in the rural areas requires care, patience and knowledge and has been sidelined. Working with the rural communities demands the developer concerned to listen to the members. Kodua-Agye (1997) argues that, in order to achieve any objectives of any rural development strategy, it is necessary to evaluate the previous and the ongoing programmes or projects. What he noted as important is that rural development constraints should be diagnosed on the basis of planning for the future.

Bernstein (1990), has argued that; “ South Africa’s rural areas and development issues have been under searched in the past ” (p.408). In this case, rural areas are seen to have not been researched by the political officials and the academics. Thus, the nature of this study is based on one of the

great challenges facing the government and to some extent, the academics. The study is further considered to be important in that it has considered some of the proposals related to housing development in rural areas. This includes reviewing Part 11 of the National Housing Policy, and the proposal on Integrated Rural Development in KwaZulu/Natal.

Another point of relevance on this study is based on convenience when conducting the survey. This is based on the belief that it is important to conduct research amongst one's own people i.e. Zulu speakers, to reduce barriers and achieve greater insight.

1.11. REVIEW OF THE NATIONAL HOUSING POLICY

The relevance of this study is based on the fact that it will not divert on the national housing vision of South Africa. The vision states that:

Housing is defined as a variety of processes through which habitable, stable and sustainable public and private residential environments are created for viable households and communities. This recognises that the environment within which a house is situated is as important as the house itself in satisfying the needs and requirements of the occupants (National Housing Policy, 1994).

1.12. INAPPLICABILITY OF THE EXISTING HOUSING POLICY IN RURAL AREAS

It is reported that formal evaluation of the existing policy has been undertaken .

On balance, the assessment was that the existing subsidy instruments had severe limitations in applicability in the rural context (Rust & Rubeinstein, 1996 p.27).

The housing sector has further been criticised in that it does not differentiate between subsidies

for residential use and those for productive use. The White Paper on the other hand does not provide appropriate economic viability (like employment) and sustainability. Thus, rural areas are incapable of employment-creation potential, affordability, gearing and the like (Internet Information).

Requirements attached to capital subsidy have turned to be obstacles in the rural context . It is reported that most developers are not interested in working with rural areas, and this makes it difficult to go for project-linked subsidies. Moreover, people in the rural areas are unable to get bridging-finance to start their projects. Possible reasons for these shortcomings would include lack of numbers for economy of scale, inaccessibility, unsophisticated audiences and long distances.

1.13. CHAPTER OUTLINE

Chapter 1 explores the main aim of the study. It also reviews the case related to the problem identified for the study. The key points in relation to the topic are analysed.

Chapter 2 defines the basic concepts of rural tribal areas. It provides an insight to the rural situation in tribal areas, with special focus on land issues/ regulations.

Chapter 3 reviews the key issues towards the formation of rural housing policy. It looks at the impact of such factors in the rural areas.

Chapter 4 offers an overview of the historical, physical and socio-economic background of the area of Oshwashweni. It aims at giving a picture of the situation.

Chapter 5 discusses the methodology employed in collecting and analysing the data that has been used in this study, including sample design . Furthermore, it presents an outcome of the research where conclusion and recommendations have been drawn.

Chapter 6 is an overall conclusion and recommendations made towards the whole study.

CHAPTER TWO

2.1. CONCEPTUAL FRAMEWORK

2.1.1. Introduction

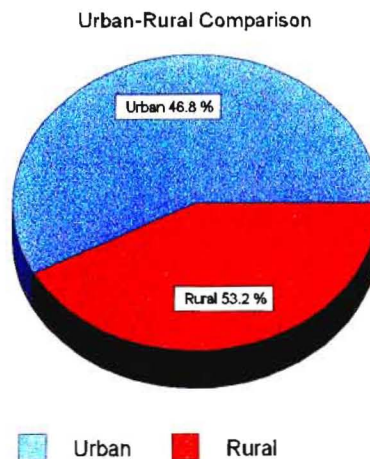
This section will mainly consist of factors forming the basics of the rural areas, with special reference to KwaZulu/Natal rural areas. The focus will be on what characterises the rural areas, also in comparison to urban settings. Attention will also be paid on what would be regarded as one of the key areas forming the nature of rural areas, which is its leadership strategy. These will be discussed in relation to requirements that should be identified towards housing provision in rural areas.

2.2. THE RURAL-URBAN COMPARISON

The importance of this part is that it will give an indication of why rural areas can be regarded as the reservoirs of poverty. It is important to highlight the reasons behind the rural areas being ignored when it comes to development, with specific reference to housing needs and delivery. The comparison will basically be between towns and villages. A common belief is that people have common basic needs irrespective of their location or background. The existing housing policy addresses housing needs, mainly in urban areas, but there are similar or related cases found in rural areas. Examining differences in this part is aimed at exposing a picture of hidden factors that have led to housing needs being ignored in rural areas

(including tribal areas). The characteristics of these areas will be used to make the comparison.

Figure 1



(Transformation Workshop, 1999)

Certain features enable one to identify the difference between an urban and a rural area. Urban areas are characterized by population size, density potential, employment, social facilities and infrastructural services. High-rise construction is another dominant feature of urban areas while none of such is possible in rural areas, and this could be associated with population size.

When looking at the rural areas, it can be said that they are characterized by a spatial distribution pattern. This refers to the low density and distribution between homes. In tribal areas, people are scattered. Another feature of rural areas is their social structure and the relationship between people whose activities are more traditional. Carter (1990) has looked at rural settlements. He noted that the major feature of rural settlements is their suitability for agricultural

purposes. It should be noted that this feature varies between rural areas. Furthermore, it is important to note that agricultural suitability also depends on factors such as the availability of arable land, soil types and especially rainfall.

The kinds of services which are commonly found in rural areas include small schoolrooms, a general store, taverns and sometimes public facilities like the post office . It can also be noted that the community members are mainly of the same status. Besides the ties of kinship, the rural communities are knit together and know one another due to their common origins and shared experiences (their history). “Shared hardship in the past and the prospect of eventual extinction have reinforced the community self-consciousness” (Carter, 1990: p 53).

The village is then regarded as more than just a service centre, it constitutes a community. The term community in this case would imply a group of people usually located in a particular geographical area, having a feeling of common interest, purpose and identity. It is also assumed that being a community is something to be valued.

The city or town on the other hand can be defined in terms of its size. The town / city is large, in contrast to a village and is further characterized by density and a heterogeneous population. “Numbers and diversity result in very weak bonds or links between city dwellers who have not lived together for any length of time and cannot know each other at any depth” (Carter, 1990: p. 53). This is one of the major distinguishing factors between the rural and urban areas. It is said that common relations in urban areas are transitory, impersonal, superficial and segmented. They are regarded as segmented in a sense that almost everyone has a specialized job,

while the workplace bears no immediate relation to the job. In simple terms, people in urban area meet but, all have different or segment roles.

Another factor that has been identified in relation to urban areas is that the lack of personal ties which leads to competition and mutual exploitation. "Status, or place in society, is not given or ascribed, it is won, and success is marked by appropriate symbols. Social relations are often means to an end, one has to get to know the right people. In contrast, in rural communities people's status is ascribed, one is known by one's family background" (Carter, 1990: p.54).

In rural communities, people always get a feeling of belonging and the pressures to conform to follow traditional modes of behavior are social pressures. It has thus been said that an ideal rural community is demonstrated by qualities of integration and common purposes.

2.3. THE TRIBAL SYSTEM

Tribalism in this case is looked at from the viewpoint of its impact on housing. It is a generally accepted norm that in order for one to build a house, a portion of land has to be available. It was also highlighted that housing forms part of development in this country. This then relates to the statement made by Harber (1986) on tribalism; that it is often ignored while at the same time it leads to the failure of many projects in Africa (Harber, 1986). Although plenty of land may be available, the key problem is the security of tenure.

It is then puzzling why tribalism causes so much distortion. “Tribalism demands the profound submission of the individual to the group” (Harber, 1986:9). The above quote states the real nature of tribal areas, where the emphasis is on sharing. Land is allocated to people, but no one is given a right to own it. Furthermore, what affects one citizen, is a concern for the whole tribe or it is believed, that thing can end up affecting the whole nation/tribe. Thus, a kind of family spirit reigns in these areas.

“Briefly, all land and resources belong to the Paramount Chief as Trustee and according to tribal traditions every male member is entitled to a share for building, pasture and cultivation” (Harber, 1986: 10). Noting that rural areas are controlled by traditional laws, there are many other factors that can be identified such as gender differences with regards to status, and also the chief being entrusted with the needs of the tribe.

Experience indicates that there is a particular hierarchy that operates in the traditional rural areas. The structure consists of the King, the chiefs, then the izinduna (local headmen). All tribal matters are first handled by the ‘izinduna’. It then depends on the seriousness of the issue, that it thereafter passes to the chief, and finally on to the king. “Chiefs and headmen have authority to require compliance by the people under their jurisdiction with their duties under the Zulu law and may give orders for that purpose” (KwaZulu General Law Amendment Act, 1989).

On the issue of land, power to allocate land is given to the local headman, who points out the building site and land for ploughing. According to Harber (1986), in allocating land, no

right of ownership is given to the community citizen, but there are always witnesses and then a form of traditional public announcement is made. The usual case in the tribal areas is that the family head (the man) may marry more than one wife, and as a result has to have different houses. According to the KwaZulu General Law Amendment Act (KZGLA, 1989), the family head has to be subject to the regulations in relation to land allocation to erect buildings which are separate and subdividing his homes. The family head does have a right to subdivide his home.

2.4. TRIBAL AUTHORITIES : *WHO ARE THEY?*

Many things have been discussed about the traditional or tribal authorities, and some of the obstacles towards rural development have been argued to be caused by their rule. Therefore it is important to give a detailed summary on how these structures are. One argument that has been raised is a question raised on colonial intervention in the African culture. So it is important for this study to have an understanding of what the major source of discussion is. Keulder (1998) has also identified the importance of understanding the traditional leaders, as according to him there could be a variety of ways in which this could be understood.

There are two approaches which Keulder (1998) has viewed as the basis of traditional leadership. It is argued that they can be defined on the basis of their authority in a traditional way or rather, it could be on the basis of their functions, including services they render within their communities. There are definitions that have been attached to each of these approaches.

The definition attached to traditional leadership as based on their authority says:

The group referred to as traditional leaders/rulers or tribal leaders are individuals occupying communal political leadership sanctified by cultural values and enjoying the legitimacy of particular communities to direct their affairs. Their basis of authority is therefore tradition, which includes the whole range of inherited culture and way of life; a people's history, moral and social values and the traditional institutions which survive to serve those values (Keulder, 1998: 21).

Attached to the second approach is the definition that:

A traditional ruler is the person who by virtue of his ancestry occupies the throne or stool of an area and or who has been appointed to it in accordance with the customs and tradition of the area and has traditional authority over the people of the area (p. 21).

Beside the approaches and definitions given above, it is important to note that the origins of traditional leaders are on pure traditional environment where there would even be no need to ask who they are. This can specifically be traced within the Zulu kingdom. It was when there was a shift during the introduction of the Western culture, that there are traditional leaders that are elected by the Zulu custom, and those are chosen by the government. This would mean that the government has intervened in the procedure of traditional leadership, although the old system has not changed.

The general information on traditional leaders entails the leaders commonly known as kings, chiefs and headmen (Keulder, 1998). The well-known structure of this leadership is hierarchical; having the king on top, then the chiefs (serving under the king) and lastly the headmen. In most, if not all cases of traditional leaders; their leadership is traced back from their ancestors. It therefore means that it is transferred from one generation to the next according to clans.

Despite the situation that African traditions have been diluted by the Western culture, the traditional leaders do still engage themselves in their general tasks that include leading tribal government, maintaining local culture, leading ceremonies, applying customary law and promoting the well-being of their communities (Keulder, 1998 p.25). The traditional leaders further have a role to play in the ‘modern affairs’ which includes advising central and local government, and also assisting in development planning and implementation. For Keulder, these leaders should rather be regarded as ‘syncretistic’, other than being pure institutions (Keulder, 1998 p.25).

2.5. THE CHIEF’S POWER AND AUTHORITY

“The chief has authority vested in him by right of birth, and through his role as representative of the king” (Radcliffe-Brown & Forde, 1964). The authority of the chief allows him considerable power to influence opinion so as to achieve particular goals. It is argued that the chief believes implicitly in commercial development and also has a substantial influence over the nature of development within his/her chiefdom (Radcliffe-Brown & Forde, 1964).

2.6. KINSHIP STRUCTURE IN THE TRIBAL AREAS (KWAZULU/NATAL)

The Zulus are divided into exogamous clans where isibongo (surname) is the clan’s name. They are all traced on common descent in the patrilineal line over generations. The lineages within clans are usually residential units. “Their segments are cores of villages and a number of segments living in one neighborhood form a recognized group (umndeni) against other similar groups,

in their own and other clans” (Gluckman in Radcliffe-Brown & Forde, 1964 p.169). It is reported that members of a segment hold rights in each other’s herds and lands, consult on personal questions, and arbitrate in quarrels between members. Their kinship structure has been noted as it does influence house structure among families.

There will now be an examination of marriage within the traditional communities, as it has a particular contribution on the land and housing issues. Gluckman in Radcliffe-Brown & Forde (1964), reports that the traditional Zulus have residual inheritance rights and it is one of the core beliefs. The traditional marriage is then believed to induce qualities such as hospitality, which is regarded as most desirable. Also, one cannot marry within the family where they share the same clan-head and ancestors. Clan-song as well as being involved in common rituals and taboos, is a requirement (Gluckman in Radcliffe & Forde, 1964).

In the context of marriage, each exogamous clan should get a wife from the other clan. The husband is then expected to give cattle to the wife’s family. The purpose of giving cattle being the transfer of rights of children and wife to the husband. The child then becomes an absolute member of his / her mother’s husband lineage and all his rights of inheritance lie in it. Even though, the very same child has some responsibilities to consider from his / her mother’s clan. This would mean that s/he may not marry, but can drink milk and cannot inherit anything. The issue of milk is important in that there are some limitations attached to milk from the cows. “Marriage is not allowed with any member of one’s father’s or mother’s clan, nor with anyone who shares a common grandparent” (Gluckman in Radcliffe-Brown & Forde, 1964. p 170).

In terms of property ownership, the husband allocates land for gardens, feeding the wife from his own gardens and herds. He also has to provide a hut and clothing. The wife has duties of working her gardens, together with other household duties. In a polygamous situation (more than one wife), land and cattle are allocated to both / all wives by the husband. The land and cattle after being allocated, becomes inevitably the property of a particular house (referring to one wife's house) (Radcliffe-Brown & Forde, 1964).

It is reported that if the family head dies, the widow(s) remain attached to their dead husband's lineage. And in such situations, the procedure of 'ukungena' is applied. Ukungena (entering) refers to the case where the brother to a dead husband is given right over the widow. The Zulu tradition rejects security of tenure to women: "women cannot own anything" (Radcliffe-Brown & Forde, 1964 p.195). Even though, there are sources of evidence that are known when the family head is dead, when ownership has to be allocated to the heirs, the following are considered as evidence for the wife:- the position of wives' hut in the village, their wedding ceremonial and the source of their marriage-cattle. This would imply that the rural housing policy has to consider discrimination against women on the basis of traditional laws, as it denies women right to ownership.

2.7. TRIBAL AUTHORITIES AND THE GOVERNMENT

The aim of this section is to explore the relationship between the traditional leaders and the national government, with regards to development and support. Through this discussion, it is believed that some of the problems on working relationship will be identified as they will have

to be considered for development.

An example from Botswana has been extracted to indicate how the system of delegating the chiefs is practiced. The importance of reviewing this example is to identify strengths and weaknesses of the system, as the same may occur with local traditional leaders. According to Keulder (1998) in Botswana, there is a House of Chiefs and their advice is often ignored, even when the issues may affect the leaders and their communities.

“Where advice is accepted, the issues are less serious, suggesting perhaps that houses have more symbolic other than functional value” (Keulder, 1998: p.301). Such experience can be argued as taking place in almost all the cases of traditional leaders working with the government. The limited functioning of the tribal authorities can further be attributed to certain other factors apart from ignorance. Keulder (1998) points out the argument that:

“Functionally, their effectiveness has been restricted, not only by their limited powers, but also by the low education and literacy levels of their members” (Keulder, 1998: p.301). From the quote, stumbling blocks on communication can be identified in a sense that one official language (for now, it is English) is set as the medium of communication. Therefore, issues of illiteracy among traditional people are an obstacle. The critical factor to such a situation, could be that in contrast to urban areas, education has not been regarded as the main priority.

From Keulder’s (1998) observation on tribal leaders in the broader context of Africa, the impact or contribution from the House of Chiefs towards policy-making has been benefitting them more than the communities. This sets up a challenge on what can be done to create a good

working relationship between the traditional leaders and the national government.

Nevertheless, Botswana has been congratulated in achieving progress toward successful state building (monopolizing control). Their achievement is based on being able to incorporate traditional leaders into State structures; traditional as a potential source of control, independent from the state and they have been turned into state agents of social control.

The example of this nature, with reference to KwaZulu/Natal can be looked into, in relation to land issues. The fact is; the government and the traditional leaders own and allocate land in different ways. The consequence of such a poor working relationship has given rise to development stagnation, especially within the rural setting. It can be argued by implication that the dilemma of the relationship of the two authority structures affects almost all the provinces.

In the context of this study, the main concern would be identifying the core cause of these problems, to ease the way to creating an environment, where a policy that will address the housing needs in the rural areas can be formulated. Usually, if there is any need that has to be provided for communities, the government is always the first to be charged for responsibility. Now it is realized that both the government and the traditional leaders should be able to work together to avoid one being a hindrance in any development planning.

What can be said is that in spite of the negative criticisms that have been raised against the traditional leaders, they are firmly entrenched. This would mean going beyond problems of illiteracy, and to adopt a positive view on the possibilities of rural housing development.

Keulder (1998) has pointed out that the traditional leaders have a crucial role to play which involves enhancing the state's social control and legitimacy, especially in rural areas. This comment emphasizes the need for a social relationship between the two parties, when it comes to development.

In order to address the matter of cooperation, there are certain things of the past that have to be addressed, or they might distort the vision on which to work towards rural housing or any other development. From the viewpoint of traditional authorities it is apparent that their foundation is mainly in regard to cultural beliefs. It has been said that getting communities to understand and accept the recommendations of being involved with the government cannot be easy as people are more influenced by their cultural beliefs. Keulder (1998) has made this recommendation that; "It is to the benefit of the New South African State to have traditional leaders represented at the central level" (p.310).

Proposals that have been made on the Integrated Rural Development White Paper have also considered the importance of a good working relationship between the government and the traditional leaders. It has been argued that the new constitution should carry an element which focuses on co-operative governance, which can replace the previous emphasis on hierarchical tiers of governance. Furthermore, the tri-dimensional spheres of the government which are national, provincial and local; are to be mutually interdependent.

The interdependence of governmental spheres is not regarded as an end. The involvement of traditional leaders is also emphasized. Exclusion of traditional leaders in the process of

development has been identified as one of the factors contributing to these leaders being defensive and protective of their powers. As it has been discussed, the main problem in relation to rural housing development is the issue of land. Therefore, withholding land rights has been one of the defensive acts by the tribal leaders. It is suggested that:

Mechanisms need to be put into place to enable traditional leaders to play a positive role in local development activities. In the absence of such mechanisms, traditional leaders will be unable to respond in developmental ways (Xaba and Associates, 1998. p 20).

The commonly identified solution by Keulder (1998) and the IRD, to the problem of the poor relationship between the government and the traditional leaders is that there should be a flow of information between the two. According to the IRD, traditional leaders have not been empowered to participate in the development by the government departments which have been responsible for them. As mentioned before, lack of education and training, poverty and access to developed resources contributed a lot in traditional leaders taking a backward seat when it comes to development.

2.8. PROBLEMS WITH RURAL SETTLEMENTS

The structure of rural settlements is different from the urban structure. Rural settlements have generally adopted a dispersed settlement structure. Such structures require special attention as they make it difficult to provide formal services important to socio-cultural amenities like police stations, meeting rooms or even school, in some cases they are not viable.

It can be noted that other authority structures have not been able to carry their duties properly

because they have been under-resourced . In addition to that, due to the historical background of our country, other authorities like local councils could not undertake their responsibilities. Lack of public administration in the rural areas can be identified. However, its main cause is the reason that powers are vested in the Chief, thus leaving little room for negotiations especially in regard to housing development.

In most cases, the opportunities of bringing change within the rural settings are also constrained or influenced by the existing physical infrastructure. This involves public utilities, communication channels and other resources. It is such issues that are important for consideration in policy formulation. Even though rural housing policy is required, there are basic resources that have to be addressed in any way possible. One of the major basic resources is finance.

Another area of consideration in bringing development within the rural areas, is to anticipate the maintenance of roads, water and communication services. It therefore demands an answer to: will the community members be able to maintain the services ? The requirement of course being taking something out of one's pocket, i.e. money. This would be giving an opportunity for local people to maintain their services on contract basis e.g litter collection.

“Rural life is unattractive for a number of reasons. It means low incomes, but most of the activities are limited to farming and livestock raising, products which are price-controlled and which do not often give an adequate return to the farmer” (Anderson, 1978:10). The unavailability of services in rural areas has thus led to them being isolated and regarded as unproductive.

Dewar (1994) has focused on the rural-urban interface, where research was undertaken, using Transkei as a case study. This has been used because no similar work has been undertaken in KwaZulu/Natal. There are various issues that were brought up through his study. It is important to review what was discovered during this study, as it can contribute in issues of consideration in the formulation of a rural housing policy in South Africa. The aim of the study by Dewar (1994), was mainly towards making a contribution to the economy of the country, during its stages of transformation.

Economic development is important, especially for rural areas. It is therefore important to consider the achievement of this form of development, in any developmental strategy, including policy. This is stated as it is economic insecurity that pushes people from the rural areas to the cities where economic chances are perceived to be better.

Dewar (1994) has identified what could be adopted as a strategy for housing development in the rural areas. The strategy is about integrating what he referred to as 'disparate' communities, and then opening economic opportunities through mixing land use and effective provision and use of infrastructure. "The goal is to create a society which is economically and socially sustainable for all its members" (Dewar, 1994 preface). It can be suggested that this kind of strategy should be the basis of any housing development strategy.

Economic development within the rural areas is a challenge, and therefore requires well-strategised approaches of which research still has to be one. The analysis of the Transkei case study came up with major rural features, which are also common in the rural areas in KwaZulu/Natal. Significant

differences will be discussed at the end of this section. Dewar (1994), has categorized these features on the basis of economy, settlement pattern, settlement dynamics and the nature of rural-urban interface. These will be examined. Economically, the area is bedeviled by the problems of poverty and unemployment. Furthermore, there is limited access to direct means of production. The primary source of income is welfare payments. Analysis further indicates the area to be dominated by outside influences, mostly from neighbouring provinces. Even though agriculture proved to be an effective tool towards the economic development of the area, it should be noted that agricultural failures have been the result of non-availability of primary resources, like water and access to capital for ploughing and seeds.

Settlement pattern is another feature that was identified in the rural areas of Transkei. Observations concluded that the traditional style of building remains dominant. Relocations have taken place in most areas through the program of Betterment Planning. The concept was to concentrate people around infrastructure and social services and to set arable land aside for farming and grazing. However, the program became unpopular, resulting in suspension, due to the lack of envisaged services (Dewar, 1994). Although the programmes implemented in the former Transkei did not earn popularity, they can still play an important role provided they fulfill their original vision of providing convenience.

2.8.1. Settlement Dynamics

Dewar (1994) further identified that the settlements had certain dynamics. These have been categorized as 'broader' dynamics and 'internal' dynamics. The broader dynamics are mainly characterized by trends of a high rate of natural population growth, out-migration and in-migration. The internal dynamics are on the other hand influenced by broader dynamics. For example, the in-migration in the rural areas of the former Transkei is high, resulting in intensity of settlements. This rural intensification is reported also to have somehow affected the tribal system of land allocation. The consequences have been allocation of small plots to the people. This situation is said to have even affected the agricultural viability; as agriculture requires one to have enough land for production.

2.8.2. The Rural-Urban Interface

The Transkeian experience indicated that many people return from the cities to the rural areas. Some of the reasons for these movements are related to retirement (old age), injuries from workplaces or various sicknesses. However, it can be noted that it is in seldom cases where productive people return to rural areas to influence development. Nevertheless, there are people who are still moving to major towns in South Africa, as well as Umtata and Butterworth. "The primary motive for this is a search for income generating opportunities" (p.3). It is such factors that challenge developing rural areas. This is said in a sense that housing development in rural areas should make a great contribution in dealing with the movement of people to the cities. In contrast with a flight to urban areas the objective should be, to create an environment where people will

be able to sustain themselves. This would include economic stability within the rural areas.

Another internal dynamic issue that was identified by Dewar, is the drift to flank the major roads. This is the process that occurs internally, as people move to roadside areas. It is important to consider the driving factors in the internal movement of people and the implications behind it. "The regional road arterials play a vital role in rural life and there is considerable economic and social advantage (in access and services) in being located close to them" (Dewar, 1994 p.4). The tribal system of land allocation contributes in a way to slow people from moving to the roadside. The tribal system is a hindrance in that people are to abide to what is said by the Chief or Induna. They cannot do as they please.

Having looked at issues around urban-rural interface, the phenomenon was proven not to exist. This means that rural-urban interface/linkage does not exist so far. From Dewar's study, it was concluded that there is no widespread rural economy. Agriculture has always been regarded as the economic source for rural areas, but areas like the former Transkei do not confirm this statement.

The Transkeian statistics indicate that agriculture constitutes at least 18,2 % of the gross domestic product, and therefore plays a minor role in terms of sustaining rural households. It has been argued that the rural economy is almost entirely dependent on cash economy. This means that the basic needs are met through cash purchases. People are reported to be acquiring cash on remittances from South Africa through partial wages or pensions or informal employment around Transkei (Dewar, 1994).

The situation of Transkei that has been reviewed has certain implications for the overall South African rural housing development, with special attention to policy formulation. This would include recognizing that there are sources of economy that needs to be mobilized within the rural areas, including agriculture and tourism. Creation of formal employment opportunities should also be considered. The importance of this can be supported by the statement by Dewar: 'the production sector of the urban areas is not shaped by the needs of the rural areas'. The situation becomes worse for rural areas where their surrounding city centres are economically weak to meet the needs of the surrounding population.

2.9. LAWS ON LAND WITHIN THE TRIBAL AREAS

Generally, access to land is one of the necessities in people's lives. Besides owning livestock in the rural areas; access to land forms part of one's wealth. Right to land exposes one to economic and even political power. The nature of land, which entails immovability, has credited it to be regarded as the best form of security, and such qualities sets land apart from other commodities (Bennet et al,1986).

Furthermore, the qualities that the land has, seem to be the cause of complications which are related to its ownership. Bennet et al (1986) have argued that it is because of such reasons that there is importance of record-keeping, especially for the government. The Department of Land Affairs and the Department of Traditional Affairs can take responsibility of keeping such records, especially in areas where land surveying has been done.

With specific reference to the rural tribal areas, the type of tenure system that is applicable is the customary tenure. What is being perceived is that there has always been a clash of this tenure system and what the government desires to happen; as the Housing Policy encourages individualized forms of tenure. Administrators and authorities see customary land tenure as an obstacle to progress (Bennet et al, 1986: 213).

A brief summary of how the customary tenure system operates will be given. The customary tenure is said to be enforcing a certain homogeneity within the community. One of the influencing factors towards this homogeneity is that all authority lies on the hands of the chief. According to Hughes (1964), land allocation to the community members is given on the grounds of full membership to that community, as a result excluding those who seem to be 'outsiders'. It has been reported that there is sometimes a screening procedure that is undertaken for those who are not members of the community. This means that these people are asked certain questions even before they are allocated land.

Housing is regarded as one of the forms of development, and this will also be discussed in this study. The customary land tenure system is identified as one of the major obstacles towards housing development in the rural tribal areas. This is due to the fact that it does not allow right to ownership, land issues are not negotiable, and that land rights are dependent on the politics of community membership.

There are certain remedies that have been suggested as a way of eliminating problems that arise due to customary tenure. Bennet et al (1986) have also raised a concern that in order to remedy

the shortcomings which are a result of the customary tenure, administrators have to embark on the programmes of individualization and commercialization. Commercialization refers to “practices which deprive a community of its traditional right to resume possession of land”. On the other side, the very same strategy is seen to have capability of endless indebtedness or even landlessness (Bennet et al, 1986).

Another negative consequence of such action could be that individualization may lead to weak influence from the community and also that certain classes of customary land rights such as ‘family interests’, can demand special attention (Bennet et al, 1986). Such an argument is quite crucial especially when one is taking a direction of formulating a housing policy for rural areas.

As a matter of concern, Bennet et al (1986) have put forth suggestions on other ways in which the problems are perceived in regard to customary tenure. After observing these difficulties, Bennet et al (1986) then suggested that “registration of the title be introduced together with some simple substantive law to make certain who owns the land and how the owner may deal with it. The form of title must preserve the residual rights of the community in its land and provide the holder with necessary economic incentive to make better use of land” (Bennet et al.1986: p 215).

2.10. LAND TENURE SYSTEM

It is estimated that about 780 000 households live under traditional or officially unrecognised

tenure arrangements in predominantly rural areas. The issue of insecure tenure has been regarded as one of the salient features and causes of the housing crisis in South Africa . It can therefore be suggested that the government take responsibility in providing the widest range of options for quicker attainment of secure tenure. Regarding this as an invisible intervention, it is likely to have significance and positive impact on the propensity of individuals and communities to start investing in their own housing conditions (Bowen, 1993).

“The expression ‘land tenure’ is used here to explain in layman’s language the different forms of ownership, possession and occupation of land. In South Africa, land ownership is legalized by the registration of title deeds” (Bowen,1993).This simply means the acquisition of an absolute right to use and enjoy land.

“Land is the most basic need for rural dwellers. The abolition of the land acts that caused disparities on land ownership, is in itself not sufficient to redress inequities in land distribution. Only a minority can afford land on the free market” (Department of Regional and Land Affairs Directorate Land Allocation, 1994:1). From the above quotation, the importance of land and the negative effects of its insufficiency can be identified. The land tenure system forms the bulk of the debate.

In the tribal areas, land is held by the chief in trust for the community. A tribe’s identification with its land and the communal tenure are believed to be essential for the continued existence of a tribal community. Such realities are to be re-considered when looking forward to policy formulation. “The traditional system of land tenure underpins a delivery balanced subsistence

economy system which, if replaced injudiciously could lead to the collapse of the communities to which it affords a livelihood” (Radcliffe-Brown, 1964).

In the article edited by Radcliffe-Brown (1964), the nature of land tenure system has been reviewed. It is argued that “ systems of land tenure embody those legal, contractual or customary arrangements whereby individuals or organizations gain access to economic and social opportunities through land. The precise form of tenure is constituted by the rules and procedures which govern the rights and responsibilities of both individuals and groups in the use and control over the basic resource of land” (Radcliffe-Brown, 1964 p.20).

Historically, land tenure systems in the areas occupied by ‘Blacks’ was controlled by various commissioners, which regulated the rights of individuals to occupy land and also setting the terms and conditions on which that land has to be used. The Black Areas Land Regulations that was made of Proclamation R 188 of 1969, in terms of the provisions of Section 25(1) of the Black Administration Act, 1927 provided, in respect of residential land, that a commissioner could grant to any individual in respect of any particular piece of land, either a right of quitrent tenure or a permission to occupy land; which still applies, and will be discussed later (Housing Policy, Part 11).

The South African Scientific Programmes Report (SASPR, 1985), reports that there are specific features of land tenure in African societies which are traditionally based. The chief, who is the key feature in the authority structure acts as a representative of the whole community. There are certain conditions attached to the process of accessing land in the tribal areas. These

conditions include not being allowed to establish a working capital through the security of tenure provided. Retarding conditions of this nature form part of the hindrances that are blocking people's accessibility to the financial institutions and possibilities for development (SASPR, 1985).

Looking at the previous experience of the country with regards to the land issue, there is a lot that has to be addressed. " An important component of any successful development strategy for the tribal areas, must be a policy on land reform" (SASPR, 1985:17). It can therefore be said that for any development, including housing, it is important that the key issue which is of land tenure be given urgent attention. The customary tenure, which is the one applicable in the tribal areas will be discussed in the following chapter.

2.11. LAND RIGHTS ON TRIBAL AREAS

Land rights in the tribal areas are mainly considered in the context of a family other than individuals. As commonly known, ownership of land is always in the hands of the family head (the man). In cases where death of the family head occurs, the eldest son(s) of the family inherit the right to occupy and use the allocated plot. Because tribal areas are mainly based on the traditional customs, there are some effects especially on women. It is the traditional custom that women are not allowed to khonza the land. This is because women are not acknowledged as heads of households. Within the Zulus, the position of women was exacerbated by the stringent measures of Natal Code which classified women as minors with no contractual power (Eagle, 1987).

However, it is important to indicate that the traditional land system might not exactly be operating as it did in the previous decade. Modernisation is said to have impacted the system in one way or the other. According to Jenkins (1988), in the same traditional areas, there has been an emerging type of a negotiable individual tenure. An example to this would be that the fee that was paid for 'khonza', instead of being paid directly to the chief, is now paid at the magistrate's office. The money is deposited to the Tribal Authorities trust fund. Furthermore, the majority of the chiefs are now government imposed, and this has led to transition where land is no longer allocated to the tribe's members only. Also, there are some cases where women who are heading their families are allowed plots or they can inherit occupancy rights for allocated plots in the death of their husbands (Myataza, 1992).

2.12. TRADITIONAL TENURE / 'KHONZA'

This form of tenure is found in the peri-urban areas and informal settlements on tribal lands. It is a system of property relations built on "colonial traditions of direct rule and on colonial understandings of indigenous social system" (Bowen, 1993). The control of land rights is vested in chiefs and exercised within the context of communal tenure system in which membership of the community entitles families to land. In this case, land distribution takes place among members of the tribe and according to need. On the other side, the chief and his headmen apportion allotments. The land allocations are usually approved by the chief, who normally acts on the advice of the Tribal Authority Council (Carter, 1990).

Members of the tribe make payment to the chief in exchange for security and protection

offered by the tribe. This refers to social security. According to Bowen (1993), the classification of traditional tenure as Khonza is derived from the practice of payment. The payment for the site (khonza fee), is made in cattle or in cash to the Tribal Authority's Trust account. The worth of that particular individual is indirectly reflected through the payment.

2.13. LEGISLATIVE ACT ON RURAL LAND : AN OVERVIEW

The Act is mainly aimed to: "provide for the designation of certain land, to regulate the subdivision of such land and the settlement of persons thereon; and to provide for matters connected therewith" (Act 126, 1993: 2). The Act came into being as there was a necessity to broaden access to land in the rural areas, and its application is reported to have been focusing much on the communities that are experiencing an urgent need for land. The Act is known as The Provision of Certain Land for Settlement Act, 1993 (Act 126 of 1993).

This Act, which is still applicable addresses some issues which are as follows:

- * The power of Administrator with regard to certain land .
- * Publication of notice in newspaper: notice calling upon the interested parties to submit in writing to the administrator.
- * Development of designated land.
- * Subdivision of designated land.
- * Partition plan.
- * Surveying and approval of plans and diagrams.
- * Settlement of persons on designated land.

- * Registration of ownership.
- * Financial aid.
- * Aid in acquiring land.
- * Exclusion of certain land.
- * Application of Act in self-governing territories.
- * Regulations
- * Delegation

2.13.1. Main Objectives of the Land Act

One of the main objectives of the Act is to make provision for the settlement of rural communities, allowing communities to access small-scale farming, residential, public, community business or other purposes related thereto. The Act also aims at a settlement model where town settlement is not the objective. This means that the aim is not necessarily the establishment of a town, but it still aims for mixed utilization of land within the rural context.

As the Act 126 focuses on the settlement model, it is argued that the model belongs or favors the generation of income through various strategies like job opportunities in farming, formal or informal business sectors. It therefore means that those who cannot generate income in any way, are being ignored. Another objective of the Act is to mobilize the usage of excess state land, and financial assistance in obtaining private land.

2.13.2. Permission To Occupy (P.T.O)

The P.T.O. is one of the methods that has recently been adopted by the government to allow people in rural areas to access land. This system does not necessarily give a person a right to own the land but to use it. Usually, the land that is acquired through the P.T.O. belongs to the government.

The sources of authority in relation to the P.T.O. are as follows:

- KwaZulu Land Affairs Act No. 11 of 1992

-Permission to occupy Regulations derived from the Act

Prior to this, it was in terms of Proclamation R. 188 of 1969

-Resolution No 4 of 5 October 1998 of the Ingonyama Trust

The procedure of obtaining the P.T.O. is as follows:

* One has to consult the induna (headman) or inkosi (chief), and then identify the site.

* Seek approval of the local authority (Traditional Authority).

* If the approval is granted, the site is then measured by the officials of the Department of Agriculture that is operating in the area. There are certain forms that have to be filled called Annexure A, B and C and these forms have to be signed by the official concerned and a representative of the traditional authority.

* A sketch map like 1:5000 which shows the exact position of the site should be done.

* Then an application letter, together with the Annexures should be submitted to the Department of Traditional and Environmental Affairs, which is required to include:

-the purpose of requiring the site

- capital to develop the site
- the estimated cost of the project
- the development plans
- what type of a developer is applying i.e. a trust, individual, corporation, etc.
- if the application is for lease, the period should be stated
- the recommendations of the traditional authority should also state the period of the lease recommended by the traditional authority.

After all these procedures, the application has then to go to the Department of Traditional and Environmental Affairs who goes through it to check if there are any clarifications that need to be made. In the absence of queries, the application is processed in the Department. The size of the site also determines if it should be processed by the Ingonyama Trust, especially if the site is big. The P.T.O., as a form of giving authority has certain conditions with which the holder should comply with. These include, using the site only for the purpose specified on the application form, right of the holder being untransferable, cancellation of the P.T.O. if the holder fails to comply with the conditions laid and ensuring payment of the rental at a stipulated period (Department of Regional and Land Affairs, May 1994 Vol. 4.0).

2.14. ROLE PLAYED BY THE DEPARTMENT OF LAND AFFAIRS

This part of the study will consider the action that has recently been undertaken by the Department of Land Affairs with regard to land availability in the rural tribal areas. It has been reported that the Department of Land Affairs undertook an initiative towards land reform in the rural areas of

KwaZulu/Natal. The strategy that was adopted for an action does not put recognition to the powers of the traditional leaders, and what has been their way of land allocation. This strategy has been criticised on the basis that “ it is forcing the local traditional communities into the realms of legislation and politicking ” (Derlihy & Associates). The Department has adopted a structure of rural land reform measures that will ensure that community members are not going to pay for the land. Any possible way of getting land in the rural areas will play a major role in rural housing development. Moreover, rural communities will be able to benefit from what once was theirs.

Even though the action of the Department of Land Affairs is aimed towards the benefit of people, lack of consultation or negotiations with the traditional leaders has been noted and criticised. However, a document has been drafted containing an approach through which the traditional leaders can be involved in developing or modernizing without surrendering their African culture/tradition. “It must be emphasized that this approach’s primary objective is to secure traditional tribal land in such a manner as to ensure the right of the resident rural population to enjoy leadership in cultural tradition” (Derlihy & Associates).

2.15. HOUSING POLICY AND GENDER

International experience witnesses that there is a need for a housing policy that will be gender-neutral. This is based on the fact that housing policy has given little consideration to gender differences, when defining a need for housing. The situation in rural areas also demands attention with regards to security of tenure, housing, and women. According to Danderkar (1993), in most cases women are regarded as the undeserving poor. Moreover, there is an ideology that an

‘appropriate family’ is the one which is shaped by various forms of patriarchal traditions.

“Infrastructure has immediate consequences for women, because of their greater domestic responsibilities”(Dandekar, 1993 p.17). This is said particularly because within the family structure, women are the ones who undertake domestic duties. These include cooking, collecting water and firewood; they also have to rear children. Aliyar and Shetty in Dandekar (1993), argue that besides the hard work that women engage themselves in, including agricultural production; women need to have a greater voice in the creation of their homes. They further argue that though women are rarely considered during the formulation of policy or even during implementation of local projects; they are directly and often adversely affected by inappropriate shelter (Dandekar, 1993).

Historical background of rural settings indicates that women’s rights to land and housing are conflicting with traditional and family law. Urbanization is one of the factors that seem to be challenging these laws and customs which have been rooted in agricultural societies putting emphasis on kinship and extended family. This is said in that, there is what can be referred to as reformulation of family structure as people adopt an urban lifestyle.

Working with the tribal areas requires one to be aware of polygamous households. It should be noted that there is a poor relationship among the wives or the family at large, resulting to a high level of competition. It is then important for any housing project developed to consider the social organization and practices of the prosperous beneficiaries. The important thing to consider in such cases is that a project may provide or construct a house without considering the polygamous

family structure. As a result, there would be no separate sleeping rooms for individual wives, and their separate kitchens. Such a structure would have been influenced by the traditional way of building, where the wives have separate houses.

The recent amendments made on Part 11(Rural Housing Policy) of the National Housing Policy do recognise polygamous marriages, as they are the most dominant in the rural areas. This recognition goes along with the approval of the Rural Subsidy Mechanism (RSM) by the National Government of Housing. According to the RSM, any prosperous beneficiary from a polygamous union will qualify for subsidy if s/he holds informal rights in respect of a particular allotment. Furthermore, the allotment must physically be occupied by a person married to by virtue of polygamous marriage or children of such (Part 11-Rural Housing Policy, March 2000).

2.16. FINANCIAL ASSISTANCE FOR RURAL COMMUNITIES

“The concept of bulk borrowing and collective indebtedness has been mooted as an option to providing development finance to rural communities” (Herlihy & Associates). Rural communities are well known for being disadvantaged . This is due to poor or no resources of reliable income and no access to institutional services like banks .

For every borrowing , collateral is a requirement and this is virtually impossible for individuals in rural tribal areas . It has however been proposed that in the case of borrowing , tribal land be put up as a collateral surety. On the same note, the critical point is when loan payments are not

afforded. The implication that comes is that the whole tribal land will be dispossessed from people; causing community members to suffer even more.

It can therefore be suggested that other possibilities be identified, which will not put community members at a high risk of losing the little they have. "Tribal land would be much better used as a collateral for funding used for long term investment to the benefit of the community from which the revenue generated can be used to subsidize interest rates" (Derlihy & Associates).

2.17. AN INTEGRATED RURAL DEVELOPMENT

This proposal is directed towards promoting the holistic economic and social development in the areas in KwaZulu/Natal. Attention to such a proposal has been drawn by the fact that rural areas rely largely on natural resources for their living. The Housing White Paper (1994) has drawn conclusion and it includes elements of existing sectoral and intersectoral policies of growth and development and spatial strategies. However, the core proposal of this Paper is to re-orient the already existing policies and programmes into achieving a holistic approach. The major belief of the Housing White Paper is common to what was identified by Bernstein and Rust (1996), that the local governments can play a major role in developing the rural areas.

The Integrated Rural Development proposal does not specifically address the issue of housing. It has been considered for this study in that the greater part of any development falls under the concept of 'housing'. The components of the vision of the IRD are in line with the aim of this study and as a result, the study is believed to make a contribution. The elements forming the vision

of the IRD are:

- the achievement of integration within the policy environment through re-orientation of present delivery systems.
- the achievement of a more equitable balance between the urban and industrial bias.
- the resolution of existing contradictions between civil and customary systems of governance.
- the creation of an inclusive rural economy.
- the integrated provision of services and development resources.

2.18. IS HOUSING RESEARCH A NECESSITY ? : A LITERATURE REVIEW CASE STUDY

After having looked at different aspects pertaining to rural tribal areas, it is also important to elaborate on the importance of research in the rural context. It is important for research to be done in the rural areas. Some of the reasons that raise the need for research have been discussed. For example how the tribal authorities can formulate a strong working relationship with the government. Another reason for research in the rural areas is that little has been undertaken to date.

To give clarity on what housing research in rural areas is basically about, a case of Britain will be reviewed with reference to the South African rural tribal context. The problem that is being discussed is an international one, as programmes like the IRD are reported to have existed in the 1970's, internationally. In South Africa, a group known as the Shelter Group, at the Division of Building Technology (Boutek) also identified that there is a need for rural housing research.

This could help to stem the migration of people from rural to urban areas, which acts as contributing factor to overwhelming increase in squatter and informal settlements in the urban areas.

The Shelter Group took about two years trying to investigate some of the broader issues of housing and development in rural communities. Their target areas included those which are part of this research; also forming the greater part of the rural areas. These are: homogenous community with a strong cultural base, a tribal authority, widely dispersed rural villages, far from the service centres, poor access to roads, harsh topography, subsisting on agriculture, dependence mainly on locally available natural resources and social remittances, no ready access to basic infrastructural services and inadequate social services.

Their main objectives included the following:

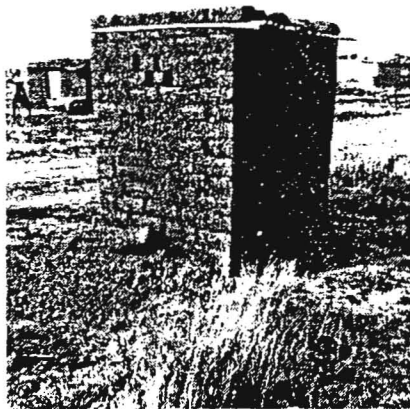
- Investigating the needs of deep rural communities in relation to their access to , and use of the government housing subsidy.
- Since communities have more access to traditional building material, would not they favour alternatives such as buildings, roads and railways, or natural wealth, such as clean and adequate water supplies, well cared for farmland, landscape, a wealth of wildlife and forestry. (CSM, 1999: p.48).

According to what the CSM has reported, the remote rural areas can be developed through agriculture and forestry. This could steer development towards agrivillages. It is suggested therefore that planning policies should allow the development of enterprises which are appropriate

for rural areas.

A great demand for their provision of topstructures has been recognized, while it is also demanding in a sense that great expenditure is required. On the other hand compelling evidence has indicated that better housing provision reduces other social costs in association with health, unemployment, educational, under-achievement and crime (CSM, April 1999).

THE DIAGRAMS SHOWING CONDITIONS IN THE RURAL AREAS



AN EXAMPLE OF THE TYPE OF TOILETS COMMON IN RURAL AREAS (PIT LATRINE made of mud)



LONG QUEUES WAITING FOR WATER IN A BORE -HOLE



METHODS OF COLLECTING WATER

Frescura, (1984 p 179)

CHAPTER THREE: “RURAL TRANSFORMATION”

3.1. INTRODUCTION

This chapter will highlight some important issues that need to be taken into account to address the unique requirements of rural housing.

3.1.1. ROLE OF THE ENVIRONMENTAL PROFESSIONALS

Planners, architects and the like, can make a great contribution in bringing desirable development to the communities they live or work with. This further demands that they involve the communities that they work with. From general observations, some of the development programmes were done for the people, instead of being done with the people (referring to community). It is in cases like this, where the statement made by Harber (1986) becomes a source of courage, where he says that the planners are to appreciate the societies within which they work. It is then possible for the professionals to come together and work towards the policy that will address the housing needs in the rural areas.

The possibility of the strategy involving the professionals can be drawn from the example of Britain, where it is reported that the surveyors and planners came together to work on developing a policy for rural affairs (CSM, April 1999). Their target areas were:

- * reformation of the common agricultural policy
- * the use of village design statements

- * transport
- * housing
- * the integration of rural strategies by government

For professionals like planners, being involved in the development in rural areas does not only keep them busy, but also enable them to develop a sense of belonging, as they have to be responsible for the projects they engage in. The chairperson of the team on the case study made this confession: “Our rural heritage is increasingly important for the nation, not simply as a source of food but also as a place of recreation, conservation and environmental protection” (CSM, 1999: p.48).

It is true that there are many organizations or agencies that are engaging themselves by working with or in the rural areas. Such organizations would be expected to have good co-ordination of their projects, including the best use of public funds and also ensuring the maximum benefit of the rural areas they are working with. Furthermore, the same form of co-ordination should exist at all levels of governance, including the State. The integration of policies should be done to all relevant spheres. One example that has been made is the need to travel; the location of local authority services, including the educational establishments that can have an important role to play.

3.1.2. AGRIVILLAGES

Agrivillages simply refer to densification in rural areas undertaken through agriculture. Agrivillages

form part of community development, in a sense that they introduce better agricultural means of production. Basically, the formation of agrivillages in the rural areas is due to the fact that agriculture is one of the major sources of making a living. An improvement makes difference in the lives of rural communities.

Non-governmental organizations have identified the major requirements of rural tribal areas in relation to agriculture which involve basic management skills to develop their areas, the necessary equipment for more profit-making farming activities in the rural areas, mature development forums to run their projects as well as co-operatives to create jobs for the majority of rural residents (P.E.A.C.E. Foundation, 1998).

A case study of Ndumu area (KZN) has been selected to clarify what could be achieved through agricultural development. The project was initiated by the P.E.A.C.E. Foundation. Their main concern was to mobilise communities to utilise land that is controlled by the traditional leaders. An analysis of the situation on the district was done, including the structure of the tribal authorities.

The action that was undertaken in starting the project, included making a presentation to the magistrate and 'amakhosi' in the targeted areas, as well as involving the funding organizations. There was a detailed analysis of the equipment that was to be needed for the project. This included tractors, fertilizers, seeds, fencing of the fields and transport for people. Moreover, the project team had even suggested what would be their centres of distribution like chain stores (Pick 'n Pay, O. K, etc) and hospitals. Another interesting part of the project is that it

was not only focusing on vegetables, but also on livestock (P.E.A.C.E. Foundation, 1998).

The significance of this case study in relation to this study, is that agrivillages are one possible way of developing the tribal rural areas, while also indicating a major role that can be played by the non-governmental organisations within the communities. It can therefore be said that as the focus is on formulating the policy that will directly address housing problems in the rural areas, such ways or strategies of development can be attended to, and then consider the extent of the contribution they can make to continue with it.

According to the Integrated Rural Development White Paper (June 1998), agricultural development has to be broadened. It is also believed that the agricultural support systems should be organised in a way that they respond to the diverse needs of agricultural producers as they operate in different farms. To support economic and semi-economic projects would demand financing, developing urban and peri-urban markets and the provision of technical support (Xaba and Associates, 1998).

3.1.3 RURAL ARCHITECTURE

The importance of looking at the indigenous or traditional architecture for this study is based on the idea that housing development that takes place in the urban areas cannot be the same with that adopted for the rural tribal areas. In terms of the provision of a physical house, top structures to be provided should be in the best interest of the beneficiaries. An example of the development project of Mhingaville that failed, will be used to illustrate the importance of the recognition of traditional architecture in any possible case, if development is to be undertaken.

The terms rural architecture, indigenous architecture and traditional architecture will be used interchangeably for this study.

According to Frescura (1984), a traditional house is more often than not associated with the following features or variables:- culture, local tradition, language, material, building methods, site and aspects. “The distinctive character of vernacular architecture can be said to be derived directly from its use of the ‘found’ and ‘natural’ material” (Frescura, 1984: p.7). The use of such material has led to the native architecture being appreciated the most..... “because its own performance relies greatly upon that of its constituent elements, its technology at its own level, is highly developed” (Frescura, 1984: 9). In his introductory section, Frescura (1984) has argued that rural housing does not entirely lie in low technology construction, but in combining traditional building methods and an adaptation of modern building material.

Amongst factors contributing to the uniqueness of traditional architecture is the fact that this form of architecture can be practiced by almost all members of the community or group. Thus, socialization can be said to be the main instrument of maintaining this standard. Children learn in their early age on the building of their homes.

“Traditionally, each may have his/her role to play in the building and in some societies, the construction of a house or hut is often a qualification to be fulfilled as part of a transitional ceremony, such as the wedding of a couple or the birth of their first child” (Frescura, 1984: p.9).

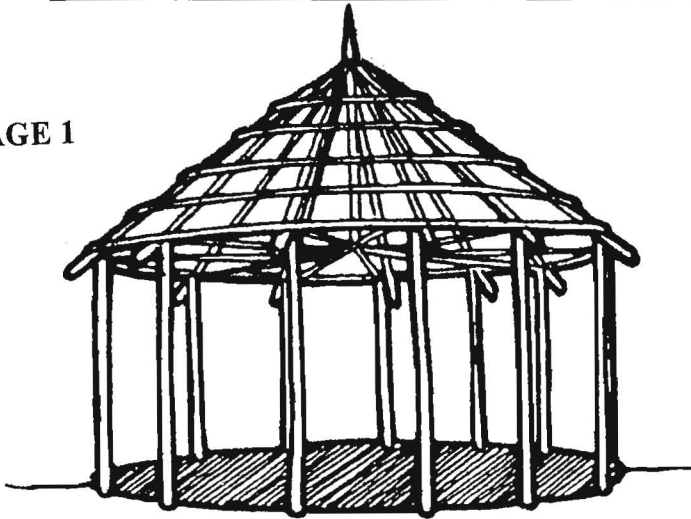
Moreover, house construction can play a crucial role in creating an identity for rural communities and enables them to better understanding of their own context. On the other hand, this reduces the burden to the State. Life is always characterized by change; be it in a positive or negative

way. Tribal areas have always been shaped by culture in their lifestyle. However, the introduction of the Western culture did bring about changes. This even influenced their style of building houses. “The introduction of squares, hexagon and octagons may be traced to have objects like furniture, and curved walls of rondavels created problems with awkward corners leaving wasted spaces”(Frescura, 1984).

“Although rural architecture is an architecture highly responsive to changing economic, technological and social circumstances, it is also generally the architecture of societies dominated by traditional values and culture” (Frescura, 1984 p.75). It has therefore been said that inspite of changes, cultural roots are still maintained in the rural tribal areas, and would then mean that it will be undesirable for one to introduce housing development while ignoring the community values.

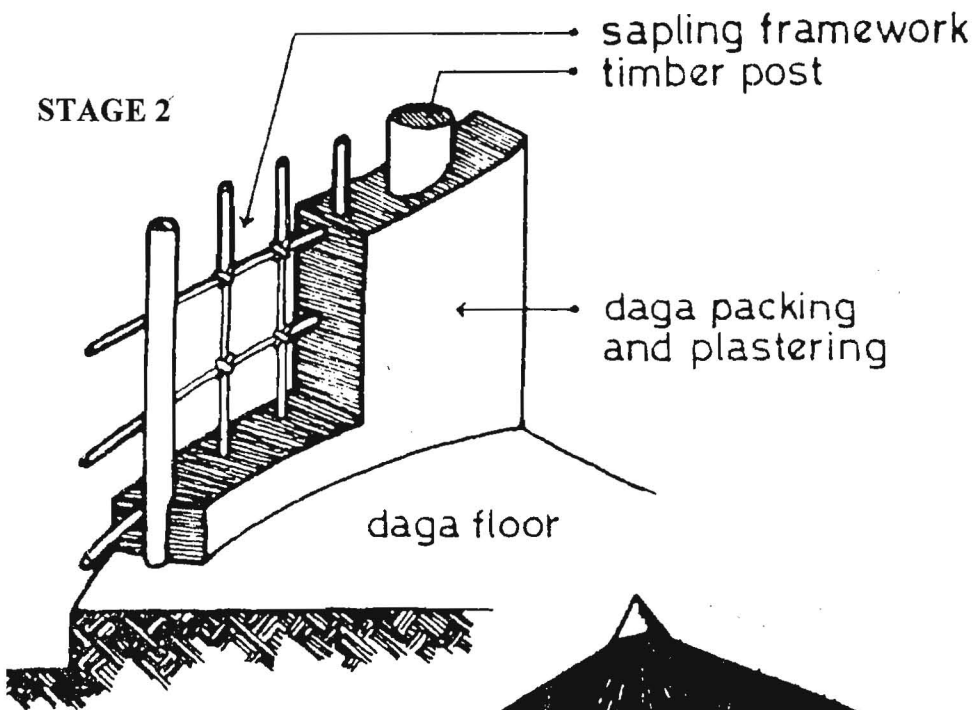
THE MOST COMMON TYPE OF A TRADITIONAL HOUSE AMONG THE ZULUS

STAGE 1



Detail : Framework
Zulu : Cone on Cylinder
Nagle Dam Area

STAGE 2



Detail
Wall Construction

STAGE 3

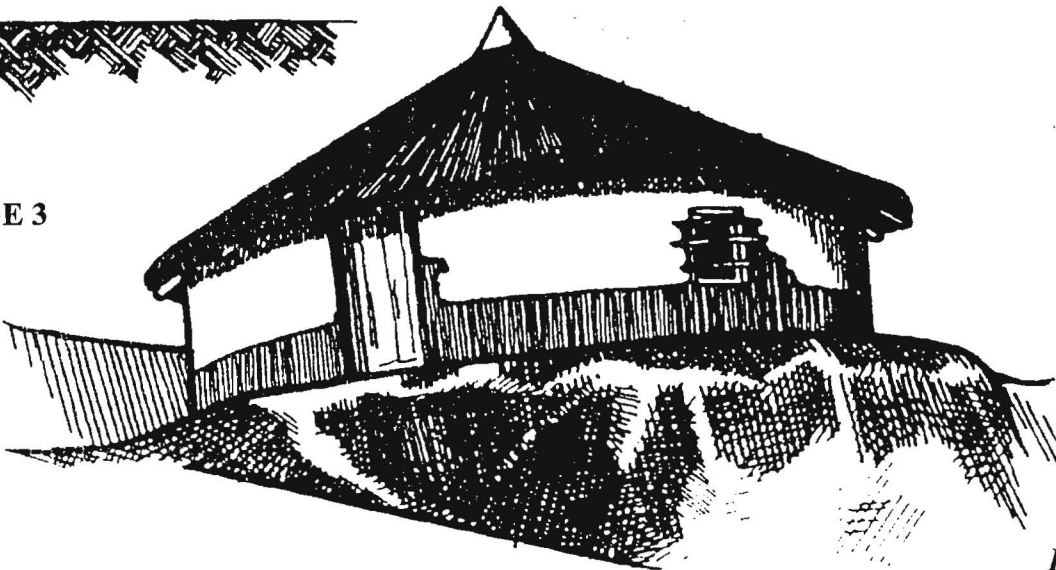


Figure 7.
The illustration shows the material and how a rondavel is built

3.2. MHINGAVILLE VILLAGE : A CASE STUDY ON RURAL HOUSING CONSTRAINTS

Housing, in terms of physical structures is needed in the rural areas, though it has been debated that infrastructure is the only requirement. What has to be taken into account is that even though most people in the rural areas are able to provide themselves with houses, they are generally of poor quality. Pama et al (1977) emphasized that there is a need for technical assistance.

With the objective for something better, the same strategy of incremental houses was adopted for a rural village however, all turned out to be a great failure. To review this case study will be important in drawing lessons for the future, and above it all with consideration of formulating a policy for rural housing.

The project at Mhingaville was developed by one of the big housing companies very well known for its sound management capacity, financial strength and capability of undertaking large projects. The Mhingaville project was also large. It is reported that initially, necessary consultations were made and that includes local Development Committees, Traditional Authorities and the Transitional Local Council. The required social compact (Agreement) was also signed by all parties involved. The land that was developed belonged to the Central Government and this might be a slight difference on the context of this study as it focuses on land under the authority of the chief.

Besides that all the necessary steps prior to undertaking a project were thoroughly done, when the

project was finished, it never served its purpose. The indicators of the failure of the project are based on the following points:

- After its official opening, less than a third of the houses were occupied effectively
- About half of the houses and services were vandalized
- There was no maintenance
- Many beneficiaries abandoned both their properties and ownership rights
- Sense of township was perceived within the traditional areas
- In relation to culture, it is seen as inappropriate (Housing Report, 1999).

3.3. INFLUENCE OF CULTURAL FACTORS

It is true that in tribal areas, everything that happens revolves around their culture. Lamont (1991) has suggested that before implementing any project in the traditional rural areas, socio-anthropological research should be done. This will enable the developer to be sure of what is the 'need' for that particular community. It is also important for this study to consider the importance of socio-anthropological research.

3.4. IMPACT OF THE STRUCTURE OF A HOUSE

The problem with the top structures that were put in Mhingaville was perpetuated by the promises that were first made to the community. It is reported that the beneficiaries were promised four-roomed houses, while none were built. Instead, people were built one-roomed houses. Another concern about the houses was their size and lack of privacy.

Another major cause of failure of this project was the lack of community involvement . It is important for any developer to avoid imposing values on the beneficiaries. The beneficiaries of a particular project are pivotal for the success of the project. Therefore, they should be involved from the early stages of the project. This may require the developer to even involve them in the planning of the project.

The importance of community participation is centered on seeing people, rather than their needs to be the focal point of concern. Adopting this kind of attitude can help in shaping the thinking of developers to identify a need of development with a humanistic and participative thrust (Hollnsteiner in Pama et al, 1977). For Hollnsteiner, the procedure of community participation can be planned in four stages. These stages are: conceptualising the problem or defining issues, deciding what is to be done, implementation of plans and evaluation.

As a way of trying to involve the community in the housing projects, the administrators of the community (i.e.leaders, including tribal leaders), have to be given the opportunity to represent their communities. This includes decision-making. But this system has been criticized in that it limits the community members to have what they want. “ Meetings between administrators and people normally have the administrators deciding upon and laying out already defined choices, and people passively selecting from among these pre-defined alternatives ”(Hollnsteiner in Pama et al, 1977 p.1221). It is believed that the local people know how to conceptualize, decide, implement and evaluate the way they want to live.

Having discussed the importance of community involvement in the projects, the necessary fact that

the community needs to be involved in their problems, cannot be ignored. Problems are examined on an ongoing basis and should be considered during the project planning. One of the major problems with involving the community is that it is time-consuming. Hellnsteiner in Pama et al (1977) has described it as ‘ nerve-wrecking ’. Another problem that has to be borne in mind is that once people become conscious of their rights, they are more likely not to settle for less without having an argument . Furthermore, the beneficiaries tend to concern themselves exclusively for their own interests (Hellnsteiner in Pama et al, 1977).

Nevertheless, community participation or involvement is to be understood soberly in terms of what we define as ‘the community’. According to Hellnsteiner in Pama et al (1977), a community is composed of different types of groupings. These groups would refer to ethnic groups, formal employees, informal employees, married groups and single groups. Diverse as they are; their interests have a great potential of being diverse. It is important for any developer to be conscious of this.

3.5. IS RESEARCH THEREFORE A NECESSITY ?

Responding to the sub topical question, the answer would be an empathic YES. As it was mentioned before, the best kind of the research that can be adopted is the socio-anthropological research. One anthropologist explains that the researcher has to spend some time in the community, which will not only be about determining the needs and distributing information, but be more for learning about the community and creating/developing trust between the beneficiaries and the developer.

CHAPTER FOUR

4.1. INTRODUCTION

This chapter deals mainly with the overview of the area that was selected as a case study. The research was categorized into three sections for data collection. This implies the subjects that were involved during the study. The subjects were forty-three in all. They included forty community members of Oshwashweni, two housing officials from the Department of Housing, and community developers from KwesakwaMthethwa.

The study involved:

- * some observations of the housing situation in the case study chosen i.e.

Oshwashweni

- * getting opinions of the residents on their housing

- * views on housing development in their context

- * the impact of rural architecture on housing

4.2. OVERVIEW OF THE CASE STUDY

4.2.1. Why Oshwashweni ?

4.2.1.1. Introduction

This section examines certain features both of the geographic and infrastructural features of the selected area. Demographic and socio-economic conditions have been drawn on the basis

of primary and secondary sources of information.

The area that was selected as a case study is known as Oshwashweni. This area was selected because of its main features which relate most to the topic of the research. These features include its rural nature, traditional / tribal leadership, traditional lifestyle and the lack of development that was identified. Lack of development has been identified through the absence of services like electricity, access to clean water, telephones, post office and also, the roads are all dirt.

During the period of community entry i.e. when the researcher was learning more about the community; it was identified that many women are housewives, with very little education and have many children. Furthermore, the area is characterized by young boys and girls who are school-leavers, and are not working.

4.3. OBSERVATIONAL DESCRIPTION

The area is flat, with distant mountains. It is very dry, and according to its residents, the area has been attacked by droughts for many years. Due to its dryness, the land does not look suitable for agricultural development. Such that there are very few households who have ploughed. This therefore makes one wonder if strategies like agrivillages can be suitable for such areas.

The area is surrounded by Empangeni, Mtubatuba and Richards Bay which are the nearest

towns. Few people from Oshwashweni are working in these towns. The availability of these towns was seen to create a link between the urban and rural areas. This therefore allows people from rural areas to enjoy the benefits of urbanized areas.

4.3.1. Topography

The topography of the area was considered in relation to agricultural capabilities. The area looks very dry and was reported by the residents as having been the victim of drought for the past two years. Agricultural production can therefore be said to be risky. According to the Rural Development Services, areas which are attacked by dryness cannot be recommended as a commercial proposition. Rather, what has been recommended for such areas is planting crops for local consumption. However, commercial farmers can be able to store water for irrigation as they can afford, while subsistence farmers cannot take risks as they have no capital to store water.

4.4. TRIBAL STRUCTURE

The Oshwashweni area belongs to the tribal authority of Inkosi Mbusowabathethwa Mthethwa. The tribal structure of KwaMthethwa is as follows :-

KwaMthethwa Tribe (led by chief Mthethwa)

43 villages constituting the tribe (led by izinduna)

Wards (each village has a number of wards)

Encotsheni (village with five wards)

Oshwashweni (one of the wards of Encotsheni)

4.5. FACILITIES AVAILABLE

4.5.1 Schools

There are about 157 schools in the whole area under inkosi uMthethwa. This includes primary, secondary and high schools available in the whole tribal area.

4.5.2. Dondotha Village

This is one of the villages within the tribe of Mthethwa where development has been initiated. It is a good example of development within the rural context.

Development in this village involves the following:-

- *market stall
- *Stadium
- *Bus shelter
- *Arts and Craft workshop
- *Dam (still under construction)
- *Creche and Day-care building
- *Taxi rank
- *Kwa Mthethwa Tribal court
- *Dondotha clinic
- *Ocilwane clinic

*Bakery

*Centre for the disabled

*Community hall

*Dondotha Sewing Centre

4.6. HOUSING STANDARDS

Housing standards refer to the planning of the area of Oshwashweni which has been determined through density, construction/building standards and other things like information on house building. This was done through observation by the researcher.

It was identified that houses are sparsely distributed and schools are scattered randomly around the area. Most houses lack hygiene in terms of the modern housing standards. As it has been mentioned before, the area is characterized by traditional houses which are identified through their architecture and building material. Most of the houses are built of traditional material, mainly stones, mud, grass and poles. Thus, the majority of the houses or homes are of poor quality, small in size and are apparently about to disintegrate. There are few improved houses. These are the houses that have been built out of concrete blocks and tiles. This was an indication through observation, that housing development is one of the needs that has to be attended to. A diagrammatic illustration of the housing situation has been designed and it will clarify the identified major type and quality of housing in the area (Diagram 2 p.76).

The main problem with rural houses is their quality. This involves the houses' ability to provide

adequate protection against rain, wind and cold, and also viewed in terms of the services the houses can provide, such as sanitary, cooking and lighting facilities. Therefore, the durability of a house is important.




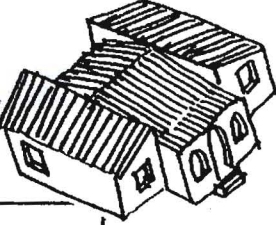




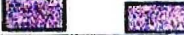


























































The durability of houses from the case study could be identified on the basis of the building material used. Some of the houses were built on traditional style which is mud-brick and thatching grass. These structures are usually square, hexagonal and some may be plastered with cement. On average, these houses have small windows and floors cleaned with cow dung. Roofing the houses is done by gathered or bought thatch grass. The major problem with this type of roofing is that it has to be renewed frequently. Otherwise, this roofing system would be the cheapest.











































Another type of house identified from the case study was built of mud-brick and cement. The quality of the second category was mostly improved, for example with bigger windows and plastered floors. This type of house is advantageous in that gutters can be installed on the roof and thereby making possible for people to store rainwater. Furthermore, compared to the first type of houses, here the durability of the house is increased. It can therefore be said that houses roofed with corrugated iron play an extra role in rainy seasons in that they enable households to have clean water and thus do not travel a lot on rainy days.

It can be argued then that housing development in the rural areas would have to be based on infrastructural development and a supply of building material used like concrete blocks and corrugated iron. Such development can have impact on social, economic, and environmental factors. Socially, it can result in an increase in the provision of security to the household, where for





instance, fire risks are reduced. Economically, it could be that money to spend on purchasing grass can be saved for corrugated iron. This is said in that charges for grass are also high. An environmental factor would be that grass may not be available for example during droughts or very dry seasons. Also that corrugated iron roofing has a potential to gather clean rain water for household consumption.

A DIAGRAMIC ILLUSTRATION OF THE TYPES OF HOUSES AT OSHWASHWENTI

House No.	Beehive 	Rondavel 	Flat 	Big-house 
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

House No.	Beehive 	Rondavel 	Flat 	Big-house 
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
Total	15	57	82	10

DESCRIPTION OF FIGURES

-  = Beehive
-  = Rondavel
-  = Flat
-  = Big-house

(Plan 73.3)

4.6.1. Summary of the quality of houses

The table above outlines the type of topstructures that are available in the area of Oshwashweni. Houses that were identified belonged into two categories, that is, the traditional and formal type of house. Traditional type refers to houses built of traditional material, while the formal refers to houses built on Western material and architecture. The types of houses have been looked at in relation to material used. This determines the quality of a house in general. Furthermore, the quality of a house was used in predicting the estimations of income of households. The total score was made to indicate the representation of a house type in the sample.

The type of a house can further be used to generalise the income level of the community; for example the people who have managed to build formal houses can be regarded as those whose income allows them to buy quality building materials and have a potential of being innovative in building their houses. Families who only have used natural material to build their houses can be regarded as those whose income level is low and cannot afford to buy quality building material.

Conclusion can then be drawn that the common or dominant type of houses in the area were rondavels flats and beehives. Durable houses were very few. From the table, it is clear that about 89 % of the households have houses built on traditional material i.e. wattle, daub, mud blocks, sticks and grass. Thus, indicates a poor quality of topstructures in the area and a need for housing development. Space problem could also be identified, as most of most of their houses are small in size. Some families owned only a rondavel, flat and a beehive totaling three rooms. Considering that the results of the study indicate overpopulation in many households, lack of space was identified.

Another contributing factor to a large number of rondavels and beehives is religiously based.

The dominating religious group in the area is Shembe, and they only use rondavels and beehives for their prayers. This is an important indicator of why indigenous architecture should be considered for rural areas.

Finally, with reference to Figure 4 (p75), a hierarchy of forms of housing found in rural areas has been identified. The diagram indicates a progress shift in house building forms have transformed in rural setting. It started with the beehive being the most dominant form of housing, and has evolved to rondavels. The introduction of small flat building (commonly in concrete blocks) would be said to symbolise adoption of modern or Western form of building. The last category, which is a big-house (multi-roomed) is regarded as an indicator of relative sophistication and likelihood to 'accept' change or planning. Thus, the prevalence of multi-roomed houses in rural areas is an indicator of housing quality

4.7. POPULATION

The population of KwaMthethwa is about 62 000. Complaints are that many people are dying of AIDS, mainly the youth. Health services are inadequate, and those available are not functioning well. From the Integrated Rural Development White Paper (June 1998), it has been indicated that the 1998 statistics of reported cases of AIDS cases across the nine provinces, indicate seriousness in KwaZulu/Natal. "Computer generated projections for the number of people infected with HIV In KwaZulu/Natal between 1991 and 2011 forecast a sharp escalation in the number of

cases, with a peak occurring in the period between 2003 and 2007 "(p.3). Reviewing these statistics is important with regards to policy formulation. This is because relevant services should be provided in the rural areas, other than making provision to what will not be appropriate. For example, people living with AIDS have to be provided with fresh water and mostly require plenty of it as they get sick.

4.8. ACCESS TO LAND

All people who want to be citizens of KwaMthethwa are allocated plots / land by the induna. The induna allocates land to the person, and thereafter make a report to the chief. The 'khonza' system is still applicable in the area. The application of the khonza system indicates that the land is not owned by the people, but they can use it.

Each person allocated land is expected to pay a khonza fee (the amount was said to vary with the wealth of the person). After payment has been done, the person receives a receipt that has a Tribal Authority stamp. People who are outside the tribe of AbaThethwa do get access of residing in the area. But the person coming to khonza must produce an official letter that confirms that s/he has moved from somewhere and can be trusted to be one of the residents.

Within the tribe of KwaMthethwa, there are cases where land is taken away from people. One major reason for such action was said to be the case where a person is found guilty

of witchcraft. Such people are not tolerated in the area. The cases of crime are dealt with by the community or sometimes by the police.

When it comes to the issue of getting land, it was reported that gender is not a problem. It is generally known that in most cases, women have been denied access to land. The woman would only have land through her husband. At KwaMthethwa, women are allowed to have their own plots, whether married or not. One therefore perceives the breakdown of one of the major barriers of access to land, especially in rural areas.

4.9. MAJOR CULTURAL BELIEFS IN THE AREA.

Each and every tribe has its traditional beliefs to live by. The tribe of KwaMthethwa is characterized by the Zulu culture. These major cultural beliefs include the following:

- Each resident has to abide to the orders of the chief, which mainly come through izinduna.
- The major religious group in the area is Shembe.
- It is regarded as a cultural belief that houses should be separated i.e. not have a single big house only. This belief is based on the idea that there should be a separate room for boys and for girls.

One resident made a comment that as he is the father, he must not meet the boyfriend of his daughter when he is visiting. He said that this should continue until he is officially known to the family. He then criticized the idea of a big house and said it is not culturally suitable. Such comments are then important to consider, especially when it comes to considering rural architecture. As it has been mentioned before, house structures do impact the maintenance of

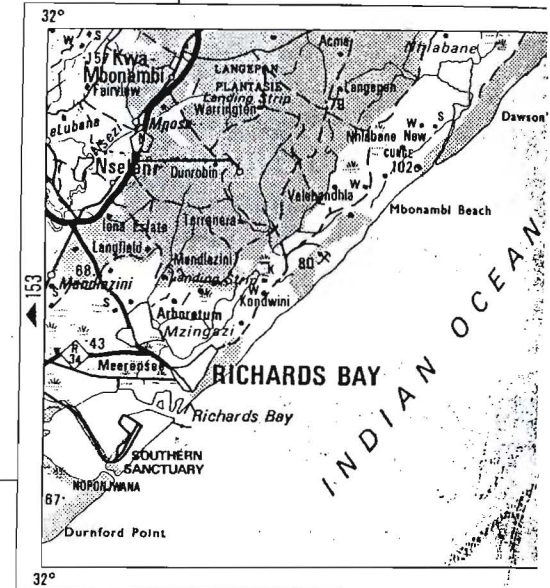
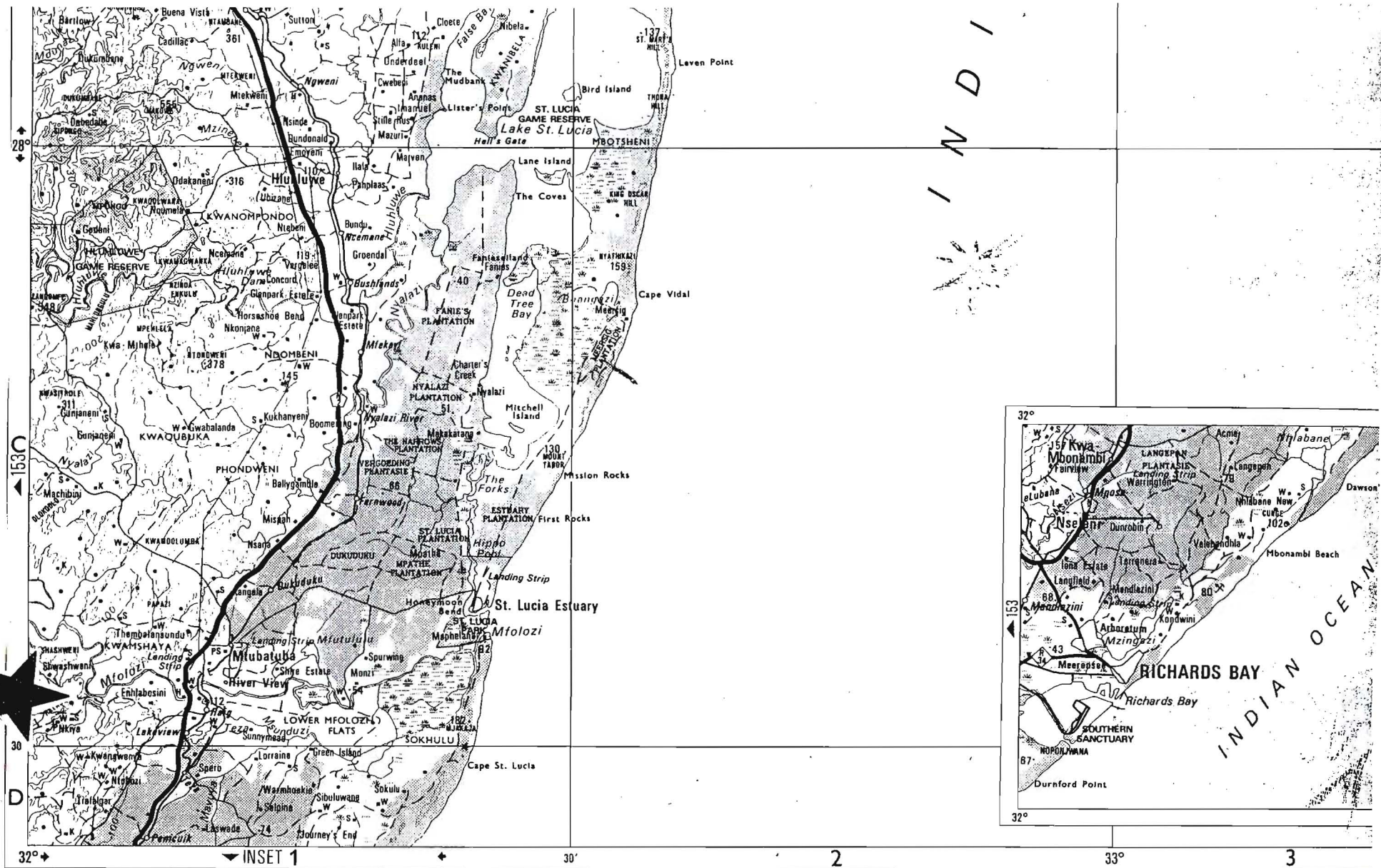
communal identity and values.

4.10. COMMUNITY FACILITIES AT OSHWASHWENI WARD

Community facilities involve public facilities such as clinics, post office, refuse collection, and schools. Other services to communities would be water and electricity. It is generally known that the availability of such facilities in communities is a sign of development. In most cases, if not all, such development is brought by the government.

From the sample of Oshwashweni, the respondents indicated great expectations towards the government for the provision of such facilities. For example, there is no clinic available. People have to take a bus to a clinic which is reported to have problems and is frequently closed. Finance is one major cause of these problems.

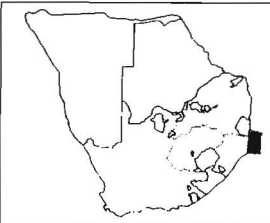
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MAP SHOWING THE LOCATION OF THE SITE

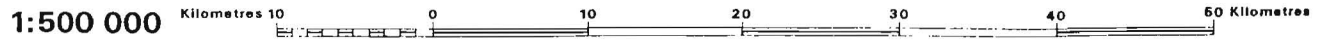


SITE



Freeways		Railways	
Arterial roads		Power lines	
Main roads		Telecommunication towers	
Secondary roads		International provincial boundaries	
Other roads		Stores, hotels and places of worship	
Tracks and hiking trails		Post offices, police stations and schools	

Urban areas	
Small centres	
Perennial water	
Non perennial water	
Contours and spotheights	
Lighthouses	



CHAPTER FIVE: DATA ANALYSIS

5.1. COMMUNITY RESPONDENTS

This section looks at the responses to the questionnaire set by the researcher. As mentioned before, the questionnaires were categorized and the analysis was made per category. Thereafter, general and specific conclusions have been drawn.

5.2. THE RESEARCH PROCESS

The research was undertaken over a four-week period. But some of the days were wasted waiting for the authorities and officials that were to be interviewed who failed to keep their commitments. Some of the time was also spent at Ulundi, where the head-office is located. Getting hold of the authorities was not easy, though prior appointments had been made.

The sample for this study amounted to about 2.3% of the selected ward. The subjects were randomly selected. In certain households where there were no elderly people, the researcher proceeded to the neighbouring house /homes . The reason was that the researcher understood that youngsters would not be informed on questions that were to be asked. For interviews, the researcher had planned to use a tape recorder. However, this could not be practiced, especially with community members . The researcher made test interviews and discovered that three people were suspicious rose when the tape was used. When asked about their feelings towards using the recorder, two of them said that they were not comfortable. They suspected that their responses

would be broadcast somewhere without their knowledge.

Due to the insecurity that was identified among community members, the researcher decided to abandon using the recorder. This was important so as to enable the respondents to express themselves freely during interviews. It was important for the researcher to consider anything that might threaten the subjects (especially the community members). One of the important factors that the researcher was cautious about, was the influence of the background and traditional beliefs.

5.3. BACKGROUND INFORMATION

The background information entails a brief profile of the subjects that were interviewed.

5.3.1. Table 1: Gender

FEMALES	MALES
26	14

Table 1 indicates that most of the subjects that were interviewed were females. This can be an indication that some of the families are headed by women, that men work far from their homes or they were in their informal gatherings during the day.

5.3.2. Table 2: Period of Residence

PERIOD	5 - 10 years	10 - 20 years	20 - 40 years
TOTAL	13	15	12

The majority of the subjects are shown to be residents who have lived in the area for more than ten years. It could thus be assumed that most of them are informed about the housing situation of the area. This would include housing problems and developments in the area.

5.3.3. Table 3: Number of Family Members

Members	2 - 5	5 - 7	7 - 10	10 - 15	15 - 20
Total	2	4	13	13	8

From the Table, it is clear that most of the families are large in terms of membership and are assumed to be extended families. In about 60 % of the sample family members are more than five but less than twenty. Such information is important when one considers the type, quality and especially the size of the topstructures.

5.3.4. Table 4: Breadwinners and Other Sources of Income

Source of income	None employed	Only One employed	2 - 3 employed	Temporarily employment	Pension
Total	6	6	8	14	6

Table 4 shows the best possible sources of income of the subjects. Unemployment facing the rural areas is the major source of poverty. Many people at Oshwashweni are pensioners, housewives, and young people who are school-leavers and unemployed. Poor income distribution in the rural areas reduces people's ability to make savings for further investment. Thus, life in the rural areas is rather based on environment for their survival. This is said in a sense that people have to collect wood for their cooking and fetch water from the river. Also, they are very dependant on natural plants for their traditional medicine. However, what is of benefit to people can have a negative effect on the nature itself as it might lead to environmental degradation, thus making the area unattractive.

5.3.5. Family Structure

During the study, it was identified that within the families that the older people are living with their children and grandchildren or even their relatives. It was also identified that in the bigger families, children are mostly those of the unmarried daughters. Some of their

daughters are the ones who have more children than others in the family. In one example a sister to the husband came to live together with her five children. Her sister-in-law also had four children. According to them, living together was to support one another, since none were formally employed.

5.3.6. Table 5: Salary Estimation - per month

Amount Estimation	R 200 - R 500	R 500 - R 1000	No Response
Total	18	12	10

The salary estimations that were received during the interviews reflected that nearly half of the people receive an income which is not more than R 500 a month. This indicates that they were working in the informal sector. It is a general feeling for people to believe that every survey made on income is related to tax. Such feelings result in many people underestimating their incomes, and this could be identified during the study. Another problem that was observed is that people with low income or in temporary jobs were uncertain about the amount they receive on average. In this case, the level of education could be identified as the contributing factor. The question of income created hesitations from the respondents and the reasons are obvious.

5.3.6.1. Informal Sector

The informal sector in this case refers to the area of economic activity which is characterized by very small businesses e.g. family or one person. These are usually unlicensed and unregistered. The examples of an informal sector are trading on streets of Empangeni, casual labour or buying and selling at a marginal profit. From the research sample such examples were identified which include market trading, doing laundry in the neighbourhood, being hired to fix houses or make repairs and selling snacks in schools.

5.3.7. Affordability Towards House Building

From the sample, it was indicated that most people can only afford the basic necessities with the little amount which they receive. It thus meant that they cannot afford building formal houses which according to the responses should be the ones made of concrete blocks.

According to some literature reviewed, the key to housing investment is the availability of tenure. This is said in a sense that people get confidence to add value to their houses when they know that their investment will not be wasted. The case of Oshwashweni is different because all land belongs to the chief, and people use it under the 'khonza' fee. However, there are homes that have been built with more durable material.

Housing improvement or house-building does not only require the availability of land, but also involves building materials and the construction procedure as a whole. All these are based on the question of affordability at an individual level. According to Herlihy & Associates, the cost of

building material is based on the quality, value added to profit making and its transportation to the site. As a way of reducing the cost of building materials, the availability of a local supplier becomes significant. Furthermore, the already available sources of raw materials, manufacturing of equipment and distribution means can be considered in providing material for rural housing development. Use of natural resources would mean the collection of bundles of thatching grass from the bush, building blocks and the nearby rivers can be a resource for coarse sand where only thus requiring one only to buy cement to set up a blockyard. In this case, labour would not need to be paid as they family members and neighbours may be available.

Using existing raw material for building has always been a way of building for most traditional rural homes. Utilisation could avoid imposing a new lifestyle on the communities. Experts or professionals to help rural communities can provide some insight in improving on what they already have or a way of improving local industry.

5.3.7.1. Table 6: House Construction

BUILDING OF A HOUSE	Built At Once	Built On Stages
TOTAL	12	28

From the responses of subjects and from observation, it is apparent that most of the well-built houses belong to those who are formally employed. The statistics showed that 70 % of the sample had to build whenever they get money to purchase some building material. It was reported that the procedure they use is, for example to buy corrugated iron, then some blocks later. Such information is important as it clearly proves that housing is not just a product, but it is a process.

It was also reported that some of the people in the area have well-built houses due to subsidies they receive from their areas of employment. However, no respondents from the sample were assisted by a subsidy. This information was acquired from a community member. What could be noted is that even the homes that have been built in the modern style, a traditional house is always there (i.e. a rondavel). This was observed and identified as a way in which the residents maintain their African home. It is important that what communities treasure most, like maintaining culture, be recognized at a governmental level or the field of housing as such. The way in which people who belong to the Shembe religion are supposed to conduct their prayers, could be one example. They have to pray in a circular room.

5.3.8. Housing Costs and People's Income

The fact that there is no rural housing subsidy means that even if people are in need of housing, they have to take something out of their pockets. It has become clear from the case study that the levels of income are another major determinants of success in building a house. In spite of the quality, the existing housing stock is with a considerable amount of money.

During the study, the majority of the respondents had housing as the first priority. About 88 % of the respondents reported that out of their monthly or weekly income, they put aside some money to buy one or two building materials, for example, buying one packet of cement.

5.4. FORMATION OF COMMUNITY TRUSTS IN RURAL AREAS

The Department of Land Affairs has considered a strategy through which tribal communities can be able to assist themselves in raising funds to house themselves . This strategy is the formation

of Community Trusts. In relation to the rural housing policy, will have to be considered, as one of the possibilities towards rural housing funding.

It is reported that these community trusts are designed to be a vehicle which will protect contents and the beneficiaries of the contents. It is further reported that a trust is controlled and operated by a constitution. The Housing Department needs to be involved in this initiative.

As indicated in the hypothesis, rural housing development requires diverse creative strategies. Thus, the availability of trusts will play a crucial part when it comes to land tenure. Whenever the tribal trust has been formed within a community, all rights to land are then transferred into the name of respective tribal trust, provided the requirements of legislation are met.

Another important role played by the formation of trusts is that they will be designed with the retention of tribal land, the right to a traditional way of life and the upliftment and empowerment of its community as their core objectives. Therefore, tribal trusts can enable tribal communities to legitimately secure funds for housing development.

5.5. HOUSING IN THE AREA

One of the questions asked the subjects to express their feelings towards the housing situation in the area with a focus on physical structure. In this case the researcher wanted to identify the housing situation in the area through the eyes of the respondents. One of the things that was considered was the style of housing in the area. This included efforts to identify the value that community members place on their current styles of housing.

When subjects were asked about the housing in the area, about 99 % of them reported to be dissatisfied. Their preferences were houses built on concrete blocks, other than the traditional material which is mainly wattle and daub. What was identified as motivating people to go for concrete-built houses, is that wattle and daub houses are weak and require ongoing maintenance.

During the interviews, subjects were asked about the intervention of the government. They were asked if they witnessed any development brought to the area by the government. About 98 % of the responses were negative. With regards to expectations from the government, 100 % of the respondents said they are expecting the government to assist them.

The important thing that was asked is their preferred form of assistance from the government. Eighty percent of the sample preferred the government provide them with houses and services, other than giving them a cash amount. Many respondents expressed their fears that for community members to receive cash may lead to the risk of abuse. They believe that, the process of subsidizing individuals should be transparent and equally accessible to all.

Due to the system of extended families that exist in most families in the rural areas, overcrowding is inevitable. Overcrowding can be identified through the number of houses (huts) available and the number of household members occupying them. Also, the huts available have particular purposes. For example, there are huts for cooking (ixhiba) and ilawu (hut for boys). Overcrowding is perpetuated by population growth within the rural areas. It can therefore be said that household size does not mean the availability of rooms, and thus leaving a challenge on the housing situation in rural areas.

5.5.1. Infrastructure

The question of infrastructure covered the road condition, access to water and electricity. The actual provision of infrastructure is only the beginning, but it is important to consider how services are going to be maintained.

5.5.1.1. Roads

All the respondents complained that the road situation is very poor with dirt roads. These problems are compounded when the road becomes very muddy when it is raining thereby restraining movement. In addition to that, the buses (which is the main transport service in the area), are not able to travel well after rains. This results in people being dropped by the buses far from their residences. A tarred road was the common suggestion of the subjects but bound to be far too expensive.

Another road related problem that was observed is that there is only one major road, and there are no clear access roads. Thirty percent of the respondents stay far from the major road. They complained that they always have problems with transport. There are two families who reported that they are thinking of destroying their houses to move closer to the major road.

The people believed that moving to the roadside will reduce their walking distances, as they also walk long distances to fetch water as well as firewood from the forest. This problem was said to even affect the school children who travel from school by bus, and who have to fulfil the duties of the house in the afternoon. The problem of being far from the roads could be resolved

by applying the densification pattern.

5.5.1.2. Electricity

The ward of Oshwashweni was reported to have very few homes with electricity connected. About 4 % of the subjects interviewed had electricity connected in their homes. The type of electricity available at present is the meter type. It was reported by those who have electricity that they had to pay an amount of R 2 000 for electricity prior to connection.

There was an indication of dissatisfaction on the type of electricity that they were given. Ninety-four percent of the respondents preferred the prepaid card system, including those who already have electricity connected.

Problems related to the layout of the area that affected the connection of electricity were identified. It was reported that there were some families who were willing to have electricity connected, but the problem was that they live far from the major road. They were then told to pay an additional amount above the R2 000 which was already difficult for them.

The efficient layout in rural areas is therefore one of the major issues that requires attention, with special reference to housing development in the area. Because it may not be simple to forcefully move people where they have already built. The subsidy residual could be used as an incentive to move, thus achieving better planning in the rural areas. The services must be provided in a concentrated area to be affordable and also act as an inducement for densification.

5.5.1.3. Table 7: Water

SOURCE OF WATER	River	Waterpump
TOTAL	7	33

There were two main sources of water that were identified; the river and the waterpump. Seventy percent of the sample reported to be using the pump for water collection. The problem is that there is only one pump supplying a large population. Women and children have to walk long distances to fetch water from the pump.

The pump was also reported to have its own problems in that, sometimes it is vandalized by the boys from the area, and it usually takes a long time to fix. The river was also reported to have problems in that it is also used by the cows for drinking. When the cows had come to drink, people would find the water dirty and therefore cannot be used for drinking and the water is vulnerable to contamination and this would include diseases like cholera. When the pump is broken, long queues are formed and water from the river sometimes gets finished.

Water requirements, can be categorized into two i.e. the need and the usage of water also, how water supply should be met. Water needs are then to be considered in a way that determines the actual requirements. On that basis, a new system of supply can be designed. Water consumption is difficult to estimate due to traditional multi-use. Some of the people for example use it for cooking or washing and then throw it over the garden, especially in rural areas where agriculture is still practiced.

Each person uses an amount of approximately 15 litres per day including drinking, bathing and

washing clothes in rural areas . The amount of water consumed per day also depends on the number of members from each household. Water consumption in the rural areas is also determined by the water containers each household owns, especially in regards to quantity. In some rural settings, there is an allocation policy where people receive an equal amount of water.

About 80 % of the respondents reported that they are not satisfied with the quality of water form the pump. It was reported that the water is salty, however they have got used to it. This was also witnessed by the researcher. The unsatisfactory quality of water can also affect the health of community members.

5.5.1.4. Communication Systems

The community of Oshwashweni does not have access to postal services and telephones. In order to have access to these, the community members need a bus fare to reach Dondotha or Empangeni.

5.5.2. Transport

The availability of transport services is important in that it allows the community to have access to their basic needs. Transport can therefore be regarded as a basic need on its own. From the area of Oshwashweni, it was identified that scholars have to use one timely bus for them to reach schools, also those who go to clinics and to town. The problem of transport facilities can also be solved, when the road situation is improved in the area. It was reported that taxis cannot operate in the area because of the road situation, as it is a built up gravel road. Thus, the provision of good and all-weather type roads is essential, especially to the best interest of the beneficiaries.

5.5.3. Health Facilities

99% of the respondents complained on not having physical access to health services. There are no mobile clinics reported to be servicing the area. The nearest clinics are at Dondothea, which is about 25 kilometers away. The services of the clinics were reported to be unsatisfactory due to a shortage of staff, equipment and medicine. Sometimes, the clinics render no services as the staff is forced to close them down due to conditions beyond their control.

5.5.4. Sanitation Services

Looking at sanitation services; refuse disposal and toilets were considered . Through observation, 99 % of the toilets were of poor standard . Their toilets are not well built, some are already full and untidy. Most of the households at Oshwashweni have toilets which are not good for health and unsafe for children to use, without proper supervision of adult.

There are no refuse collection services available in the area. Rubbish is thrown on open spaces. There are a few families who have dug rubbish pits to throw in. Such conditions put the health status of communities at stake as they may be exposed to germs.

5.6. INFORMATION FROM THE COMMUNITY DEVELOPERS

It should be noted that the researcher was not aware that there were community developers available in the case study. Thus, there was no questionnaire that was designed for them. But the researcher thought it would be a necessity to have their views, as they are the key people

in any development in the area. Furthermore, they play a role of being the mediators between the KwaMthethwa tribe and the government. It is also believed that through research done in the area, they can be the responsible persons in any development that may be undertaken. These developers are known as the Development Steering Committee.

The researcher had an opportunity to speak to the chairperson of the committee. She reported that the committee was elected by the tribal community of KwaMthethwa at a mass meeting. There are no specific terms of office as long as the present members are still functioning well in their positions. The committee is said to be working hand in hand with MbusowabaThethwa Mthethwa, the acting-chief of the area.

5.6.1. The Process of Development

The chairperson reported that as the tribal area has 43 wards, it is impossible to bring development to all of them at once. Also, this committee has been in existence for the past three years. The first development projects that have been successful have been implemented at Dondotha ward, the one that has been looked at in the overview of the area.

According to the chairperson, the major role of the committee is to act as a conduct between the government and the community, i.e. making needs of the tribe known to the government. The procedure that was followed in bringing development in the Dondotha ward, began with the committee inviting different ministers to come and visit the area. Their aim of inviting the ministers was that they may see for themselves what the community needed.

After the area had been observed by the ministers, they identified and confirmed the needs of

the community and the need for development. As a form of initiative, land mapping and surveying was done. Thereafter, identified projects were implemented. These are the projects that have been listed under the information of Dondotha Village.

5.6.2. Other Governmental Intervention

The chairperson also reported that besides the development that they have initiated, the government has announced that there will be housing subsidies available to rural areas. During the time of interview, it was reported that no one has ever had access to the subsidy. An amount of R 15 000 was promised to people in rural areas. One of the problems that was identified is that people do not know how and where to collect application forms. This has a potential of decreasing hope towards the government.

The community was told about the housing subsidy. But it was not stated who were eligible. This demonstrates the need for community education on social matters.

5.7. TASKS UNDERTAKEN IN THE DEPARTMENT OF HOUSING

The Department of Housing, whose office is located at Ulundi, is mainly responsible for housing development in the Northern Region of KwaZulu/Natal. Their main target areas are the rural areas, that is, the tribal and non-tribal areas. It was reported that they bring development to rural areas through projects, where they work with different developers.

5.7.1. Existing Rural Housing Projects

It was reported that there are many rural project proposals that have been made in various areas of KwaZulu/Natal, including the areas under the authority of the Amakhosi. However, there are no projects implemented as yet.

5.7.2. The Existing Housing Policy

According to the Director, the housing policy that is being worked on is not of a national nature. The reason being that the housing problems in the rural areas vary from place to place.

5.7.3. The Department's Relationship To The Amakhosi

The Department is able to work with the tribal authorities through the Department of Traditional Affairs. The chiefs are then working with the government through the Traditional Affairs Department.

5.7.4. Provision Of Services In Rural Communities

The Regional Council was reported to be the one that is responsible for the provision of services like water and electricity at present. The issue of land allocation is in the hands of the

Ingonyama Trust.

5.7.5. Procedure of Project Implementation

The Housing Director reported that there is a model that has been adopted for the implementation of the projects. This model is known as the Prioritised Model. The model is said to be based on the idea that the needs of rural communities should be provided according to their priorities. It therefore means that the projects will be implemented depending on the needs of a particular community other than making general assumptions on their needs. This is due to the limited funds.

5.7.6. Importance Of Rural Architecture

Concerning the impact of rural architecture on people's lives, the Department considers it as a national norm and it is highly respected. The problem reported to be encountered by the Department of Housing is that in most cases it is difficult to identify the real preferences of the rural communities. This confusion is caused by the fact that some of the members of rural communities have adopted the Western style of building, though such individuals cannot always be provided with topstructures, as it is done in the urban areas. It was acknowledged that, for any development project to be implemented, community consultation will be ensured.

This has been planned to be achieved through organising community workshops. It is important to note that community consultation is one of the important tools of bringing development in the communities. This is said in a sense that it encourages the community to be part of the development. It enables developers to avoid implementing projects that would be left unused like the precedent at Mhingaville.

Another important new option that has been adopted for housing development in the rural areas is the People's Housing Process . In this strategy, people are given R16 000 that they may build for themselves.

5.7.7. Use Of Traditional Material

This question was aimed at getting the views about the possibility of using traditional material to develop rural areas. The aim was to get a better direction on developing the rural areas, while maintaining their traditional nature. This related for example, to the use of grass for thatching.

According to the housing official whom the researcher talked to, such strategy has also been looked at, but it could not be considered further. The problem was that there were many negative consequences that were predicted, as compared to the positive ones. Problems with the use of traditional material included the length of time that they are likely to take. The use of such material thus raises questions like : will the house built of traditional materials last? It

could therefore be said that the use of traditional material is still in question.

5.8. TASKS UNDERTAKEN BY THE PROJECT MANAGERS

The importance of looking at the duties of the project managers was to consider what could be improved. Their tasks mainly include:

- * receiving applications from the developers and then process them.
- * Appointment of project evaluators
- * Processing claim forms

5.8.1. Current Situation On Projects

Housing development in the rural areas (tribal areas included) is held back by the fact that the KZN province is still working on the guidelines for the policy and its implementation. This has to be approved by the Board, after having finalised everything. The length of this procedure was reported to be unpredictable. The project manager assured the researcher that presently, the People's Housing Process is the only strategy that is in operation in some of the rural areas. It is believed to be a success.

A COPY OF THE PROCEDURE OF THE PEOPLE'S HOUSING PROCESS IS ATTACHED IN APPENDIX IV

CHAPTER SIX

6.1. CONCLUSION

The study was based on observation and interviewing. The importance of using observation technique was to compare with other areas, especially urban areas. Observation was also important for obtaining information that would not necessarily be asked from the subjects, while interviewing had an advantage that the researcher could communicate well with the subjects. This is because the interviews were conducted in Zulu, and the researcher was informed on values and norms.

From the literature reviewed, one of the major problems of housing development in most, if not all rural areas, is the lack of security of tenure. The land rights are held by the chief, tribal members have to obtain permission to use it. According to the findings of this study, no one identified the issue of security of tenure as an obstacle towards developing their houses. In trying to identify if security of tenure was one of the problems, the researcher made an additional question to 12 % of the sample.

Surprisingly, the subjects interviewed about access to land, reported to have no problem with security of tenure. In fact, they do not understand that they have no land rights. Presumably, most of them think that through the amount they pay to the induna, they are given the right to 'own' the land. Lack of information was identified as the cause for people not knowing exactly

what is happening around them.

Even though the findings have uncovered this situation in regard to security of tenure, the problem it raises in rural areas cannot be rejected. Security of tenure may not be a problem to the beneficiaries, but it is a problem to the Housing Act. The Housing Board may only develop the land that has an acceptable form of security of tenure. A community gaining procedure was designed by the Harber & Associates (1999) which enhances knowledge on housing development, while at the same time encourages community involvement on the levels of service (example of the model is attached in Appendix III).

Briefly, this model includes making a basic model of the area to be developed, and what alternatives could be delivered to the beneficiaries, allowing them to decide on the level of services. Cost estimations are made of all the options that could be provided. What can be highlighted about this model is that during its demonstration, the people bargain and agree on their own standards. They learn that “implementation would be a process, and not an end product” (Harber & Associates, 1999). The community may also agree on alternative forms of tenure. The model then allows both the developer and the beneficiaries to work through.

The conclusion would then be that the issue of right to land ownership within the tribal context, is perceived to be more of a problem to the outsiders than to the members of the community.

This conclusion is based on the findings of this study. The need for a policy that will address

the housing needs in the rural areas in this case is based on the belief or assumption that it can be able to come up with or devise strategies that will ensure individual security of tenure. On the other hand, the policy can improve the existing strategies like the P.T.O. for the benefit of communities.

The findings of this study confirm the need for a different policy for rural areas through the unusually high proportion of low-income levels of the community members. From the study, it has been discovered that the majority within the tribal areas are not working. Some survive on pension or disability grants. In the cases where there are one or two people working, the income is insufficient to provide even their basic needs. This situation is indicated by the overcrowding that was identified in most of the households.

It can therefore be concluded that the rural subsidies be drafted with considerations of poor income levels of the beneficiaries. By so doing, the policy makers together with the developers will be able, to identify what type of services should be provided in such areas. Therefore, to consider what type of services could be affordable in tribal areas is vital, especially for the maintenance of the services. Strategies like the one designed by Harber & Associates (gaming), can play an important role in such cases.

The findings further indicated that most people believe to have a strong house only if it is built of concrete blocks. As of now, the style or type of houses that is desirable in the tribal

areas remains a question. People in tribal areas are still having different opinions as to the style of houses. But it should be noted that what could be causing confusion is that almost all of them want to maintain their traditional styles of living, even through their homes / houses.

A functional infrastructure was identified as a need by all subjects interviewed. Their main concerns were access to water, improved roads, electricity and telephones. The policy formulated will have to consider the geographical structure of the rural areas as such. This is important in that at present, the layout of all rural areas makes it difficult to provide services like pipes for water and electricity lines.

It can however be argued that all services do not have to be imported from outside. A photo voltaic is one example that has successfully been used in the Eastern Cape. Also, water can locally be located, pumped and stored. Roads can be maintained locally to generate income and services like phones would not necessarily need wires.

It was reported with regards to the assistance given to the community by the government that, there is nothing that has been done yet. The preference of the community was that the government be the one who provides what they need, instead of people receiving cash amounts of which are vulnerable to misuse. It can therefore be said that strategies like the People's Housing Process are presently the best to adopt. This process also exposes people to various options towards building a house.

The People's Housing Process is based on the formulation of Tribal Trusts in order to control rural housing development. The tribal trusts are believed to have a potential of securing land from the chief on behalf of the tribe. The formulation of structures like the Tribal Trusts or development committees should ensure maintenance of the relationship with the traditional leaders so as to maintain the traditional culture of the tribe.

In concluding this study, there will also be review of the objectives that were set, to test whether they have been achieved and how. One of the objectives was to identify possible strategies on which a rural housing policy can be formulated. This objective was achieved through reviewing successful case studies on rural housing development. Looking at international case studies also contributed. Possible strategies that were identified included incorporating a holistic approach. This strategy was drawn from the case of Britain, where professional Town Planners and Surveyors came together in working towards a rural policy.

Other strategies include the development of agricultural villages (agrivillages), where agricultural development is the central concern. In this strategy, the availability of land, water and other infrastructural services is a requirement. Development of Betterment Schemes is another strategy towards rural development. It is based on the layout that allows distribution and access to services within the rural setting as well as setting land aside for agriculture.

An Integrated Rural Development is another strategy, however, it does not specifically focus on

housing. It focuses on a broader spectrum of rural development. Research and community consultation through workshops, were other important strategies discussed. Harber and Associates (1999), also designed a model known as the Interchangeable Model For Community Participation which can be adopted when it comes to the provision of services and enhancing community participation. The availability of these different strategies is an indication that rural housing development is unlikely to be achieved by one strategy. It is an indication that working with rural areas, more than skills, requires thinking and creativity.

The second objective was to consider proposals that have been made recently by the Department of Housing. Part 11 of the National Housing Policy was examined. However, by the time of the study, it was still open to recommendations. Nevertheless, it gave an indication on what the government has proposed with regard to rural housing and the extent of the proposal. Security of tenure in tribal areas together with the relationship between the government and tribal leaders, were the areas of concern.

The final objective was to challenge the role of Tribal Authorities, together with their procedures of land allocation. It came out through literature that Tribal Authorities should be involved in the planning and implementation of projects, also ensuring the availability of land. The P.E.A.C.E. Foundation is one example that enabled working with the Tribal Authorities.

It can be said that objectives set for this study were achieved. A large part of these objectives was uncovered through a literature survey, while some evidence came from on-site observations.

6.2. RECOMMENDATIONS

Policy formulation first requires a thorough understanding of the context that has to be developed. The multi-facet nature of housing needs in rural areas (including tribal areas) should be taken into consideration. The integration of housing development strategies can also be considered in formulating a rural housing policy.

The major recommendation emerging from this study is the process that can be followed in bringing housing development in the rural tribal areas. Considering the complications underlying housing development in rural areas, three stages are recommended. These would include an analytical stage, proposal stage and development / implementation stage.

It can also be suggested that in formulating a rural housing policy, the provision of services be used as an incentive. This could be done through the developer getting the P.T.O., and then develop that piece of land. The land can consist of access roads, water, electricity or even a school. Therefore, services will not be brought to people but, people will have to come to where services are. The advantage of this strategy would be that rural areas would be consolidated and densified.

Furthermore, it can overcome the problem of being far from roads, as the survey indicated that there are people who are moving closer to the major road due to problems they are failing to cope with. Another suggestion is based on selecting the type of developers for rural areas. This would mean giving

first priority to the kind of developers who have a delivery programme that favors local employment and particular input to the community. An example of such developers would be the Homeless People's Federation Scheme. Thus, development will not only focus on physical development, but also interpersonal development.

The survey indicated that 56 % of the subjects interviewed were women, most of whom are heading the families. Reasons include death of the husband, migration or husband moved to stay with another wife. For some women, responsibility is on them because the husband is unemployed, but spends his time in the daily informal gatherings drinking beer. It then becomes the burden of the wife to see how the family is going to survive. For such reasons, it is then recommended that women be recognised as heads of the households. This should begin at a governmental level, even in the allocation of subsidy residual. However, this is not meant to violate traditional norms. Final emphasis is on the adoption of strategies like the Interchangeable Model For Community Participation. This is because such models encourage community involvement in decision making during the process. Furthermore, it reduces chances of delivering services which are not sanctioned by the beneficiaries.

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APPENDICES

INTERVIEW QUESTIONNAIRE

This questionnaire will be subdivided into two categories . The first part will be the questions that will be asking the community members , including the authority structures available in the area . The second category of questions will be directed to the Local Government officials , working with the area which is the casestudy .

COMMUNITY MEMBERS :

- Male.....

- Female

- 1) Are you a resident of this place ?
- 2) How long have been living in this place ?
- 3) How many family members do you have ?
- 4) Do you all live under one roof ?
- 5) Who is / are the breadwinners in your family ?
- 6) Can you give an estimation of the family income ?
- 7) How did you achieve building this home that you have now ?
 - How far was it for you to collect the material for building (like water) ?
 - How much did you pay in the whole building of the house ?
- 8) Are you satisfied with your home ?
 - If not , what causes dissatisfaction ?
 - If yes , what is it that enabled you to reach that level of satisfaction ?
- 9) What is your opinion on the housing in this area ?
- 10) Is there anything you think should be done by the government , in relation to housing people in rural areas ?

If yes ; what type of assistance would be preferred ?

Also state the reasons .

Infrastructure

1) How is your road situation in this area ?

2) Would you mention the problems that you encounter with the roads ?

3) How do you access water in this area ?

Are there any problems related to its supply ?

4) Do you have electricity supply and telephones in this area ?

5) Is there anything been attempted by the government in providing these services ?

If yes , how far did it go ?

QUESTIONNAIRE FOR THE HOUSING OFFICIALS

- 1) Do you have any existing housing projects in your region ?
- 2) Is there a policy that addresses housing needs in the rural areas ?
- 3) In terms of access to land , how do you work with the Amakhosi ?
- 4) Is there any strategy / strategies proposed by your office towards implementing projects?
- 5) In all your projects , what is your attitude towards native or traditional architecture ?
- 6) When it comes to building material , what are your views towards its use in building houses in the tribal areas ?
- 7) What have been the major constraints towards housing development in the tribal areas ?

KZN (RESIDENTIAL SITE)

Reference No

PROVINCE OF KWAZULU - NATAL
PERMISSION TO OCCUPY

(Issued under the KwaZulu Land Affairs (Permission to Occupy) Regulations 1994) as amended and in terms of the KwaZulu-Natal Ingonyama Trust Board Res. No. 4 dated 5 October 1998 per file No. KN 8/5/11/16

PERMISSION IS HEREBY GRANTED TO

Identity No.

to occupy allotment

in extent:

in ward:

area / district of :

as will appear from the attached sketch / plan

No.

for: **Residential purposes.**

The rights, powers, privileges, duties and obligations of the holder and any other person lawfully acquiring any rights in or over the allotment, shall be determined and exercised in accordance with such general and special conditions and with such rules, regulations or laws as are already or may in future be prescribed or be in force in the area in which the allotment is situate.

DATE: _____

PLACE: ULUNDI

**SECRETARY: TRADITIONAL AND
ENVIRONMENTAL AFFAIRS**

**CONDITIONS RELATING TO THE OCCUPATION OF ALL ALLOTMENTS HELD
UNDER A PERMISSION TO OCCUPY OR DEEMED TO BE SO HELD**

1. The allotment shall not, without prior permission in writing under the hand of the Secretary be used for any purpose other than that for which its occupation is authorised.
2. The Secretary or any person duly authorised by him, in writing, may at all reasonable times enter upon and inspect the allotment and any buildings thereon for the purpose of ensuring compliance by the holder with the regulations and any conditions applicable or for determining or redetermining the boundaries of the allotment.
3. The right of the holder in or to the allotment or any improvements thereon shall not be transferred, mortgaged, ceded, leased, sub-let or otherwise disposed of except in accordance with such prior approval, in writing, and in such a manner as is or may be lawfully prescribed.
4. Permission granted to occupy the allotment shall not convey ownership therein.
5. The rights of the holder in or to the allotment shall not be liable to execution for any debt other than a debt due under a duly registered mortgage bond or a debt due to the statutory body which has been granted administrative control of the land.
6. The holder shall preserve and maintain the beacons by which the allotment is defined and shall be liable for the cost of repairing or rebuilding any such beacon which has become dilapidated or damaged, and for replacing, in such position as the Secretary directs, any such beacon which has been demolished or lost or misplaced.
7. All roads and thoroughfares being or existing on or over the allotment shall remain free and uninterrupted unless closed or altered by competent authority.
8. This permission shall in no case not specially provided for in the KwaZulu Land Affairs (Permission to Occupy) Regulation or in any other law applicable to the land in question, entitle the holder to compensation from the Government or the Trust for any improvements on such land; and such improvements shall, excepts as in the said Regulations or in these conditions otherwise provide, upon the termination of the holder's rights in or to the allotment, or the cancellation of this permission to occupy, become the property of the said Trust without payment of compensation.
9. Any or all of the rights of the holder in or to the allotment may be suspended by the Government or Trust or such rights may be terminated by the Government or Trust whenever in its opinion -
 - (a) such rights were granted in error;
 - (b) the land comprising such allotment or any portion thereof is required for the benefit of the State, the Trust or the public.
10. This permission to occupy may in the manner provided in the KwaZulu Land Affairs (Permission to Occupy) Regulations, be cancelled -
 - (a) If the holder
 - * surrenders the allotment
 - * has obtained it by fraud or misrepresentation;
 - * fails to comply with any of the conditions of such permission;
 - * fails for two consecutive years to pay the rent, licence fees or any other moneys due in respect of his occupation of the allotment or any business conducted thereon;
 - (b) upon proof to the satisfaction of the said Minister that :-
 - * the allotment is no longer being used for the purpose of bona fide residence, or that it is being used for any unauthorised purpose; or
 - * the holder or any person in his employ is acting in any manner prejudicial to the interest of or inconsistent with due allegiance to the State.
11. The following activities only shall be conducted on the allotment: residential purposes.
12. The holder and such of his employees as may be necessary to enable him to conduct his authorised residential purposes and their bona fide households may reside on the allotment, but this privilege may, at any time, be withdrawn on one month's notice, in writing, under the hand of the Secretary or his representative, without reason assigned.

PROVINCE OF KWAZULU-NATAL

ANNEXURE B

(REGULATION 4(c)(i))

KWAZULU LAND AFFAIRS (PERMISSION TO OCCUPY) REGULATIONS, 1994 AS AMENDED

SITE INSPECTION CERTIFICATE

.....
Serial No.

This is to certify that:

1. An inspection in-loco was carried out on..... 19..... in respect
of allotment.....
In ward.....
In extent.....

2. The allotment has been allocated to
..... (allottee's full name)
identity/registration No.....
#for..... purpose.

.....
DATE

.....
FOR: SECRETARY FOR AGRICULTURE

.....
FOR:..... TRIBAL
AUTHORITY

.....
delete that which is not applicable
delete if the allotment is in the area of a town planning scheme

PROVINCE OF KWAZULU-NATAL

ANNEXURE C

(Regulation 4(c) (ii))

KWAZULU LAND AFFAIRS (PERMISSION TO OCCUPY) REGULATIONS, 1994 AS AMENDED

SKETCH

.....
Serial No.

Corner point description

A:.....

E:.....

C:.....

Sides in metres

AE=.....

EC=.....

.....

(draw figure representing the allotment here (below))

The figure.....

represents allotment.....

in ward.....

Area/district of.....

in extent.....square metres

.....

DATE:.....

.....
FOR SECRETARY FOR AGRICULTURE

.....
FOR TRIBAL AUTHORITY

Copy received by me on.....

.....
SIGNATURE OF HOLDER AND INITIALS

PROCEDURE TO APPLY FOR A PERMISSION TO OCCUPY (P.T.O)

1. Source of the authority

- 1) KwaZulu Land Affairs Act No11 of 1992
- 2) Permission to Occupy Regulations derived from the Act.
Prior to this it was i.t.o. Proclamation R.188 of 1969.
- 3) Resolution No 4 of 5 October 1998 of the Ingonyama Trust Board

2. Procedure for obtaining a P.T.O.

- (a) Identification of the site/piece of land after consultation with the Induna/Inkosi of the area.
- (b) Seeking approval/consent of the local authority (traditional authority) of the area where the site is.
- (c) If approval is granted, the site is measured by the officials of the Dept of Agriculture working in the area - after which form annexures B and C. (Annexure B is a site inspection) should be completed and signed by the official concerned and a representative of the traditional authority.
- (d) Over and above the Sketch map prepared by the Department of Agriculture, another sketch map e.g. in 1:50,000 showing exactly the position of the site in relation to the area.
- (e) Now the applicant/developer can submit these documents as annexures to his/her covering letter of application for a P.T.O. to the Department of Traditional and Environmental Affairs, Private Bag X31 Ulundi for consideration. Information which must be covered in the application letter is as follows:

- (i) The purpose for which the site is required.
(It is not enough to simply say tourism projects. Explain what are they.
- (ii) Capital - what capital has been set aside for the project/how the project will ^{be} funded.
- (iii) What is the estimated cost of the project?
- (iv) What development plans does the developer have for the project? (Developer to furnish concept plan, local plan and project plan)
- (v) If the developer is a group of people. What are they? A Trust, a Close Corporation, a Co., and Association etc.
- (vi) If the application is for a lease the proposed period of the lease should be stated.
- (vii) The resolution/recommendation of the traditional authority should also state the period of the lease recommended by the traditional authority.

3. The application now goes to the Department of Traditional and Environmental Affairs

- 1. The Department goes through application and check if there is any additional particulars/clarity that may be required before the application goes through.
 - (a) If there are queries or additional particulars which should be cleared or attended to by the developer, the matter is taken up with him/her.

- (b) If inputs from various Departments are deemed necessary the Department refers the application to those for comments .
- (Ii) If there is nothing serious to hold the application back, the Department starts an internal process of issuing a P.T.O.
- (Iii) If the size of the site is more than 5 hectares or the project is above R500,000 the Department prepares a memorandum to the Ingonyama Trust Board to consider the application. If it is approved the Dept then issues a P.T.O.
- (Iv) If the application is for lease, irrespective of the size of the site and the value of the project the application has to be approved by the Ingonyama Trust Board.

3.1 Like in any other authority given, P.T.O. has certain conditions reflected with overleaf which the holder of the P.T.O. must comply with.

Some of those conditions are:

- (I) The site should not be used for any other purpose other than that which is stated in the P.T.O. except with prior approval in writing from the Department or Ingonyama Trust Board,.
- (Ii) The right of the holder shall not be transferred, mortgaged , ceded, leased without prior approval of the Department of Ingonyama Trust Board.
- (Iii) Permission to Occupy the site may be canceled if the holder fails to comply with the conditions of the permission so granted.

(iv) Where rental has to be paid the holder of the P.T.O. must ensure that such rental is paid within a stipulated period.

3.2 In the case of applications for P.T.O.s for trading sites, once the application has been approved by the Department, a P.T.O. is not immediately issued ^{but} an approval-in-principle. The approval-in-principle gives the applicant authority to develop the site and is valid for 24 months. The applicant is issued with a P.T.O. upon receipt of a notification from him or her that he/she has started trading on the site and the calculation of rental starts from the date of commencement of trading on the site.

3.3 Tourism is seen as a business venture like shopping centres etc and it is the opinion of the Department that unless the developer can prove that he/she has the capital to start the business immediately and has no problem in paying rental in advance within seven days from the date of the receipt of a P.T.O., the developer should also be issued with an approval-in-principle if the application is approved.

The advantages of this are that

1. The developer will be forced to develop the site as soon as possible before the approval expires.
2. The developer will not pay rental for the site within the 24 months period of the approval in principle until a P.T.O. is issued. For many a times developers apply for a P.T.O. but fail to pay the rental when asked to do so.

This rental is paid in advance, immediately a developer takes occupation of the site.

- 3.4 There are also instances where people want to lease a site. The procedures/steps are the same as that described above for a P.T.O. except that a P.T.O. is not issued in this instance but a lease agreement has to be drawn up and signed by a Lessor and a Lessee.
- 3.5 In drawing up a lease agreement there are certain principles of law and formalities which must be borne in mind.
- 3.6 Because the department does not have the capacity to draw up the leases it has always asked the developer to do so and to bring the draft document to the Department for consideration.
- 3.7 The document is discussed with the developer or the consultants representing the developer. Until the Department reaches an agreement with the developer and thereafter sends the document to the office of the State Attorney for consideration and approval.

Fig 1 ?

FIGURE 2
Interchangeable Model For Community Participation

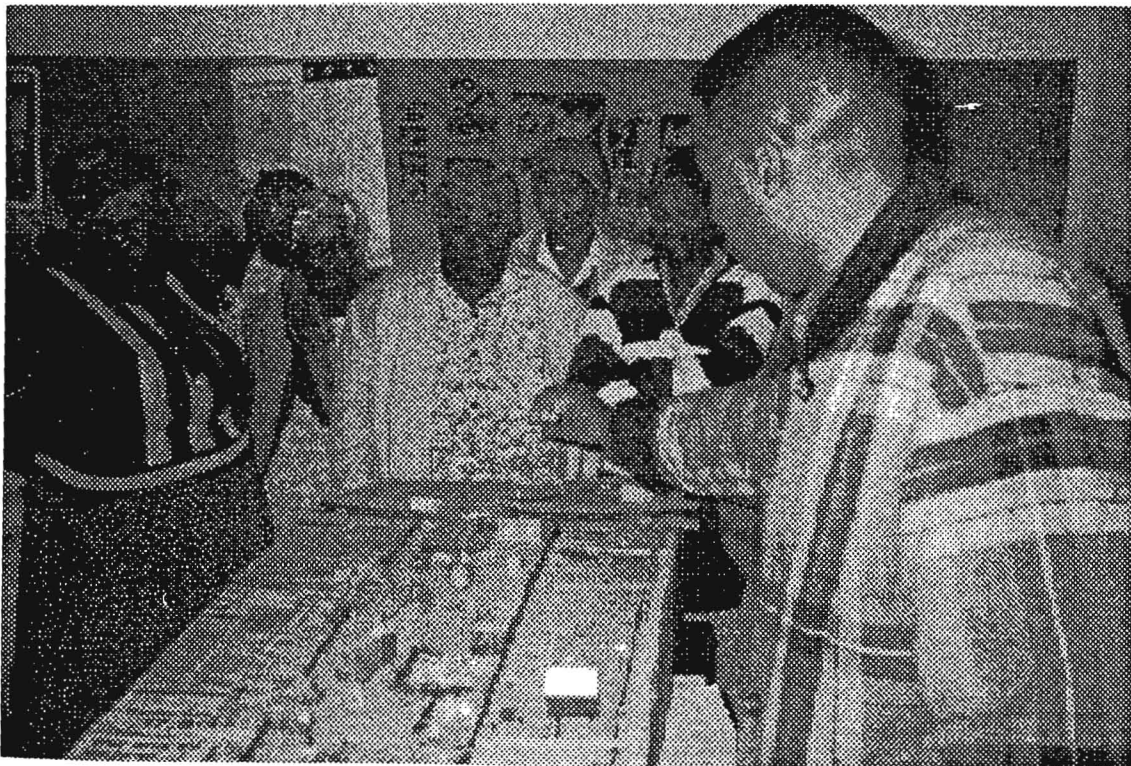
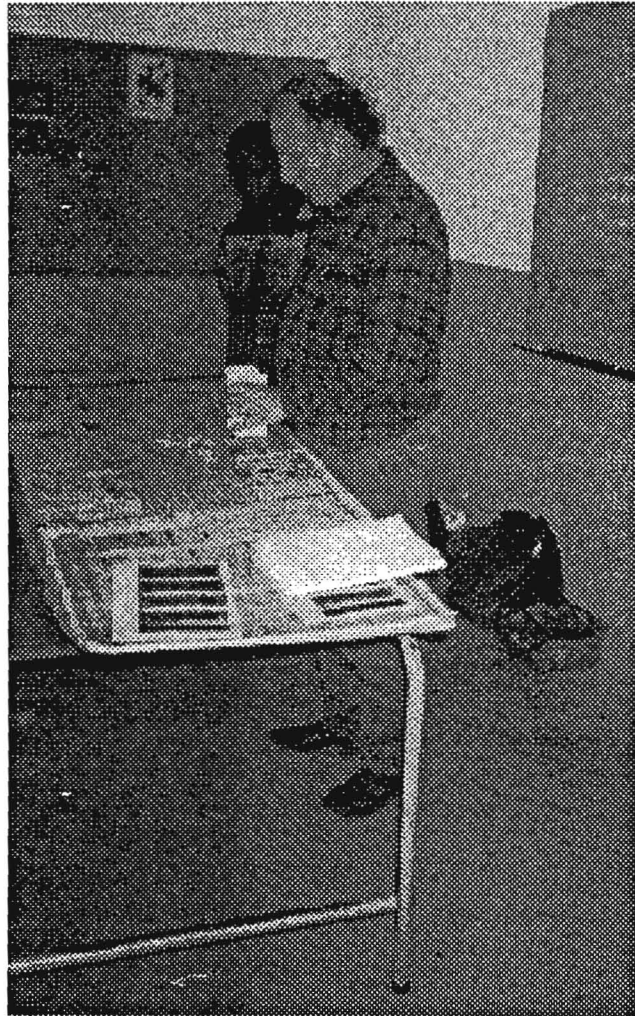
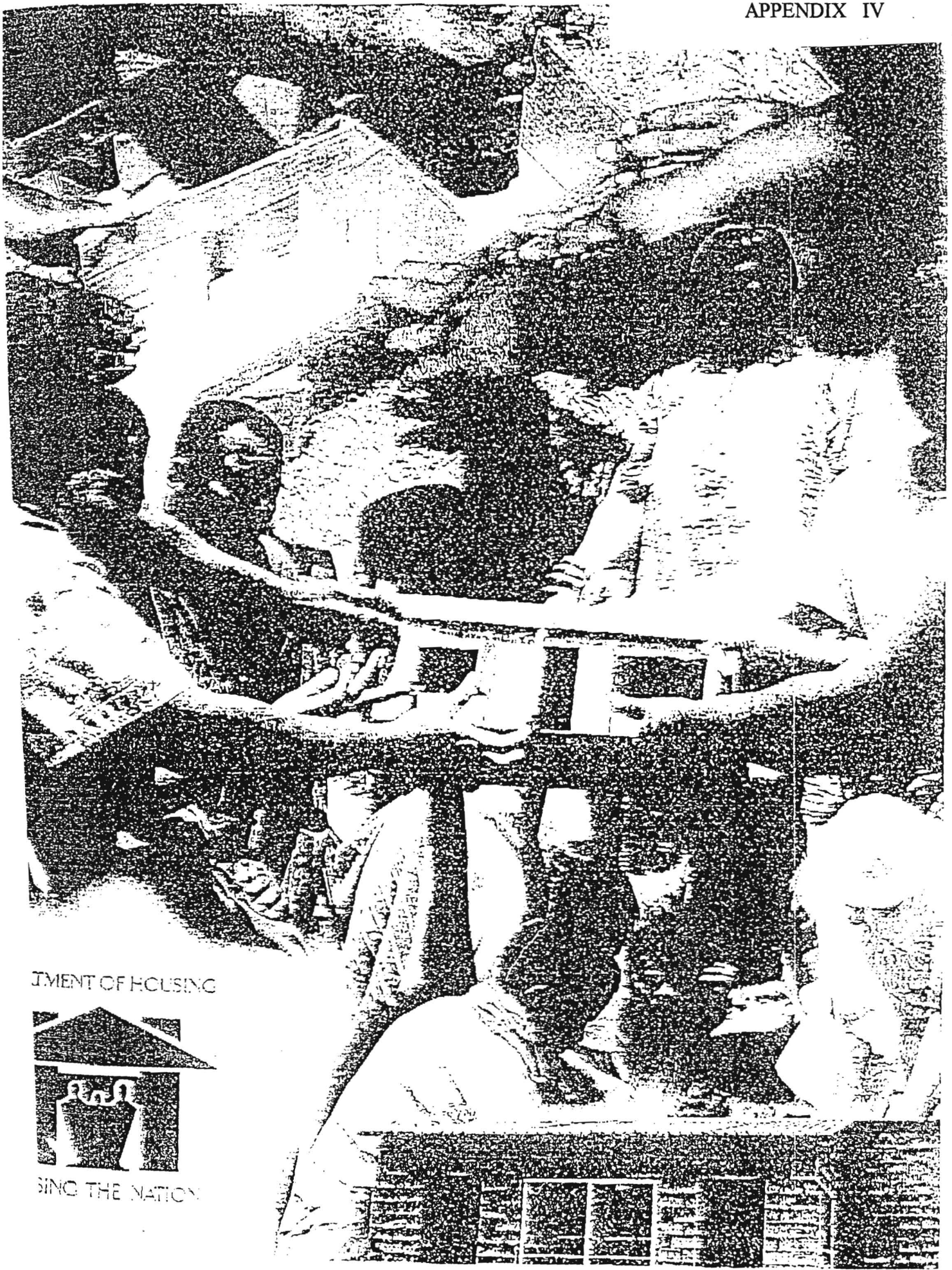


FIGURE 3
Development As A Process



LOT 5, HOUSING PROCESS

APPENDIX IV



DEPARTMENT OF HOUSING



HOUSING THE NATION

1. Where are people without homes or land living?

- Backyard shacks
- Rented accommodation
- Hostels
- With an extended family

2. How can a community identify suitable land?

- Ask your local authority and Provincial Housing Board to prepare a list of available land.
- Obtain information on ownership.
- Hold a meeting of landless people and try to find solutions. Form pressure groups and elect a committee. Prepare a list of families who are landless.



You can ask any of the following to help organise the communities:

- Councillors
- CBOs
- NGOs
- The People's Housing Partnership Trust (PHPT)

How can you access land?

Meet with the local authority and negotiate for the allocation of land that has been set aside for housing. The local authority will check the list of families to see whether yours qualify or not.



If you're living on land that you do not own, how can you establish if the site is suitable?

- Find out who the owner is and negotiate to access or purchase the land. Hold a meeting in the community and find out whether everyone is willing to stay in the settlement and upgrade it.
- Prepare a list of families who should form the community.
- Ask the local authority or PHPT to help you find out whether the land is suitable for building.

5. Who can vacant land belong to?

- Provincial Government
- Local Government
- Private Sector
- Church
- Parastatal Company
- A Trust

6. What is a serviced site?

A fully serviced site provides the family and community with:

- Drinking water
- Sanitation (toilet and sewerage disposal)
- Storm water drainage
- Roads
- General lighting
- Electricity
- Refuse removal

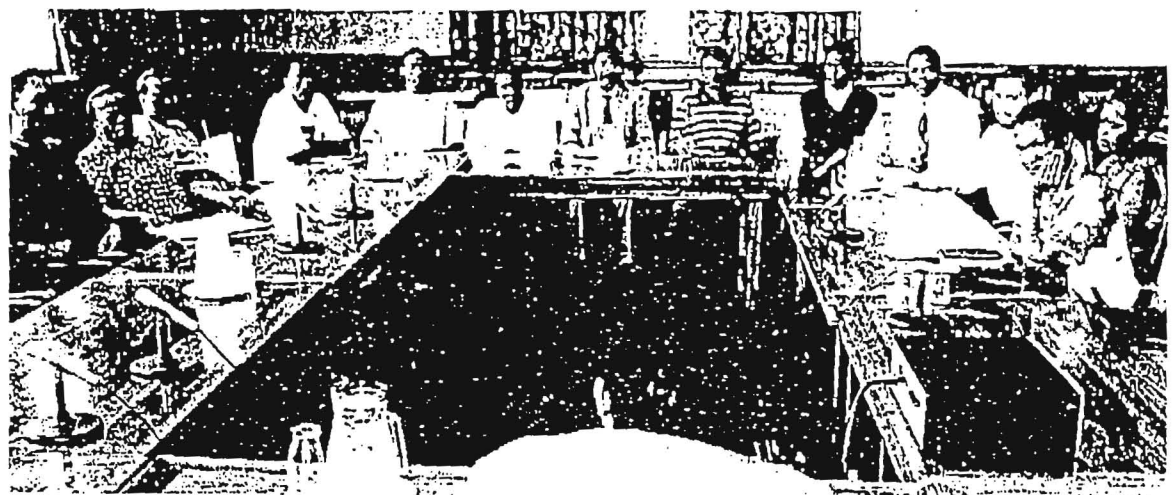
A partially serviced site has only some of the services or a lower standard of services, for example, one tap which is shared by a number of families or ventilated improved pit toilet instead of flushing toilets.

If the site has been serviced by any of the following, it is a serviced site:

- The IDT
- The previous House of Delegates
- The previous House of Representatives
- Previous site and service schemes

7. How can your community mobilise itself?

Organise community meeting of homeless families. Invite the councillors of the area as well as the organisations who will be able to provide support. This could be an NGO, church group, local authority or other previously homeless people. Discuss how you built your present house and decide how you build your new house. Elect a housing support committee and draw up a constitution for the committee. Make a list of families who would form the community.



What is a Support Organisation?

Support Organisation is a legal entity and does the following:

- Receives and administers the subsidies:
- Helps the families obtain the land:
- Provides technical, financial and administrative support to families building their own homes.

A group of families can form a legal entity and be a Support Organisation, or find a legal entity to act on their behalf.



Any one of the following organisations can be a Support Organisation:

- Provincial Government
- Local authorities
- CBO
- NGO
- Church Group
- Voluntary Associations
- Employers
- Labour Unions

How do you transfer the land?

The committee meets the Support Organisation and asks it to help with:

- the transfer of the land;
- the application for a subsidy from the Provincial Housing Development Board.

The Support Organisation takes care of the transfer of the land. If the land is already serviced, the Support Organisation works out the cost of services and administration, then prepares a project application.



How do you share information?

Invite someone from the Peoples Housing Partnership Trust to facilitate a workshop to share information.

The following should be discussed:

1. The types of subsidies and how much you qualify for.
2. Different ways to build a house:
 - A family on its own;
 - A family helped by friends;
 - Several families forming teams and helping each other build;
 - A family employing a builder to build the house or part of the house.
3. The problems which you may have when building your houses.
4. What support is available for your process of building.



How do you apply for subsidies and establishment funds?

Invite someone from the Peoples Housing Partnership Trust to give a workshop and agree on what support you require. Invite a local authority to attend this workshop. Agree on who should provide the support. Ask the Support Organisation to prepare a project application by completing the standard form which is available from the Provincial Housing Development Board. You could request support from the Peoples Housing Partnership Trust to complete the form.

2. Who qualifies for a subsidy?

You can qualify for a subsidy if:

- You are a South African Citizen or have a permanent residence permit;
- You are married or living with a long-term partner;
- You are single, over 21 and have dependants;
- Your household earns R3 500 per month or less;
- You or your wife / husband / partner have not previously owned property;
- You understand what a contract means and the responsibility that goes with it.



How much can you get?

- If your household earns up to R1 500 per month you will get R16 000.
- If household earns R1 501 to R2 500 per month you will get R10 000.
- If household earns R2 501 to R3 500 per month you will get R5 500.
- The consolidated subsidy is different:
If household earns up to R1 500 per month you will get R8 000.

R0 - R1 500	—————	R16 000
R1 501 - R2 500	—————	R10 000
R2 501 - R3 500	—————	R5 500

- a. family must complete its own subsidy application
- b. and submit it to the Provincial Housing Development Board
- c. The local authority can assist with this process.

When is your project approved?

The Provincial Housing Development Board will approve the project, subsidies and government funding. It will inform the Support Organisation and the community when approved.

You can start building your houses.

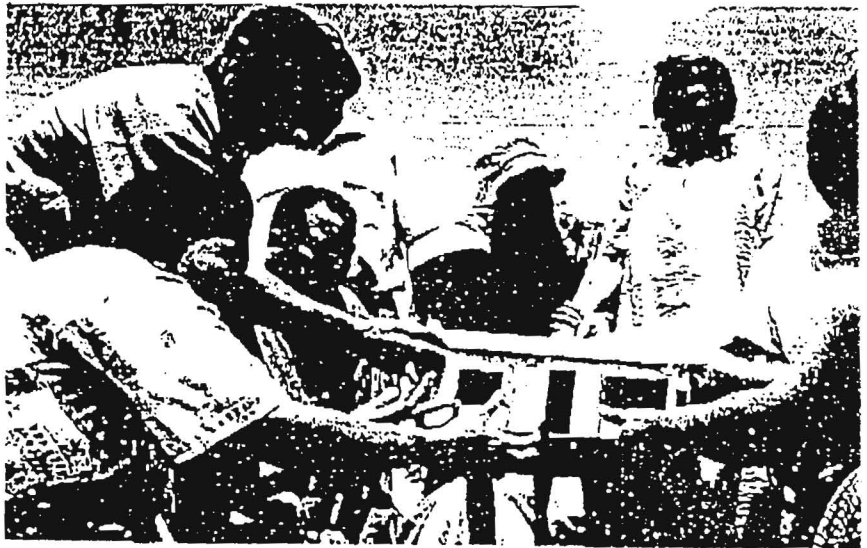


15. What happens in a housing support centre?

- Information on building a house can be obtained.
- A technical staff member will be available to advice you on plans, costs and good building practice.
- A financial staff member will assist each family with checking the progress payments of subsidies.
- Equipment is available for the community to make their own bricks.
- Families could obtain building equipment on loan.
- A secure place to store equipment and material is available.
- Offices can be set up to order and supply materials.
- Skills training and onsite building training.

16. How can you design and cost your own houses?

Invite the People's Housing Partnership Trust or the local authority to facilitate a community design and costing workshop. The purpose of the workshop is to enable each family to measure, plan, draw their house to scale and cost their own design.



The workshop consists of exercises in measuring, designing, building a cardboard model, building a life size model, and costing a plan. At the end of the workshop you will be able to draw your own house and work out the cost. This plan will have to be submitted to the local authority for approval. The Support Organisation will assist you to do this.

17. How can you ensure that your houses are safe and healthy?

Invite the Peoples Housing Partnership Trust or the local authority to give a workshop where the community agrees on guidelines and rules which will be followed during the building process.

18. How do you start building your own houses?

Once the land has been transferred into your name and the project has been approved, start by clearing the site and decide where to position the house on the site. Make provision for space to add on in the future. Clear the area of all bushes and debris. Ask the technical advisor for assistance in laying out the foundations.

19. How do you get the money to buy material?

Each family must open a bank account into which the money can be paid. Alternatively, the family can make an agreement with the Support Organisation for the supplier to be paid directly. The bookkeeper in the support centre can assist the family. The money will be paid into each family's account in stages.

There will be 5 progress payments:

- Payment 1 on completion of the digging of the foundations and clearing of the site.
- Payment 2 on casting foundations and floor slab
- Payment 3 when the walls are built up to window height.
- Payment 4 when the walls are built up to roof height.
- Payment 5 on completion of the roof.

Once the family has completed a stage, it should ask the Support Organisation to arrange for an inspection. The money will be deposited in your account. Draw when you need and continue with the building.

20. When is the house complete?

Complete your house and arrange with the Support Organisation for a final occupation certificate. This will be given when the house is completed according to the plan which you have handed in.

