

# **PLANNING, POWER DYNAMICS AND CONFLICT: THE CASE STUDY OF VARIOUS MUNICIPALITIES IN THE PROVINCE OF KWAZULU-NATAL**

**Zethembe Khuluse**



**A short dissertation submitted in partial fulfilment of the requirements for  
admittance to the degree of Masters in Town and Regional Planning (MTRP) in  
the School of Build Environment and Development Studies, University of  
KwaZulu-Natal.**

## **DECLARATION**

I declare that this dissertation is my own unaided work. It is being submitted for the degree of Masters in Town and Regional Planning in the Faculty of Humanities, within the School of Built environment and development studies, University of KwaZulu-Natal, South Africa. It has not been submitted before for any degree or examination in any other University.

**Zethembe Khuluse**

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*Student Name*

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Student Signature

**Dr. Awuorh-Hayangah**

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*Supervisor*

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*Supervisor Signature*

**28 August 2015**

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*Date*

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To my saviour; the everlasting God, whose way, is perfect; & whose word is flawless. You are my shield and my refuge will always be found in you (2 Samuel 22:31). To my family (MaNkosi Maureen Mfusi Khuluse, BaBa Mbuso khuluse, Zempilo, Sthelo and Mnotho & Mammekwa); thank you for your encouragement, prayers and support. To the Tlopo family for their continuous love and counsel during a testing season; to my friends Kagiso Pooe, the Matete's family, the Dlamini's and (my modelling) buddy Fish; Ngiyazibongela. But Most of all, to my beautiful wife and best friend Puleng Khuluse, you are bone of my bone and flesh of my flesh. I love you my boobu.

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## **Abstract**

The legitimization of planning as a mechanism providing rational societal guidance and coordination between the economic and social spheres, particularly for human settlements, became increasingly under challenge with the decline of the welfare state, a loss of faith in instrumental rationality and the rise of neo-liberal market (Gunder, 2010). Subsequently; the ideals of egalitarian society, as a vehicle of achieving political, social, and economic equality has arisen, and has found a niche within modern planning theory and practice.

Contemporary planners have adopted a 'collaborated planning' approach; as the universal means of mediating all forms of conflict. This process can become complex as the generic texture of conflict is inconsistent, incoherent and often very difficult to define. This statement finds its credence within the South-African narrative, as the country has had a rich history of apartheid conflict. This conflict has fostered spatial, social and economic divides, which still remain to this day. 'Conflict' in South Africa is not only the focal point of Power struggles between different stakeholders of varying interests, but may be the manifestations of a historical more culturally engineered conflict.

This study set out to examine the genetic make-up (composition) of conflict within various Municipal regions in post-apartheid KwaZulu-Natal. The main objective of the study was to determine which planning paradigm planners should utilize when considering the composition of conflict within developed and developing constituencies. To do this, the researcher conducted Focus groups and open ended interviews from 12 planners from various municipalities within the province of KwaZulu-Natal. From this, Case studies of both EThekweni Municipality, and Nongoma municipality were drawn up. What was concluded by the researcher was that conflict arises as a result of vastly different reasons within the municipal spatial configuration of South Africa, and that planners must recognise the composition or genetic make-up of conflict in order to attain the spatial agenda within the current post-apartheid dispensation.

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## Acronyms

African National Congress.....	ANC
Integrated Development Plan.....	IDP
CO-operative Governance and Traditional affairs.....	COGTA
Inkatha Freedom Party.....	IFP
Ingoyama Trust Board.....	ITB
Pan African Congress.....	PAC
South African Communist Party.....	SACP
National Party.....	NP

KwaZulu-Natal .....	KZN
KwaZulu-Natal Growth and Development Strategy .....	PGDS
South Durban Basin.....	SDB



# CHAPTER ONE: INTRODUCTION

## 1.1 Background to research

Urban and regional planning has been perceived as a liberal, rational and modernist social activity (Dear, 1986; Hall, 1988). Consequently, the profession has been conceived, by planners and the public alike, as a coherent activity, aimed at producing a 'public good' of one kind or another (Innes, 2005). However; there seems to be a menacing "dark-side" to the profession, the awareness of which has generated much debate on the 'spirit and purpose of planning' (Bruton, 1974). This point is particularly true within the context of South Africa, where at the advent of democracy the urban landscape was marked by division, distant, exclusion, inequality and separation (Stein et al, 2003). Sadly; this legacy of Apartheid appears to 'soldier' on, as the culture of urban division and exclusion of people is still the shaping the nature of settlement design in South African Cities today (Landman, 2006; Pieterse, 2010). It would appear; that the concept of spatially integrated and socially reconstructed cities conceptualised at the advent of democracy, has to a large extent evaded planners and development practitioners alike (Watson, 2009; Pieterse, 2006). This research was thus inspired by a curiosity to understand how the imbalanced inconsistencies of apartheid planning practices, of the past appear to persist in a post-apartheid South Africa.

## 1.2 Research Problem

Liberal Democracy is considered to be the ideal means in which political, social, and economical equality can be achieved in a multi-stakeholder society (Davidoff, 1996, Krumal, 1998, Sandercock, 1998). Nonetheless, very few will argue the conjugal bond between democracy and Capitalism whose lineage dates back to the advent of the industrial revolution. The nature of this relationship can be found in the structure and design of the built environment, which is perceived by free-market analysts as a physical resource fixated on the production, circulation and consumption of capital (Harvey, 1989). During this epoch of modernism; challenges relating to a mass society rooted in the marketplace took prevalence (*ibid*). Planners espoused to mitigate these tribulations, by using conventional planning as a tool in addressing social order within a capitalism rampant society, (Harvey, 1989, Ley, 1987, Yiftachel, 1998, 2002).

However by the turn of the 1960's and early 1970's the urban planning profession had permeated a feeling of disappointment, as there was growing awareness that these planning practices had negative outcomes on the built environment (Yiftachel, 1998, Flyvbjerg, 1998, Sandercock, 1998, Harrison, 2001). The profession called for a Democratic, multi-stakeholder approach which advocates for justice, equality, transparency, and accountability. There was resounding consensus that contemporary urban planning should be a process of enabling public collaboration for consensus-building (Voogd and Woltjer 1999: 835). The idea; is that collaborative action among stakeholders will encourage urban development in which 'real' democracy will operate, so as to include rather than exclude citizens from participating in the Planning process, whilst still nurturing the expansionist ideals of modern egalitarian society (Davidoff, 1996, Innes, 1995, Headley, 1997, and Krumal, 1998).

Because of this, there has been a troubled relationship between private interests and planning in the selection of the policies and investments that shape urban areas (Headley, 1997). As opposing interests struggle to influence land use decisions through the political process, the profession of planning aims to rationalize the process through logical and rational means (Innes, 1995). According to Forester (1989) this has resulted in Planners constantly mediating conflict between private profit interests and public well-being. As Power struggles between different stakeholders of varying interests are challenged, the ability for planning to function as an analytical tool is exposed as a pivotal point of any "conflict mediation process" (Flyvbjerg, 2002). The nature and texture of this conflict mediation process makes planning practice a very politically sensitive affair.

The problem then, is that as competing (*actors*) strive to shape both the urban and rural landscapes; power and class dynamics which exist within capitalist society distort the ability of equal and concerted planning processes. The planning profession has inadvertently inherited a position of mediating conflict and influencing decision making in the public interest. In order to do this, planners have generally utilized a collective of unrestrained collaborative planning techniques in an attempt to guide development within both district and local government level. With that being said, it has become rather apparent that these post-modern collaborative planning processes have not yielded the desired sustainable outcomes initially conceptualised, particularly within

developing constituencies (see Bollens 2012; Yiftachel 2006; Turok 2008). The researcher contends that this is because contemporary collaborative planning approaches generally misinterpret the composition of conflict within these developing egalitarianisms. This has led to attempts to engineer collaboration, without first having full understanding of conflict (Lord; 2012). As a result; the planning profession has varying levels of effectiveness and competency.

### 1.3 Research Objectives and Questions

The main objective of this research project was to examine the genetic make-up (composition) of conflict within various Municipal regions in post-apartheid KwaZulu-Natal.

The broad research question is: how effective is collaborative planning in mediating conflict within developing constituencies. The sub-objectives and sub-questions are listed in table 1.

**Table 1: Sub-objectives and sub-questions**

<b>Themes</b>	<b>Objectives</b>	<b>Research questions</b>
<b>Conflict among stakeholders</b>	To examine the composition of conflict among stakeholders within municipalities in Post-Apartheid KwaZulu-Natal?	How effective has the planning profession been in understanding the nature of conflict in a democratic Neo-liberal KwaZulu-Natal
<b>Progressive planning approaches vs. Power dynamics in developing municipalities.</b>	To examine the effectiveness of collaborative planning approaches in resolving municipal conflict in a Post-apartheid KwaZulu-Natal.	Are collaborative planning approaches applicable in developing municipal constituencies?

### 1.4. Research Hypothesis

Town planners' within municipalities in KwaZulu-Natal have universally adopted collaborated planning techniques in an attempt to engineer collaboration, without first having full understanding of the genetic configuration of conflict in their respective constituencies.

## **1.5 Research Methodology**

Some authors and researchers such as Locket al (2000) define a **research methodology** as: “*the systematic, theoretical analysis of the methods applied to a field of study, or the theoretical analysis of the body of methods and principles associated with a branch of knowledge. It, typically, encompasses concepts such as paradigm, theoretical model, phases and quantitative or qualitative techniques*”. (Locke et al, 2000).

In understanding the above, the researcher adopted Qualitative research approach as a tool for collecting data (Naoum, 2013). Qualitative research is research that is ‘*subjective*’ in nature and primarily assesses changes in people’s perceptions in relation to their well-being (*Ibid*). As a result, Qualitative research places great emphasises on meanings, experiences (often verbally described) and so on. In this research study Qualitative research techniques were used to gain understanding into the underlying issues surrounding the prescribed research problems in section 1.4 of this chapter (Kitchen and Tate, 2000: 213). The researcher gathered non-statistical feedback and opinions rooted in the ideals, behaviours, and social contexts of each planner interviewed. In doing so, the researcher was able to attain information that was culturally specific to the study. This would not have been possible if the researcher used quantitative research methods.

That being said, it must be noted that this study was analytical in nature. The researcher gathered the data over a period of 3 days, by conducting focus groups and open ended Interviews with various municipal planners in KZN. The objective was to obtain the varying opinions, attitudes and information of the respondents.

### **1.5.1 Data Collection**

Data Collection is a vital feature of any research study. Incorrect data collection techniques can have a bearing on the results of a study and eventually deem any results gathered as invalid. Data collection is therefore the process of generating data for the purpose of analysis in the light of a given research problem (Kitchen and Tate, 2000: 211). Data collection techniques to attain information and Data generally vary along a continuum. At the one end of this continuum are Primary data collection techniques. On the other end of the continuum are Secondary data collection techniques. Both data collection techniques were employed in this research study.

### **1.5.2 Secondary and Primary Sources of Data**

Information or Data may be sourced from either Secondary or Primary sources of Data. *Secondary data* is data attained from auxiliary sources. Secondary data provides data which has a unique advantage over primary data collection, with the most noteworthy advantages being the researcher's ability to save time and cost (Stewart & Kamins 1993:37). Secondary sources of data obtained in this research study include e-journals, books on various planning theories, conflict, capitalism, the urban form, the power discourses in the planning process, conventional planning, collaborative planning, Land Use Management and Spatial planning. In addition; researcher utilized various government (both national and Provincial)

*Primary data* (or data collected at first hand) was sourced from Focus groups and open ended interviews from planners from selected municipalities the province of KZN. The researcher gathered the data during a Co-operative Governance and Traditional Affairs (COGTA), training symposium in Pietermaritzburg KwaZulu-Natal. During this time, the researcher conducted focus groups and open ended Interviews. From the 12 planners' interviewed the researcher selected key informants who would inform the mini case studies presented. These key informants had to be located municipalities within the former KwaZulu Bantustan, and in the former colony of Natal (former 'white' municipalities). The researchers goal was to examine the genetic make-up of conflict within municipalities in Post-Apartheid KwaZulu-Natal, and if collaborative planning approaches are relevant in mediating conflict within both these municipal constituencies.

### **1.5.3 Tools of Data Collection**

As previously mentioned, this study employed qualitative research techniques. The benefits of the qualitative research data is that the information attained offers a deeper more enriching discernment into the key themes under study (Naoum, 2013).

The main methods for collecting qualitative data in this study were:

- Open ended interviews
- Focus groups

The researcher employed both the individual interviews, and focus group discussions to gather a rich and varied data set in a less formal setting. By engaging planners in focus groups, the researcher was able to capture the experiences, feelings and opinions of the planners interviewed. In doing so, the researcher was able to attain the trust of the collective group, and thus identify key informants for the research study.

#### **1.5.4 Sampling**

Sampling or a Sample describes a specific specimen or in certain instances part of the entire populace to illustrate various important details and characteristics about what the rest of the population is like (Kitchen and Tate, 2000: 213). Selecting a research sample is generally a difficult process and great caution must be taken when selecting the type of sample design (*Ibid*). The researcher in this study conducted a mixture of both random and purposeful sampling techniques. Purposeful sampling is when respondents are selected based on specific characteristics, such as education background, place of employment, scope of establishment employed and type of occupation the respondent is involved with.

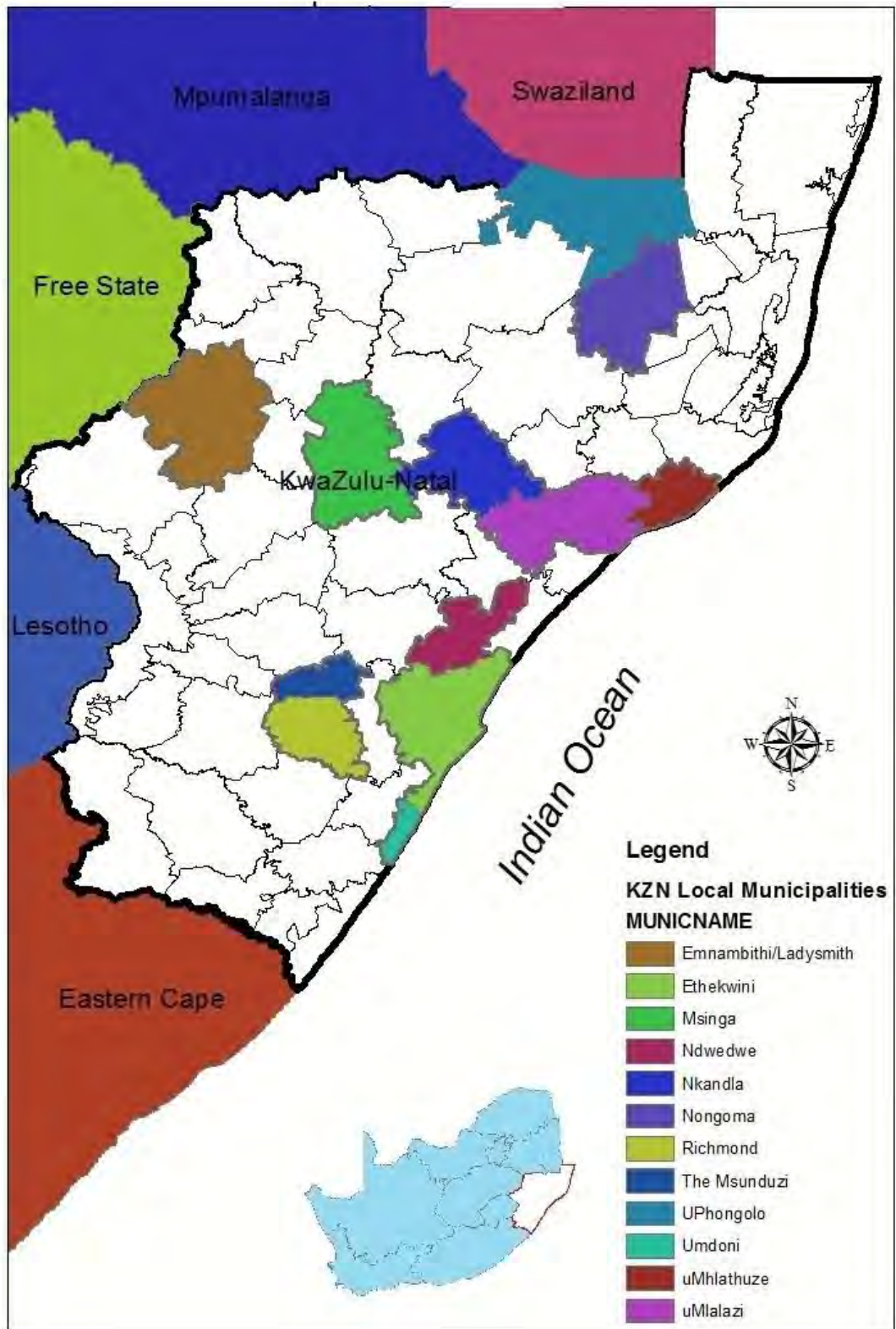
Because the data in this study was collected during Co-operative Governance and Traditional Affairs (COGTA), training symposium, the researcher was able to attain information from the organizers pertaining to the composition of planners at this particular forum. In total 26 planners who had attended the symposium were randomly divided in teams and focus groups. The researcher adopted a group, which consisted of 12 purposefully selected planners from both the former Bantustan, and the former colony of Natal (White municipalities). The planners in the focus group were from various municipalities such as Emnambithi/Ladysmith; eThekwinini; Msinga; Ndwedwe; Nkandla; Nongama; Richmond; Msunduzi; Uphongola; Umdoni; Umhlatuze and Umlalazi. In addition; two town planning representative from the KwaZulu-Natal Co-operative governance and traditional affairs (CoGTA) directive were interviewed. These two other respondents were sampled randomly based on their availability (at the training symposium) and their expert knowledge of planning within the province of KZN.

Listed below is a table showing the Key informant, the Number of informants involved, and Nature/ type of information sourced during this researcher study.

**Table 2: Key informants**

<b>Key informant</b>	<b>Number of informants interviewed</b>	<b>Primary outcome of information sourced</b>	<b>Secondary outcome of information sourced</b>
Practicing professional planners from all three spheres of Governance, (Metropolitan, district and local) municipalities within the KwaZulu-Natal province.	Twelve	To understand and analyse the nature of conflict among stakeholders within various municipal regions in Post-Apartheid KwaZulu-Natal.	To identify which planning paradigm do planners in various municipalities utilize, in resolving conflict arises in there municipal district.
KwaZulu-Natal Co-operative governance and traditional affairs (CoGTA)	Two	To understand the role of Co-operative governance directive, in analysing the nature of conflict among stakeholders within various municipal regions in Post-Apartheid KwaZulu-Natal.	To understand the role of Co-operative governance directive, in the developing the repertoire of planning approaches available to planners, in order to resolving conflict arising in Kwazulu-Natal,

**Map1: Distribution of Municipal planners interviewed**



Data Set: Department of Rural Development and Land Reform (dataset Acquired on 17 Novermeber 2014)

## 1.6 Data Analysis

Analysis of data is a method of examining, cleaning, converting, and modelling information with the objective of determining valuable material and suppositions, (Barnett, 1991). Data analysis has various aspects and methods, incorporating diverse techniques under a variety of names, dependent of the nature of the study. As a result, Data analysis is a procedure within which numerous stages can be employed (*ibid*). Processing of data refers to concentrating, and reorganising of data in such a way that it becomes as acquiescent to the analysis as much as possible. Data for this research was collected between in October 2014.

Because data was sourced using mainly qualitative data techniques and tools, the interviewees and focus group meetings were recorded on a cell phone device. The researcher then transcribed the recordings into of field notes. These field notes were then transliterated into data that was summarized by focusing on vital answers that were directly relevant to the research questions posed. The data was reduced from chunks of information into summaries quantities that were relevant to the questions in section 1.4 of this study.

In transforming the Data, information was classified by categorizing it into master themes related to the concepts that informed the objectives of the study. The master themes were Conflict among stakeholders and various planning theories such as comprehensive planning, progressive planning and Power dynamics in planning. The purpose of the classification of data was to show patterns or trends in the responses in order to easily draw conclusions about the thematic areas framing the study analysis.

What the researcher discovered was that the process of reading through, interpreting, processing, and categorizing the data was a continuous task throughout the research project. The goal was to relate the Data connections, between the various master themes derived from categories formed during data classification (Kitchen and Tate, 2000). In doing so, the researcher was able to establish a relationship between Conflict among stakeholders, and various planning theories such as comprehensive planning, progressive planning and power dynamics in planning.

## **1.7 Limitations to Study**

The collection of qualitative research is heavily dependent on correct information being acquired from informants. The ability to obtain such information is confined to what respondents are willing to disclose. The major limitations to the study were accessibility to relevant information, time and monetary constraints which dictated the narrow scope of the study and included the following reasons below:

- The first conceivable limitation to this study is the scale and spatial extent of the study area. The researcher was concerned, that the scale could inherently impact the estimated time of completion, resulting in outdated, incorrect and corrupted data. To mitigate this, the researcher collected the data during a Co-operative Governance and Traditional Affairs (COGTA), training symposium in Pietermaritzburg KwaZulu-Natal in October 2014.
- Secondly, this study may be a potentially sensitive topic to urban Planning Practitioner's and required a great deal of 'trust' among the researcher, and the Sample group. In order not to invalidate the outcome, the researcher collected the data in a focus group environment before conducting one on one interviews. In doing so, the researcher was able to attain the trust of a majority of participants involved in the study.
- And finally, data collection for the study was gathered in Pietermaritzburg KwaZulu-Natal. This resulted in very high travel cost being incurred the researcher, who had to commute to the symposium from Durban.

## **1.8 Outline of the Study**

This study will be broken up into seven chapters. The breakdown of each chapter will be as follows:

### **Chapter One: *Introduction***

The goal of this introduction chapter is to provide readers to the background information of the study, description of the research problem/s presented, and the research objectives and questions. In addition, it contains the research methodology the study will employed, the methods of Data analysis and the break-down of each chapter within the study.

## **Chapter Two: *Literature review***

This chapter will provide a critical examination of the existing literature that is deemed to be of significance to the research study. The goal is to identify the key texts with which the researcher will be in conversation with. In addition; it will identify the rationale for the research within the context of the existing literature and how this study aims to fill in the gap within the existing literature.

## **Chapter Three: *Conceptual and Theoretical Framework***

The goal of this chapter is to define the key Theoretical and Conceptual framework for the study. By doing so, the key theories and core concepts used to address the prescribed research problems in Table 1.

## **Chapter Four: *The Genetic Make-up of Conflict in South-Africa***

This chapter presents the analysis of the regional and local contexts of the geographical location and the historical background of Province of KwaZulu-Natal. Furthermore, this chapter not only deconstructs the spatial inheritance of apartheid in post-apartheid South Africa; but analysed the composition of conflict within the municipal framework.

## **Chapter Five: *The Legal Framework under which Planning Operates in Kwazulu-Natal***

This section of this study demonstrates the legislative framework within which the planning profession operates in, within the post-apartheid KwaZulu-Natal. In doing so, it will enable the researcher to illustrate the legislative pre-eminence the profession has, in mediating conflict in a post-apartheid South Africa. This chapter then, makes mention of the considerable array of legislation that controls planning within the geographic boundaries of the Republic of South Africa and in the province of KwaZulu-Natal.

## **Chapter Six: *Finding and Analysis***

In this chapter the results of the study were analysed are presented. The data collected, was processed in response to the problems and major themes presented in the first chapter of this study (see section 1.4). It is at this point that the researcher presents his findings and demonstrates the potential for merging theory and practice.

## **Chapter Seven: *Summary of Findings, Conclusions and Recommendations***

The aim of this chapter is to present the conclusions drawn from the results of the analysis of the open-ended interviews and focus group discussions. From this the researcher has formulated various recommendations for further research, which will assist planners in developing municipalities in interpreting the genetic make-up of conflict within KwaZulu-Natal. In doing so, this chapter highlights the need for Africa scholars to cultivate 'innovative African' planning methods for the somewhat undefined developmental and conflict issues facing African countries.

## **CHAPTER TWO: LITERATURE REVIEW**

The planning profession has been in a state of change (and crisis) ever since its inception (Friedman, 1997: 92). However, almost all professional disciplines are constantly torn between conflicting demands of theory and practice and are crisis-prone as they respond to rapidly changing patterns of needs in a society they are meant to serve (*Ibid*). This literature study will review the 'conflicting demands of theory and practice' as have been examined by an assortment of academics, and practitioners (Forester 1982, 1987, 1996, 1999, 2001, 2004; Friedmann 1997; Flyvbjerg 1998, 2001, 2002 and Healey 1996, 1997, 2000). In doing so, this study will deconstruct the changing demands of the international and domestic literature in relation to planning techniques employed by the profession within traditionally developmental constituencies.

The first section of this chapter explores the sociological concepts of Habermasian '*communicative rationality*' and Foucauldian '*pervasiveness of power*'. The objective; is to establish an understanding of the philosophical framework within which urban planning phenomena is generally examined. Subsequently, the second section explores the body of international planning literature concerning the practice of the profession in relation to these theories. The third section; will focus on how scholars have deliberated various planning concepts; at an exclusively South African context. From this, the researcher will draw on the inadequacies (if any) of both international and 'local' literature, which will ultimately inform the investigation of the study.

### **2.1 The Philosophical Platform for Planning Theory**

Communicative rationality is a sociological theory which originated amongst philosophers and represents a societal shift from logical positivism toward a substantive discourse of ethics, public policy, and inclusiveness (Fainstein, 1999). Contemporary German philosopher Jürgen Habermas, defines of '*communicative rationality*' as when:

*"Actors in society seek to reach common understanding and to coordinate actions by reasoned argument, consensus, and cooperation rather than strategic action strictly in pursuit of their own goals"* (Habermas, 1984: 86).

It may be said, that communicative rationality is the deliberative process aimed at enhancing discourse, learning, and collaboration through successful communication. In doing so, it aims to legitimize democracy which is not only based on constitutional processes of enacting laws and policy, but also on "*the discursive quality of the full processes of deliberation leading up to such a result*" (Healey, 1997).

An important component to Habermas's communicative rationality is the role of language and the search for undistorted communication as a basis for consensus action (*Ibid*). Habermas contends that Language is a medium of communication without which it would be impossible to attain any form of '*communicative action*'. As a result, language and action are intrinsically linked roots of the larger deliberate democracy tree. According to Shakiri (2011) in order to attain concise collaboration action and language, Habermas (1984) concludes that an '*ideal speech situation*' is vital in ensuring that:

- No party may be excluded;
- All parties have equal opportunity to present and to criticize;
- Each party is willing to empathize with all other parties;
- Power differences are neutralized to the extent that they have impact on the creation of consensus and;
- And that all parties are transparent about their goals and interests do not engage in strategic action.

Based on the abovementioned requirements, it would appear that '*Argumentation*' is therefore the central '*rationality*' of communicative action (*ibid*). The idea is that the underlying validity of reason/s given during argumentation is either accepted or rejected in the communicative space, and alternatively reasons are put forth until agreement is reached (Bond, 2011). The assumption made, is that rational and reasoned agreement is based on recognition of validity claims of comprehensibility, truth, truthfulness, and normative rights (Hillier, 2003). Hence what is '*true*' and what is '*right*' is determined by consensus resulting from free and open discussions between all relevant actors (*ibid*). According to (Ashok Kumar & Ronan Paddison, 2010 citing Habermas, 1984: 99) there are four conditions or validity claims that are necessary in ensuring that effective communication among individuals. These are:

- When one person communicates with the other, he or she presumes that what is said is comprehensible to the other person. Therefore, the first validity claim is *comprehensibility*.
- When one person communicates with the other, he or she assumes that what is said is factually true. Therefore, the second validity claim is *truthfulness*.
- When one person communicates with the other, he or she assumes sincerity. Therefore, the third validity claim is *sincerity*.
- When one person communicates with the other, he or she assumes that legitimate claims are being made and he or she is willing to understand others' positions within the given norms of the society. Therefore, the fourth validity claim is *legitimacy*.

It can be concluded then, that the abovementioned conditions are vital for collaboration because only absolute '*trust*' among stakeholders can govern fruitful interaction and cooperation (Habermas, 1984:77). It is, therefore, necessary to emphasize that all interactions and acts of joint sense making are, among other things, the acts of placing trust among the participants (*ibid*). To Habermas (1984) a decision, is only '*communicatively rational*' to the degree that it is reached consensually through deliberations involving all stakeholders, where all are '*equally empowered*' and '*fully informed*' when all the conditions of speech are met (Innes 1996).

With that being said, it is important to note that this Habermasian concept of '*communicative rationally*' was contested and criticized more-so by the French philosopher Michael Foucault. Foucault (1986) like Nietzsche, and Machiavelli was a classical scholar of the neo-Marxist tradition, who concerned himself with problems relating to excessive government power (Ralf Brand, 2007). In his case studies, Foucault (1982, 1986) often unmasked power in within social institutions whether (religious, political, and economic) within a variety of organizations (Factories, churches, prisons) and in the contemporary use of many traditional conceptions (truth, rationality, bureaucracy). Consequently, what Foucault (1982) deemed '*the analysis of power*' not only examined how different organizations exercise their power on both society and individuals, but how the latter re-affirm their position of prominence with respect to the effects of power (Alexander & Moroni, 2012).

This point sets the backdrop to which Foucault concludes that all relationships and processes (*including communicative rationally*) should be analyzed in terms of power (Haugaard; 2010). Foucault contends that 'Power' is the most substantial concept that governs dialogue and hence governs all methods of social engagement and communication (*ibid*). Power is not something that can be owned, but rather something that acts and manifests itself in a certain way; as it is more a strategy than a possession (Balan; 2012). To Foucault's (1980) then:

*"Power must be analysed as something which circulates or as something which only functions in the form of a chain . . . Power is employed and exercised through a netlike organization . . . Individuals are the vehicles of power, not its points of application* (Foucault's 1980:98).

Foucault concludes that 'Power' ultimately constitutes almost all concepts of the vocabulary or language. Foucault (1986: 40) identifies three ways in which power appears in conflict and in stakeholder communication.

- The vocabulary of power is elevated to those of a privileged status;
- The meaning of power is extended to cover all human social behavior and ;
- The argument equivocates between two different meanings of power

Foucault (1986) further substantiates this, by stating that professionals unwittingly build repression into the institutional order by facilitating the fore-mentioned power in a unique and methodological system manner. As a result of this, *'the struggle of power lie hidden within the shadows off communication and interaction, this demonstrates not only the role played by professionals but the nature of power to modify the field of information between parties'* (Foucault 1982; 218).

In conclusion, it would appear the fundamental idea emerging from Foucault (1980, 1982,1986,) works is that power relations dissipate through all relational structures of the society, inclusive of institutions organizations (Kelly, 2009). This According to Foucault is because *"all speech situations and human interaction are an application of power, because all discourses action is somewhat structured by power"* (Foucault: 1982; 224). This observation was a clear contrast to Habermas (1989) discernment that conflict can be mediated through common understanding of language and trust.

Nonetheless, the sociological battle between Habermas (1984) and Foucault (1982) has found a new arena in providing the planning profession with a theoretical platform for addressing what was previously perceived as unquantifiable social problems. (Harper and Stein, 2003: 136). The section below, illustrates how planning scholars have integrated these concepts into modern planning theory and practice.

## **2.2 The Power discourse and conflict resolution processes within the Town planning profession**

As mentioned previously, urban planning theorists firstly drew on the sociological, political and economic theories in order to understand how concepts such as capitalism, authority, power and conflict impacted on the spatial development of cities (Todes, 2010). To comprehend this reality, one only needs to draw on the works of Marxist political economist Manuel Castells (1976, 1996, and 1997). Castells (1976) insisted that cities have to be understood as the historical manifestations of power and production in capitalism (Castells 1976 cited in Susser 1996). Within this Marxist political economy theory, urban planning locates itself as an inherently political activity operating within a capitalist state which is part of a larger world capitalist system. Castells (1976, 1996) critique demystified the idea that planning operates in the public interest, making it very clear that class interests are the driving force of conflict mediation within the capitalist rational Model of planning. However, critiques of Castells (1976) such as (Burton, 2004) contend that the ultimate weakness with this rational model of planning is its inability to provide an alternative definition of planning, and what planners should do within the confines of capitalism movement (Burton, 2004).

Other authors such as Harvey (1985, 1989, 1996, and 2008) have focused on conflicts between fractions of capital active in the built environment (1996). Based on Castells (1976) premise that cities have to be understood as the historical manifestations of power and production in capitalism, Harvey (1996) argues that some form of co-ordination among private investments in the built environment is necessary in order to ensure that the aggregate needs of individuals' producers are met. To Harvey (1989) the built environment is the ultimate commodity, which may be produced, managed, maintained and owned by a variety of competing yet diverse parties. This point is accentuated in Harvey, (2008) where he contends that the imbalances which existed

within the capitalist class itself, are the result of a realm of exchange in which each capitalist operates, this relationship inevitably creates competition where the inherent laws of capitalistic production are asserted as “external coercive laws having power over every individual capitalist” (*ibid*). As a consequence of this, individual capitalists each acting in his/her own self-interest, aggressively influence decision of the collective class.

It is here that Harvey (1996) singles out state intervention as an important and omnipresent feature in the production, maintenance and management of the built environment. Paradoxically Harvey states that the state itself is nonetheless predisposed to these economically ‘*influential*’ individuals, and as a result it controls its citizens through a mixture of repression, co-optation, and integration strategies and not the assumed position of justice and democracy.

Essentially, Harvey (1985) considers hierarchy and class as being deeply embedded within economic relations and not disposed to uprooting through any figurative activity or event. For Harvey (1985, 1989, 1996, and 2008), Society and ultimately the built environment is a representation of economic dominance, a consequence of the injustices of capitalist power, and an outcome of ownership of the means of production. To Harvey (1989) the planner can become the fundamental instrument of justice, particularly in achieving economic equality whilst overcoming dominance hierarchies within the society.

This concept of expansionist power was later expanded and modified by Forester (1987, 1996, 2001, and 2004). Forester is perhaps one of the most seasoned contributors’ to the power and conflict discourses within the planning arena. In Forester’s (1987) ‘*Planning in the face of Power*’ he presents local planners’ own accounts of the challenges they face as simultaneous negotiators and mediators in local Land use permitting processes. In his research Forester (1987) uses extensive open-ended interviews with Planning directors and staff in New England cities and towns, and in urban and suburban spaces in an attempt to explore a repertoire of mediation and negotiation strategies that planners can use as they deal with local land-use permitting conflicts (Forester 1987, 1996, 2001, 2004).

Like Harvey (1986, 1989, 1996), Forester (1987) concludes that the prevalent problem facing planners is not just the bureaucratic state, but the domination of citizens by "*concentrations of economic power*" (Forester 1987: 45). This domination is played out and maintained, within a post-modernist society by means of '*distorted communication*' (*ibid*). This is because some '*people*' are able to exert power because "*they very selectively inform and misinform citizens*" (Forester 1987: 47). By doing this, these powerful individuals thereby have the capacity to control societies beliefs and knowledge, their consent, their trust, and their understanding or definition of problems. Forester (2004) states that those who have "*concentrations of economic power*" exercise their power in three differing ways:

- Firstly they "*inform or misinform citizens effectively by virtue of their ability to prevail in formal decision-making situations;*"
- Secondly they exert power in the setting of agendas, by "*controlling which citizens find out what and when, about which projects, which options, and what they might be able to do as a result;*"
- Thirdly they "*shape the self-conceptions, the sense of legitimate expectations, and finally the needs of the citizens*" (Forester 1987: 44)

It is within this framework that Forester (1987) recognizes the "*organizational and political contexts in which planners practice*", and that "*this reality is maintained by structures of power in-which selective attention, and the systematic distorted communication exist*" (Forester 1987:139). To Forester (1987), this phenomenon has resulted in planning practitioners working in situations of uncertainty, of great imbalances of power, and of multiple ambiguous, and conflicting political goals (*ibid*). In his search in realizing a solution, Forester (1987) draws on Jürgen Habermas's theory of universal pragmatics and of communicative action as a proposed approach to a more progressive form of planning. To Forester (1987), this process of '*progressive planning*' will bestow planners the platform in which concerted arguing and organizational consensus will take place, as a means of emancipation from economically oppressive structures (*ibid*). This though, can only be achieved by emphasising not on what planners know, but on how they may distribute their knowledge and on opening up debate among various stakeholders. Forester (1987) states that:

*"Proper urban planning practice consists of the elements of envisioning a problem situation, managing arguments and stakeholders concerning it, and negotiating strategically to intervene"* (Forester; 1987; 127).

By doing this, planners will therefore eliminate the problems related to their universal knowledge and expertise. Forester (1987) concludes that the need therefore exists for planning practitioners' including planning researchers and educators to develop skills and abilities in anticipating problems, and to expand on mediums of communication in order to attain emancipation from the domination of those who distorted communication and ultimately exert power.

That being said, critics of Forester such as (Beauregard; 1988 and Hoch; 1988) state that this very point is where the problem lies with Forester's argument. According to Beauregard (1988) planners may be and probably should be activists, but they are and will always remain bureaucrats. Effective planning practice therefore cannot be fully understood without a detailed analysis of planners' position in the "*socio-spatial development process*" and their specific contribution to it (Hoch; 1988). This type of "*non-reformist reform*" work makes sense only if one assumes that the government supports it and/or that planners can perform it despite their bureaucratic status and political economic position (Baum; 1989). This notion of a pluralistic society in which the planner acts as an arbitrator is therefore improbable, because Forces of domination not only use power; they institutionalize it through institutions of government or governance (*ibid*).

Conclusively then, it should be noted that Forester draws attention to the ethical, economic and political dimensions of planning, arguing that a theory of 'communicative action' he calls "*progressive planning*" is needed to attain a democratic and practical planning process. To Forester (1996, 2001, and 2004) planning should focus more on mitigating and negotiating arguments, rather than preparing and implementing plans. By framing the task of planners in terms of '*progressive action*' and their responsibility in terms of mediating various distortions of communication, Forester redefines what gives planning its legitimacy and what constitutes a planner's professional discretion (Forester; 1987).

It was not until a few years later though, that Bent Flyvbjerg (1998a, 1998b, 2001, 2002) firstly rose to prominence with his controversial yet insightful case study of a major urban project in the medium sized Danish city of Aalborg. Flyvbjerg (1998b) provides a thick description of planning in Aalborg, and concludes that rationality is ultimately determined by power, and not by the postmodern enlightenment ideals of reason, democracy, public utility and sound judgment. According to Flyvbjerg (1998b, 2002) Aalborg's central area plan was apparently based on the best rational principles and methods, which would have benefited the public as a whole and the city greatly. However, during the process of approval and implementation, much of the plan's rational edge was seriously blunted, as the rugged terrain of political, economic and social interests distorted and maimed its best ideals and intentions (Yiftachel, 2001).

Key to Flyvbjerg (1998b) assessment is the construction of a new bus terminal, which would be built and located at Aalborg's historic town square. According to Flyvbjerg (1998b, 2002) this otherwise entirely rational decision is never explained, properly investigated or fully justified (*though often rationalized after the fact*), but is successfully pushed through, against resistance, by the power configuration of the Bus Company, the mayor and the municipality's Technical Department. In comprehending this, Flyvbjerg (1998b) appeals to renowned analysts of power most notably Nietzsche, Foucault and Machiavelli and draws on their work to arrive at the concept of *real rationality*. Using these theories, Flyvbjerg (1998a, 1998b, 2001, 2002), demonstrates how choices are actually constructed and defended within the constructs of power (Harrison; 2006).

Flyvbjerg (1998b, 2001, and 2002) draws on Foucault (1982, 1986) '*pervasiveness of power*' by contending that almost all communication is always permeated with power. To Flyvbjerg (1998b, 2002) progressive planning fails to capture the role of power in planning, particularly in contemplating how planning takes place within the reality of rationality. The understanding of this '*power*' is thus the first pre-requisite for action, because "*action is the exercise of power which can be used in productive ways to support the empowerment of civil society*" (Flyvbjerg & Richardson: 2002:54). Flyvbjerg (1998b) concludes that the Foucauldian view of power will consequently provide an understanding of planning that is effective, practical, committed and "*ready for conflict*". For Flyvbjerg (1998b, 2002) this can only be attained by providing a superior paradigm to planning theory, rather than an understanding that is discursive, detached and

consensus-dependent. This ultimately means that neither action nor interaction can escape the effects of power on the participants in the planning process.

Flyvbjerg (1998a, 2001) elaborates on this point by emphasising the importance of training planners in the realities of planning. For Flyvbjerg (1998b) it is apparent that democracy in Aalborg and anywhere else where planners practice depends upon the capability of specific relations of power. Proper planning then is the ability to combine rational authority and technical expertise, in creating an urban reality (*Ibid*). This leaves Flyvbjerg (1998b, 1998a, 2001) to concluded that democratic planning is much more than just rational decision-making and/or communicative action, it also needs an awareness of how power shape planning and how to contend with this issue in practice; this is '*real rationality*'.

To illustrate this, Flyvbjerg (1998a) introduces the concept of '*real rationality*', and his ten propositions on power and rationality. Flyvbjerg (1998a) contends that this "*can serve as useful guidelines for researching rationality and power in other settings*" (Flyvbjerg 1998a; 227). Although Flyvbjerg concept of '*real rationality*' and his ten propositions have become quite controversial within the academic planning arena, they represent the impact of power on rationality, as cited by Foucault (*Ibid*) when he states that: "*power has a rationality that rationality does not know*" (Foucault cited in Balan; 2008)

**Table 4: Flyvberg's ten propositions on power and rationality**

1. Power delineates societal veracity
2. Rationality is context-dependent; the context of rationality is power and power blurs the dividing line between rationality and rationalisation – objectivity is relative
3. Rationalisation presented as rationality is a principal tool in the exercise of power communication is not about the "truth", but whether it would further the aims of the communicators
4. The greater the power, the less rationality (the <i>need</i> for rationality is inversely proportional to power)
5. Stable power relations are more typical of politics, administration and planning than

antagonistic confrontations
6. Power relations are constantly being produced and reproduced
7. The rationality of power has deeper historical roots than the power of rationality
8. In open confrontation, rationality yields to power
9. Rationality-power relations are <i>more</i> characteristic of stable power relations than of confrontations.
10. The power of rationality is embedded in stable power relations <i>rather than</i> in confrontation.

Source: Flyvbjerg1998a

Forester' (2001) along with other authors including Faludi (2001), Yiftachel (2001) Marris (2001) and Peattie (2001) arose to critique Flyvbjerg's study of Aalborg as he claimed that the above-mentioned propositions (table 4) on power and rationality are imprecise references, instead of descriptions of specific forms of power and how it can be overcome, exposed or even weakened (Forester, 2001:269). It is assumed that Flyvbjerg's (1998a) ten propositions only constitute more of a hypothetical than an actual well-grounded theory; this is because it lacks the supporting explanation from factual evidence (*ibid*). Furthermore, it is widely acknowledged that the context-dependent interpretation of a social phenomenon makes it difficult for generalization, which will be different according to different actors experiencing it.

This debate with regards to consensus building and conflict mediation appeared to linger on within the planning arena until growing support for Jürgen Habermas 'communicative action' gained momentum. One of the most noted authors who contributed tremendously to this debate regarding 'communicative action' is Pasty Healey (1996, 1997, and 2000). Healey (2000) argued that the planning systems in place across most western countries and in particular Britain, were designed with conceptions of integrated and self-contained local economies and societies in mind, not the open and globally-reaching relationships which characterize much of today's local economies and social life (Healey, 1997). The assumption made is that, in Europe at least, the state has the ability to 'take charge' and 'control' spatial organization and the

location of development, in contrast to the current interest in the combination of flexible enabling and regulatory governance which permeates much current thinking about public policy.

Spatial and environmental planning systems and practices are thus a part of the governance relations of a country, a region and a place, and so, planning is a democratic endeavour. According to Healey (1997) planning practices then, must be understood as both '*inside*' and '*formal*' activities which are interrelated with business and social life. This interrelation happens through social networks which frame systems of meaning and provide intellectual, social and political capital which can help both to mobilize and limit policy and action in the area of spatial and environmental planning policy (*ibid*). Because of this, planning practice is thus not an innocent, value-neutral activity. It is deeply political. It carries value and expresses power. This power lies in the formal allocation of rights and responsibilities, in the politics of influence, the practices through which 'bias' is mobilized, and in the taken-for-granted assumptions embedded in cultural practices (Healey 2000).

This ultimately leads Healey (1997) to conclude that there is a growing need to enlarge and empower the current democratic processes within the planning arena, and to do this, Patsy Healey (1999,2000) advocates for '*communicative rationality*' as being the only viable alternative to "idealist fundamentalism" (Giddens; 2008). For Healey (1999) a Consensus-seeking processes can have an added benefit in that the shared understanding, mutual trust and 'identity-creation' which are built up, linger on as new 'cultural resources' or 'cultural capital' (Healey, 1999, p. 114).

Unlike Forester though, Healey (2000) does realise that constraints such as power inequalities and institutional practices hinder collaborative/progressive planning movement from completely resolving conflict. For Healey (2000), planning theory has so-far focused on reaching consensus on what the future should be, and not on calculating consensus (the "rational approach") or communicating consensus (communicative rationality), with a reliance on the prevalence of "reason" among participants in this consensus. To Healey (2000) this offers a utopian view of Habermas '*communicative rationality*', which is not consistent with the reality that planners experience in practice.

To illustrate this, contemporary scholars' Fox-Rogers & Murphy (2013), did a study to evaluate the merits of collaborative planning as a societal building tool. To do this, they conducted a series of semi-structured qualitative interviews with 20 urban planners working across four planning authorities within the Greater Dublin Area, in Ireland. Using insights from the perspectives of Irish urban planners, they identified various the informal strategies used by developers to bypass the formal structures of the planning process, by economically intimidating and dominating other stakeholder participants. They concluded that economic power between individual stakeholders facilitates what essentially is a shadow planning system. What is suggested is that contemporary planners need more cognisance methods of resolving conflict, as the that 'light touch' approaches that focus exclusively on participation and deliberation need to be replaced with more radical solutions that look towards the redistribution of economic power between stakeholders.

Other scholars such as Fahmi, Prawira, & Firman (2015) contend that political will and leadership factors contribute to the success of collaborative planning processes. By examining the best practice in urban management in decentralizing Indonesia, these academics found that leadership encouraged a trustworthy and effective consensus building platform between the local government and the larger communities. What is clear; and rather unique is the great lengths to which the local government leaders tried to grasp in order to comprehend the socio-cultural contexts of neighbouring community with the city. In doing so, government leaders were able to formulate strong communication strategies that encouraged an open and informal atmosphere. More importantly, this leadership framework effectively restructured the institutional arrangement and created divisible tasks for subordinates and communities who were involved in the collaborative process.

Notwithstanding the arguments presented above, it would be difficult to content that communicative rationality and collaborative planning appears to now be dominating contemporary planning scholarship and practice, and has been widely accepted as planning theory's emerging paradigm to response to conflict and power relations that arise within profession. Scholars such as Fainstein (2001, 2005) Innes, (1995, 1999, 2005); Voogd and Woltjer, (1999); Salsich; (2000); Stein and harper et al (2003); Yiftachel and Huxley, (2000) Innes and Booher (2000, 2003) all acknowledge this

reality although from very incoherent perspectives. Additionally, concepts such as trust, justice, morality, and accountability have slightly shifted the focus from comprehensive top down approach to planning to collaborative consensus-building approach to planning. The profession then, has gone beyond just understanding societal power dynamics, but strives to mitigate all forms of conflict which may arise within the collaborative planning process.

Alexander (2000) in contrast to this Habermasian themed communicative action progression contends that this '*collaborative planning*' was instigated by a paradigm shift from modernism to postmodernist, which ultimately raised doubts on the future of rational planning. In his work Alexander (2000) defines different types of '*rationalities*', in order to reveal that '*rationality*' is broader and more diverse than the instrumental rationality which has been associated with planning. In doing so, he provides an integrative framework which associates complementary (collaborative) planning paradigms with various forms of rationality, to suggest that the association between planning and rationality continues unabated. Within this discussion, Alexander (2000) suggests that there should be a shift from questioning the link between rationality and planning. Instead for effective planning to take place, planners must understand the nature of the conflict presented in each situation, and then rationality is most practical and effective depending on the political or economical forces at work.

The reality of Alexander (2000) view is found in Hamelink statement that "*as long as there have been cities, there has been urban conflict*" (Hamelink 2008:291). Contemporary British scholar Alex Lord (2012) explores this further by stating that planners and planning theory has focused on conflict as a given feature of planning practice, and as something that needs to be diminished or managed. Lord concedes that we are indeed an era in which the communicative working movement has gained the ascendancy as the dominate theoretical lens through which to regard planning practice and planning theory now hinges on. However to Lord (2012) the primary task of analysing the existence of conflict and competition for resources has been overwritten with a quasi-normative reification of collaborative working practices (ibid). This has led to attempts to engineer collaboration, without first having full understanding of conflict (Few, 2002 cited in Lord; 2012). It is here, that Lord (2012) goes on to conclude that

game theory<sup>1</sup> offers a potential corrective to some of the identified gaps in how planners think about conflict in planning.

### **2.2.1 Thoughts and conclusions**

Ultimately, these authors indicate that effective Planning practice is not merely about the technical competency of producing master plans, Nor is it just an exercise in analysing things technically. Instead it would appear that effective planning is a balance of mediating conflict between stakeholders of varying interests. Because of this, the modern planner then, must be able to work in ways in which inter-relate technical, experiential knowledge and reasoning, whilst contending with the rich array of political and social concerns, which may penetrate all aspects of the consensual planning activity. Scholars such as (Alexander & Moroni 2012; Camacho 2010) attribute this transformation of the profession to the recent uprising in post-modernist ideals of deliberative democracy, consensus building, and economic liberalism.

That being said, Alexander (2000) is perhaps the first scholar to contend that the many forms of rationality (such as communicative, instrumental, strategic, and so on), can and should be used appropriately by planners, by matching the correct form of rationality, to the planning '*circumstance*' or '*conflict experience*'. Alexander (2000) then; could perhaps be the catalyst of a paradigm shift within the profession, one which focuses on understanding conflict rather than simply developing methods to mediate it. The reality of this assertion is found in the works of contemporary planning scholars such as Lord (2012) and (Hamelink 2008). The following section then; attempts to draw on how these concepts of conflict and societal power dynamics avail themselves at an exclusively South-African context, and how planners within this region mediate societal power and conflict.

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<sup>1</sup>Osborne and Rubinstein (1994) state that Game Theory is a bag of analytical tools designed to help society understand phenomena observed when decision-makers interact. The basic assumptions that underlie the theory is that decision-makers pursue well-defined exogenous objectives (they are rational) and take into account their knowledge or expectations of other decision-makers' behaviour (they reason strategically).

### 2.3 What Does The South-African Literature Have To Say?

Cape-townian academic Watson (2003, 2006) gives an accurate account on how social difference and multiculturalism can create conflict within the South African urban planning context (2003). In her article, Watson draws on a case of an attempted informal settlement upgrade in Cape Town, South Africa. Watson (2003) notes that there are seemingly irreconcilable gaps, between differing 'communities' or groups, or between expert planners and those planned for, where there is no obvious hope of constructing dialogue or reaching consensus, where world-views and the very meaning of development or progress differ, and where people regard each other from within completely different rationalities.

Watson (2003) argues that these differing rationalities ultimately question the ability of planning processes in producing decisions which will:

- Firstly be supported by all participating parties in open debate free from domination or manipulation and
- That by doing this planners will (whether directly or indirectly) address and challenge bigger questions such as growing social and material inequalities and environmental sustainability.

Furthermore, Watson (2003) contends that this situation of deepening difference in a post-modern society makes the achievement of democratic deliberative processes more difficult, in part because of the need to achieve collaboration with an increasingly divided and conflictual public and in part because growing inequalities, and identity differences and hybridities, open the way for the destructive operation of power (Watson, 2003).

In seeking a solution, Watson (2003) like Innes (2000, 2004) does (to some degree) specify that consensus-based planning processes has been, and can be, carried out by some if not all parties involved. To do this, Watson (2003) contents that there is a need to introduce a common understanding of concepts such as of '*value*' and '*justice*' into the decision making process. However contrary to Innes (2000, 2004) and Healey (2003,2009); Watson (2003) contends that there a need for '*innovative African*'

planning methods that will inform the way planners think, pertaining to issues of value and judgment within the South African context (*Ibid*). To Watson (2003) this though, can only be achieved if a relationship between expert profession judgment and robust public debate is reinforced in order for a more critical and democratic view of the conclusions of public debates.

### **2.3.1 'The North Versus the South'**

Based on the abovementioned literature, Watson (2006) along with Israeli academic Oren Yiftachel (2006) further focuses on the need to create new planning concepts, not premised on the material and political settings of the dominant regions of the 'North' (inclusive of: Great Britain, the United States, Australia, and New-Zealand). But, based on the 'South' (or non-western, non-northern societies), in order to create theories which would genuinely engage with the framing realities of various 'south-eastern' regions (*ibid*). To Yiftachel (2006) most theories emerging from the North have concentrated on *planners rather than planning*, the latter standing for the broader arena of publicly guided transformation of space. Because of this, emphasis on planners and the decision making processes leaves a large void exists for those working in the diverse south-eastern settings where decision-making is generally less transparent and organized, and where public participation and deliberation efforts are often perceived as 'lip service' or forms of co-optation, in a more uncompromising development environment characterized by 'creating facts on the ground' (*ibid*).

It is within this premise that Watson (2009), contends in the development of conflicting and often irreconcilable rationalities within the planning profession. To Watson (2009), recent economic policies, coupled with the latest outbursts of globalizing capitalism have prised open insurmountable social disparities, deepening fragmentation and social conflict in 'South'. It is clear, then, that despite major forces of globalization, the urban environment – and hence the practices and possibilities of planning – has remained vastly different in the diverse regions of the world (*ibid*).

As a result of this; planners practicing in the 'South' (or non-western, non-northern societies) are increasingly called on to operate in situations characterized by material and cultural difference, and to deal with the challenges and conflicts to which these differences give rise (*ibid*). These planners then; are constantly dealing with situations

in which '*personal*' and '*group*' values conflict in comparison to those parts of the world with historically multicultural populations. To Watson (2006) these issues have been increasingly inaccurately identified by '*North*' scholars as issues affecting planners everywhere.

It is within this context that Yiftachel (2006) argues that the '*communicative turn*' among planning theorists, while insightful and rich, has also worked to '*disengage*' the field's centre of gravity from its core task of understanding and critiquing the impact of urban policies, as a platform for transformative intervention. Consequently then, this communicative emphasis has resulted in several disciplinary blind spots. To Yiftachel the domination of western concerns on planning knowledge, and its emphasis on planners and the '*decision processes*' has left a distinct void for those working in the diverse south-eastern settings where decision-making is generally less transparent and organized.

It is within this backdrop, that both Yiftachel (2006) and Watson (2006) contend that Rather than wait for '*better*' theories to emerge from the North, serious theorization effort should emerge from the (very diverse) settings of the South. These theories should not be perceived as creating '*peripheral theories for peripheral regions*', but should constitute the basis for alternative bases of knowledge. New concepts may not only be relevant to their own regional settings, but may also become a source of '*reverse flows*' of theoretical knowledge, as north-western cities increasingly face '*south-eastern*' phenomena such as urban informality, '*deep*' identities, open urban conflicts, and mass poverty (ibid).

Menini Gibbens begins this journey of unveiling some form of theoretical knowledge within the '*south-eastern*' context. In her 2008 dissertation entitled "*The invisible director: An exploration of the role of power in intergovernmental communication on meaningful municipal integrated development planning*", Gibbens (2008) explores the influence of power on communication in the compilation of municipal Integrated Development Plan (IDP) in South Africa, specifically as it affects intra- and intergovernmental relations in the IDP preparation process in Kungwini Local Municipality and Klerksdorp Local Municipality. Within her study Gibbens (2008) investigated the role of power and communication within local government. In her

findings; Gibbens (2008) states that some municipalities have power to influence government relations between neighbouring municipalities. And, that power affects intra-governmental relations between the district and municipal local councils, and that this influence of power, has major ramifications on senior government relations between neighbouring municipalities.

In her conclusion, Gibbens (2008) states that without considering the reality of power dynamics (particularly on communication) in the IDP process, the ideals of integrated development planning may never be achieved, and instead this power will only serve the objectives of those with power. To Gibbens the influence of overt power on communication as evident in decision making processes of both municipalities IDP, indicates how without the proper channels of communication, South African communities will continue to suffer from the inequalities of the past and as such are in dire need to redress what integrated development planning can offer.

### **3. The Rationale of This Study**

This study aims to examine the genetic-make-up of conflict arising within various Municipal regions in post-apartheid KwaZulu-Natal. In doing so, it aims to examine the effectiveness of collaborated planning techniques in mediating conflict arising from within such traditionally developmental constituencies. Whereas Watson (2003) and Giddens (2008) offer some substantial knowledge in examining the role of planning in conflict mediation and urban-integration process in post-apartheid South-Africa, there still existed a substantial gap in the literature when compared to the works of Forester (1982, 1987, 1996, 1999, 2001, 2004) in Britain, and Flyvbjerg (1998, 2001, 2002) in Aalborg. Because of this shortfall, scholars in the South appear to have simply adopted what is supposedly '*universal*' planning theory literature from the North, without fully understanding the material and cultural discrepancies that exist in the South (Watson, 2009). The researcher therefore, agrees with Yiftachel (2006) and Watson (2006) that there is a distinct void for planners working in the diverse south-eastern settings where decision-making is generally less transparent and organized.

This research study does not intend to contrast Yiftachel (2006) and Watson (2009), on the contrary; it aims to expand on the concepts presented by investigating if conflict transpires in settings of North or South realities within the province of KwaZulu-Natal.

This cannot be achieved however, without a thorough understanding of the theoretical and conceptual framework in which planning operates in both developed and developing constituencies.

## **CHAPTER THREE: CONCEPTUAL AND THEORETICAL FRAMEWORK**

The main aim of this study is to examine the genetic make-up (composition) of conflict within post-apartheid KwaZulu-Natal; and the effectiveness of collaborative planning approaches in mediating conflict arising from both developed and developing municipal constituencies. In an effort to deconstruct this, the first section of this chapter will present the genetic composition of comprehensive planning, in relation to modernism and capitalism. The second section examines the rise of post-modernism and its relationship to the progressive planning movement. In doing so, this chapter will therefore expand on the repertoire of planning approaches available to planners, when attempting to resolve conflict, in both developed and developing constituencies.

### **3.1 Modernism, Conflict and the Rise of Conventional Rational Planning**

#### **3.1.1 Modernism, Fordism and democracy**

Modernism arose out of the rational outcry and political mayhem of the European period of Enlightenment (Harper, 1995). The twilight of this '*Enlightenment era*' represented a new cultural regime transfixed on the concepts of rationalism, technocentrism, and the standardization of knowledge and production, a belief in linear progress and universal, absolute truths (Stein, 2005). These ideas were the ramifications of a new social order, founded on humanities rejection of religious and superstitious values and constraints (Graham and Marvin, 1996; Wood, 1997; Hurd, 2009). One of the key notions within this paradigm of modernism is the premise that human beings possess an unlimited ability to shape and create their environment through their application of reason and rational thought (David Gibbs 2013). This mode of thought has been identified by various scholars as *rationalization* and *universalism* of society (Beauregard, 1996, Graham and Marvin, 1996, Holston, 1998).

Modernism principal objective was to create a new utopian society which embodies concepts such as rational reason, consensus, communal utility and coherent argument (Yiftachel, 2001). Natural concepts were to be reconstructed to represent society's superiority, while the inconsistencies of human comportment were to be overcome by rational management (Roy, 1984). Spontaneity then; was seen as disordered method of

existence and incompatible with the order constructed by means of statutory control and liberal egalitarianism societies (*ibid*).

The fall of Socialist movement in Eastern Europe unintentionally endorsed an ardent relationship between modernism and early capitalism (Scott, 1998). Wood (1997) contends that this is because early capitalism, in the process of unfolding itself, created this change; or because the advancement of this movement was a capitalist venture altogether. This conjugal relationship marked a distinctive form of modernism, one in which the emergent '*Bureaucratic state*' allied radicalism to push capitalism to its radical limits with its grand designs, unlimited social engineering, large and bulky technology, and the total transformation of nature (Cha, 2006). This resulted in the increased need for intervention by the state in markets and in '*spontaneous social processes*' (Beauregard, 1991). However this connubial bond was not without its problems as conflict among various classes in society began to arise.

### **3.1.2 Conflict Among Stakeholders**

It has long been deliberated amongst scholars that the age of epistemological Enlightenment not only marked a change in genetic structure of society, but it also ushered in an era of nascent capitalism (David Gibbs, 2013). At its peak, in the early 1930's liberalism was blooming and this was followed by a sharp change in social structure of society and the built environment (Goodchild, 1990). As a result; almost all aspects of social life were deliberately structured in order to create favourable conditions for the production of exchangeable goods, and hence the accumulation of capital (Harvey, 1978). This economic configuration resulted in the technical and social division of labour, as the production of standardized goods were produced and traded in a free market economy (Jessop 1992). The concept of class relations was thus established as one of the comprehensive characteristics of capitalism. Harvey states (1989) that:

*"Capitalist are individuals who engage in entrepreneurial functions of any kind with the intention or interest of obtaining a profit in the industry and agriculture. This subsequently results in the Divergence of the interests of the labouring class (individual who sell a commodity in the market-usually labour power-for the purpose of obtaining a salary or a wage) resulting in a not so homogeneous society because of the stratifications*

*and differentials generated according to the hierarchal division of labour and various wage rates” (Harvey, 1989:173).*

As an increasingly fractured and fractious society emerged under capitalism, the meaning of “*public interest*” changed as there was no longer not *one* but *many* “*public interests*” (Robert P. Gephardt, 2009:39). This division of interests between the *capitalists’ elitist* and the *labour* class resulted in uneasy and conflicting affiliation, One in which Modernism and the “*Bureaucratic state*” sought to alleviate at any level, as their faith was firmly placed on mankind’s ability to reason and rationalize (Harvey, 1989; Wood, 1997). Unfortunately, this blossoming relationship was not without its troubles, as Industrial development brought with it unacceptable and inhumane living conditions (Beauregard, 1991; Harvey, 1989; Sandercock, 1998; Yiftachel, 2001).

### **3.1.3 The Built Environment and the Emergence of the Unitary Plan**

Understanding the relationship between modernism and the urban form is a complex one (David Dewar and Fabio Todeschini, 2005). As an increasingly unequal and disgruntled society began to emerge under the Modernist era, contention emerged between the ‘have’ and the ‘have not’. The inadequacy of the capitalism system is found in Wagner (1994:86) argument; when he states that:

*“As the social and economic phenomena of an inordinate modernist movement matured, it resulted in social disorganization, and anomie. This is because modernism and almost all the tenets of rationality were driven by a corrupted and flawed capitalist system”.*

In order to address the rampant disorder of a society gripped by class-conflict, the Bureaucratic state sought to rationalize these problems. Their plan was to ‘*create a better society*’ and ‘*improve conditions for the urban poor*’ (Hoppe, 2002:16). Beginning as a reform movement guided by the ideological beliefs of the time, urban planning arose as a tool which would diffuse social benefits across all social groups as alluded to by Beauregard (1996) when he states that:

*‘Modernist planners believed in a future in which social problems are tamed and humanity liberated from the constraints of scarcity and greed’ (Beauregard, 1996: 218)*

The goal of this project of modernist planning was *'to transform an unwanted present by means of an imagined future'* (Holston, 1998: 40). The aim was not just to *'produce a coordinated and functional urban form, but also to organise civilization around collective goals'*, in order to resolve the perceived disorder associated with industrial cities (Beauregard, 1996: 213).

Founded on this proposition, modernist planners began to devise the utopian dream of *'building a completely rational city'* (Sandercock, 1998a: 22). According to Beauregard, (1991) and Harvey, (1989) this ideological premise of a rational city prospered under capitalism, as the built environment was portrayed as a physical resource, fixated on the production, circulation exchange and the consumption of capital. Social order and a rampant society could only be rationalized by adopting the use of Rational Comprehensive plan (or a *'unitary'* or *'Master'* Plan).

### **3.1.4 The Development of Comprehensive Rational Planning**

Urban Planning like most professions does not take place in a vacuum; it is to some extent guided by society's values, thoughts, beliefs and philosophy. This point is certainly true for Comprehensive rational planning, whose origins can be traced back to Auguste Comte (1798-1857 cited in Raine 2005). Comte a sociologist, carried out various methods of observation and experimentation as he believed that obstinate social conflict could be resolved by the implementing a list of categorised procedures that would aid humanity progress towards a superior state of evolution and development (Raine, 2005).

These key ideas introduced by Comte later formed the philosophical framework for which comprehensive rational planning was based on, as articulated by Andrea Faludi. Faludi (1986) clarified and provided explanation for the methodological aspects of comprehensive rational planning. To Faludi urban planning is a:

*"Decision making process aimed at solving some of the varied conflict problems which planners face. Faludi argued that planning should be rational by evaluating comprehensively all possible action in the light of their consequences; and ensuring that these considerations include alternative goals and that planning should also respond*

*flexibly to new situations. In planning efforts also need to be made to relate operational decision to each other” (Faludi, 1986:33 quoted in Raine, 2005)*

It would appear then, that these ‘*decision making*’ ideals, had like modernism originated from the enlightenment epistemology, with its underlying faith in *rationalization* and *universalism* of public life (see; Beauregard, 1996, Graham and Marvin, 1996, Holston, 1998). Subsequently then, this has resulted in comprehensive rational planning having to function between two main characteristics (Friedmann, 1996). The first and most palpable aspect and the Comprehensive rational planning approach is *comprehensiveness*. This comprehensiveness refers to the desire to analyse all rational alternatives available (*ibid*). The focal point of this aspect, is giving equal importance to all elements of the area of concern and the examination of these elements. The objective here is for the planner to study all available options and present worked solutions to decision makers for choice (Dror 1968 cited in Grant, 1985:58).

The second characteristic of Comprehensive rational planning is ‘*rationality*’. Rationality implies the ability of having specific cognitive skills which can be mastered, coupled with administrative expertise and appropriate aesthetic understanding (*ibid*). Because of this then, the profession amassed considerable power and influence, which prevailed during the industrialization period, as the profession began to greatly influence policy analysis and the implementation of planning projects during the modernist era (Anderson, 2000; Beauregard, 1991; Lake, 2002).

As a result of this; Planning procedures and techniques were reliant upon traditional rational thought, in which clear goals with regards to the build environment could be defined. This is done to guide the development and progression of policy, by evaluating alternate approaches and alternative strategies which can be employed, to guide and monitor the success of the various selected strategies (Lawless; 1986).

It is within this framework, that Proponents of comprehensive planning have thus outlined a procedural framework of operation known as ‘*instrumental rationality*’ (see; Beauregard, 1991, 1996; Hobbs and Doling 1981; Willson, 2001). Instrumental rationality is the rational process of optimizing means (procedures and programs) according to pre-identified objectives (goals). Instrumental rationality’ then is when:

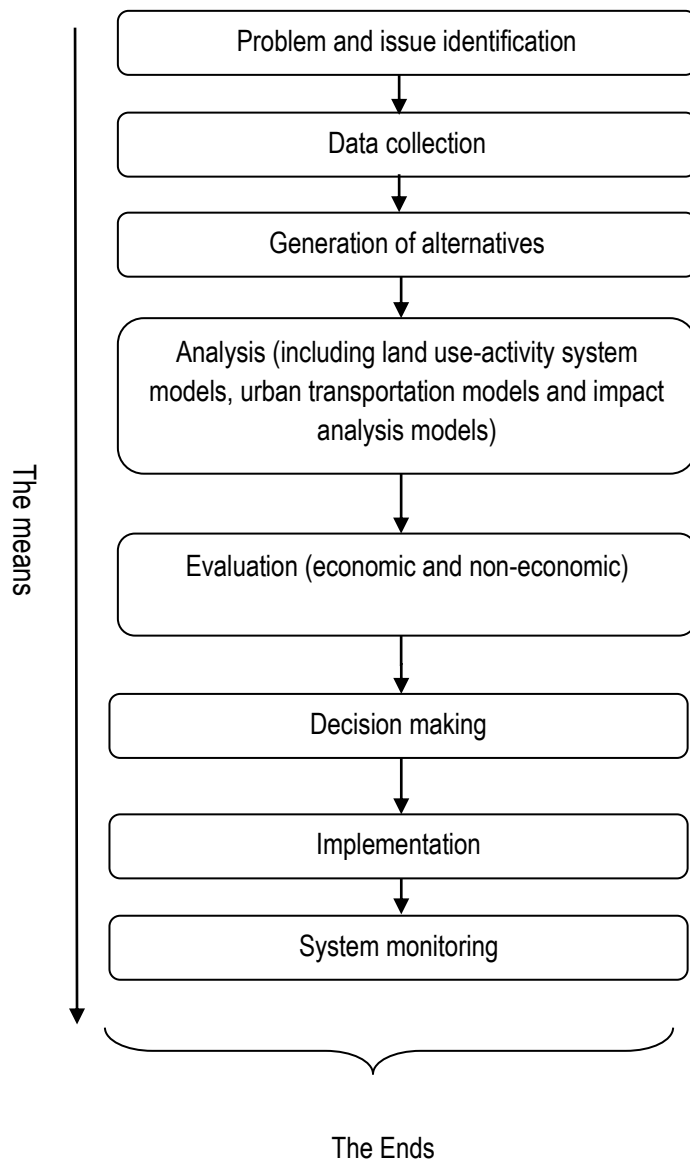
*'Actors in a planning process are autonomous individuals who refine their knowledge against universal principles, and that planning roles can be divided into various analysis, evaluation and decision-making tasks'* (Willson; 2001: 12).

Within this model, planning is undertaken by focusing on systematic methods such as modelling and forecasting, impact analysis and economic evaluation (*ibid*). The objective of Planning activities is to design, analyse and evaluate methods to get to a particular predetermined end (refer to Figure 1).

Comprehensive planning not only defines the methodology planners generally employ, but creates the legal framework in which planners may have the means to reach a predefined goals and objection (*ibid*). Because of this, rational comprehensive planning has established itself as the most dominant, efficient decision making tool of the bureaucratic interventionist state (Beauregard, 1991). By simply focusing on analysing problems rationally, comprehensive solutions to problems are attained. Subsequently, advocates of rational planning contend that the most comprehensive decision is reached when planners are rationally conclusive in considering any built environment problem (Willson, 2001).

The planner is thus regarded as the *impartial* being; that can-with great accuracy execute various tasks with profound analyses, in order to provide an effective knowledge base for a development master plan (Beauregard, 1991; Harvey, 1993). This is done by focusing on a repertoire of specific cognitive skills, together with managerial proficiency and appropriate aesthetic appreciation, in order to plan in a way that comprehends all the presented possibilities and to present working solutions (Dror, 1968 cited in Grant, 1985). In doing so, equal importance is given to almost all components that constitute any district of concern. The goal is to produce the most comprehensive analyses any problem; because the more comprehensive an analyses is; the better the plan would be (Willson, 2001)

**Figure 1: Conventional planning process.**



**Figure 1:** represents comprehensive instrumental rationality in a broader decision making context. The diagram shows comprehensive rational planning as *responding to* societal values, public opinion, institutions and stakeholders (Willson; 2001). Drawing from the natural sciences, engineering and certain segments of the social sciences, instrumental rationality assumes that objective facts can be known and that the analyst is able to observe a system without participating in it or affecting it (Friedmann, 1987). From this, it is then *assumed* that all facts can be separated from subjective information and abstracted from complex social settings. Objective assessment is undertaken to determine success and failures of each alternative (Friedmann, 1997). This process contains secondary analysis and evaluation of the information and possible options to anticipate the consequences of each and every possible alternative that is thought of. This process ensures that the best option is identified and chosen. After this, Data analysis and modelling results will be done to provide the primary information upon which alternatives will be evaluated. This theory of knowledge or epistemology is known as scientific objectivism (Pas, 1995)

From this; it can be concluded that rational comprehensive planning is a rational, top-down approach which focuses on a detailed rationality which is only attainable through understanding the procedural process within bureaucratic administrations (Dror, 1968 in Grant, 1985). Within this approach, the role of the planner is to be technically proficiency enough to evaluate and find solutions to all the societal problems presented. Rational decision-making is only possible by attaching facts to values, and by examining all possible elements to develop a comprehensive ‘master’ plan.

## **3.2 Postmodernism, Neo-liberal Democracy and the Progressive Planning Movement**

### **3.2.1 The Rise of Post-modernism and Neo-liberal Democracy**

According to Duminy (2007) the concept of Post-modernism arose as a recent philosophical and epistemological divergence from the principles of Enlightenment thought, most exclusively, the domination of any single rational inducement. Essentially, Post-modernism simply refers to the rise of a new theoretical and conceptual position that draws heavily from the field of post-structuralism (Dear, 1999; David Gibbs, 2013). That being said, other academics (see Dear, 2002; Irving, 1993 Roy, 1984; Stein, 2006) contend that post-modernism represents a fundamental shift in Western society's modes of 'worldly interpretation', characterized by an apprehensiveness of established forms and sources of knowledge, as well as an acceptance of disorder and disjuncture in all forms of life in particular the tenets of liberal democracy.

As a result, postmodern thought centres on the perception that modernist ideals fail as a functional guide for societal action in which the Enlightenment desiderata, such as decisive theoretical argument and self-evident truth (Alexander & Moroni, 2012). Haugaard, (2010) expands on this concept by contending that rationality and the tenets of modernism have whether consciously and unconsciously contained strategies of exclusion and repression generally expressed through language and class.

Postmodernism then, is generally regarded as a condition of vigilant partial divergence from modernist school of thought (see; Dear, 1988 and Soja, 2006). However, the term postmodernism is used generalist term used to convey a multitude of philosophical concepts. Dear (2000) for instance; identifies that two other principal references of postmodernism in '*postmodernity*' and '*Postmodern cultural*' change.

Firstly, *post-modernism* or *post modernity* may be traced to the rise of new styles of literature and literary criticism during the 1970s (Ley, 2003). Often this reference is used in relation to art and architecture, which arose out of a debate on visual representation and the rise of new stylistic trends which are derived from the aesthetic finishes on building facades (Goodchild, 1990; Duminy, 2007). This schematic version of post-modernism relies fervidly on very creative expressions to analyse the

'*mechanistic aesthetic unappealing*' of the modernist project" (Duminy, 2007). A customary specimen of post-modern style can be recognised through overvalued aesthetics and categorised by post-modern language such as 'eclectic' and 'symbolism' (Ofosu-Kwakye, 2009).

In contrast, *post modernity* is related to a specific era, particularly to the latter half of the twentieth century (Dear, 1993). Within this context, postmodernity implies a '*Postmodern cultural*' change, which emphasises the delay of past tendencies or the indicator of some more calamitous societal deviations (Jessop, 1995). Or as Dear, (2000) contends, the era embodies the sum of such practices observed as a societal inventive cooperative; and a unique feature of contemporary capitalism. This era then, identifies the transformation in the socio-political and economic situation of contemporary society (Harvey, 1992: 299).

### **3.2.2 Criticism of Comprehensive Rational Planning Model'**

As mentioned previously, postmodernism purports itself as a rational and philosophical discourse with hostile principles of Enlightenment thought, most especially, the domination of rational thought in decision making (Dear, 2000). These sentiments appear to have been resonating within the planning fraternity as the profession began to adapt its self-understanding to the changing circumstances within the political and free-market domains (see Innes, 1995, 2005; Harrison 2001 Turok, 2001; Yiftachel, 2009). This postmodernist transformation of planning ideology was provoked by an outcry concerning comprehensive rational planning approaches (Irving 1993). As political and societal unrest mounted, critical literature criticism towards instrumental rationality began to gain momentum.

Within the planning paradigm; argument arose over inconsistency surrounding the function of important concepts such as '*the public*' and *instrumental rationality* (see: Mickey, and Soll. 1996; Anderson, 2008; Fainstien, 2000; Friedmann, 1971; Innes'1995; Lane, 2005; Yiftachel, 1998, Yiftachel and Huxley; 2000, Flyvbjerg, 1998b, Sandercock, 1998, Harrison, 2001). Clarity regarding these concepts in relation to the planning profession had become imperative, as the profession had been implicated in committing a number of atrocious transgressions including: the destruction of urban vitality, the persecution of minority groups in Israel, the practice of ethnic discrimination and

apartheid oppression in America and in South-Africa (Yiftachel and Huxley; 2000). As these concerns mounted, the spirit and purpose of the profession needed to be re-assessed (Burton, 2004), as the legitimating of planning as a bureaucratic process to implement power to dictate control over the development of societies in a communally unacceptable way arose to be progressively interrogated. To support these views, scholars relied on a number of reasonable arguments in clarifying the characteristics of failure which exist within the comprehensive rational planning model as indicated below.

- The First and most obvious failure identified by scholars is that rational comprehensive planning generally solidifies forms of '*authority and power*'. This is because; the planning practice gives power and trust to the planner who, a 'being' who is assumed to be exceptionally proficient in comprehending all material necessary to solving all societal problems. This overlooks public consultation which; under the post-modern paradigm is paramount in the decision making process. Therefore rational comprehensive planning inability to contemplate the differing class perspectives, ultimately lead to clashes that can generally be resolved only through processes of negotiation, bargaining, and political will. It appears that the comprehensive plan only expresses a single perspective and a single sequence of hierarchical values, which cannot obtain the commitment of all the parties whose interests, may be affected, except where a clear-cut overriding sense of crisis prevails (Friedmann; 1971).
- Secondly, most organizations, including governments that are engaged in comprehensive rational planning, are also vitally dependent on external forces (*usually private capital*) and conditions (*usually market related*) which they are unable either to control or correctly to foresee (Ley, 2010). The planning done by these administrative organizations must, therefore, be exceedingly flexible, adaptive, and opportunistic with respect to changes in the external environment (Forester, 1993).The comprehensive plan therefore does not generally allow for any large uncertainties in the conditions that limit autonomous choice;
- Thirdly, the logic of comprehensive rational planning is inconsistent with the imperatives for action. According to (Friedmann; 1971) Societal actions tend to

be focused on limited objectives, are resource-mobilizing as well as resource-using, short-range in conception (though possibly informed by long-range purposes), opportunistic, and dependent on temporary coalitions for accomplishing their ends (*ibid*). Although a master design may perform important ideological (and sometimes more directly utilitarian) functions, actions invariably will take precedence over design whenever a conflict between the two occurs;

- Fourthly, comprehensive planners assume a capacity for central coordination that rarely exists in actual fact (Bollens 2004). The power to compel others to coordinate their efforts in the interest of an abstract common good is a resource that must be used sparingly if it is not to be quickly exhausted (*ibid*). For this reason, political and administrative leaders are generally reluctant to make full use of their legitimate powers even when planners suggest that they should do so to achieve their stated purposes (Mark, 2011);
- Finally, the most significant failure of comprehensive planning is that planners generally do not possess all the complete and relevant knowledge to any situation with which they are concerned (Löfgren, 2008). In projecting an image of the future from uncertain knowledge, their own intuitions, professional judgments, and values must be used to fill the gaping holes of ignorance (Hillier, 2003). But planner's intuitions can be and, indeed, often are challenged successfully by groups (*capitalist class*) with an effective veto power over the pertinent decisions (Friedmann, 1971). These groups will insist, quite possibly with reason, which their own intuitions have as much, if not greater, validity than those of the professional planners (Tewdwr-Jones, 2002). It is within this context that all planning activities engaged towards the provision and organization of the scarce resources comprising land is fundamentally a political endeavour (Löfgren, 2008). Rational decision making is inclined to disregard this facet of societal planning, as decisions in the political arena are prejudiced far more by the discernment of the condition than by any rational concept of unbiased veracity (Raine, 2005).

Despite this definitive critique and ongoing community opposition, advocates of comprehensive planning still contend that a degree of undefined social control is at the centre of any public planning activity (Yiftachel, 1998). Because of this; the comprehensive rational model of planning continued to be the dominated planning model of choice and has attained the affection of many planning practitioners as a tool in empowering planners, and attaining an ends to a means. That being said; there is a generally pessimistic ambiance related to practice of comprehensive rational planning in the current post-modern era. This rejection of conventional planning had thus created a vacuum within the planning ideology resulting in the rise of progressive planning processes (Mickey, and Soll. 1996).

### **3.3 The Rise of the Progressive Planning Movement**

#### **3.3.1 Advocacy Planning**

The first serious challenge to the comprehensive rational planning model arose from '*advocacy planning*', a term coined by Paul Davidoff (1965) during the mid-1960 in the United States. Davidoff (1965) concerned that the Comprehensive rational model was obsessed with obtaining a '*means to an end*', stressed out that planning was not a matter of *science* but a matter of *politics*. To illustrate this, Davidoff (1965) eludes to the reality that '*Traditional Planning methods*' tend to exclude various minority groups and women from engaging as stakeholders in the planning process. This according to Davidoff is because; democracy does not function properly, in order for political and social equality needs to be relevant within society. To alleviate this tension, an advocate for the '*excluded minorities*' is needed to defend and uphold equality for those minority groups that are excluded (*ibid*). An advocate planner then:

"Is a representative of the (*oppressed or excluded*) individual, group, or organization, His/her role is to '*reaffirm their (group or individual) position/s in a language understandable to his client and to the decision makers he seeks to convince*' (Davidoff, 1996:12).

Consequently, planning activities should be the embodiment of egalitarian system of governance in order to include rather than omit residents from contributing in the decision making process. "*Inclusion*" means not only sanctioning the all participants in

planning activities to be heard, It also means that he/she (the advocate planner) “*must be able to become well informed about the underlying reasons for planning proposals, and be able to respond to them in the technical language of professional planners*” (Davidoff, 1996:14).

It is within this backdrop, that the concept of ‘*Pluralism*’; or the act of getting as many stakeholder participants involved in planning making becomes vital; in discouraging the ideals “*unitary master plan*”. The idea here; is that Pluralism and Advocacy will offer a platform ‘*for future planning practice which openly invites political and social values to be examined and debated*’ (*ibid*). Davidoff (1965) does articulate however; that if planners do acknowledge this, it requires the rejection of the basic components for rational planning in which the planner acts solely as a bureaucratic agent of the state.

Advocate planning then, initially arose as a planning movement which aimed to remedy ethnic and other social inequality and discrimination (Davidoff, 1996). Its beginnings appear in some way to be interrelated to the surge of post-modern enlightenment arising in the North during the 1960’s and 1970’s. Nonetheless, Davidoff (1965) concept of ‘*advocacy planning*’ had ignited a new theoretical analysis in underlining the purpose of planners, in attaining democracy and justice in an unequal society.

### **3.3.2 Equity Planning**

While proponents of the advocacy planning movement aimed to inform ordinary citizens about planning issues; through rigorous, and aggressive negotiating with opponents. The late 1960’s and early 1970’s witnessed a new form of Marxist urban scholar, who began to examine the economical and political function of the city and the state. It had become apparent then, that Davidoff (1965) ‘*Advocacy and pluralism in planning*’ had ignited a deeper understanding of the political nature of the planning craft in an effort to reach out to marginalized minorities (Krumholz 1994:150).

Norman Krumholz (1994) in his article titled: ‘*A Retrospective View of Equity Planning: Cleveland*’ picks up where Davidoff (1965) left off by defining Equity Planners as: ‘*those who intentionally seek to redistribute power, resources or participation away from local elites and towards poor and working class city residents*’ (Krumholz1994:162). Krumholz (1994) elaborates on his ‘*war stories*’ from Cleveland as an example of how new

approaches to planning and planning ethics could be adopted. In his studies Krumholz (1994) contends that city-suburban disparities are not only the result of simple coincidence or market forces, but partially the result of an urban development process that essentially exploited the underprivileged especially the discriminated poor (*ibid*). To Krumholz (1994), the same institutional arrangements that produced benign neighbourhoods, acceptable schools, and feasible public institutions for the middle class, also concentrated the poor into excluded neighbourhoods where the day-to-day living was extremely difficult. The profession of planning preserved this exclusion by implementing zoning codes that maintained cultivated an unequal and exploitative design of the urban environment (*ibid*).

In recognition of the abovementioned urban inequalities in Cleveland; Krumholz (1994) accentuates the need for planners who will begin to ask probing questions regarding economic justice and who are the privileged beneficiaries of local urban policies and plans. Like Davidoff's (1965) advocate planner, Equity planners not only deliberate on behalf of the marginalized, they may (in certain circumstances) choose which politician/s affiliation they may be aligned to, based on values and common public interest. To Krumholz "*The state is not a monolith but rather a terrain of political struggle, and planners with interests of the poor and unrepresented in mind can do more good and constrain evil*" (Krumholz 1994: 170)

### **3.3.3 Criticism of Advocacy and Equity Planning**

During the 1970's new works centred on David Harvey's Social Justice and the City (1985, 1989, 1996, 2008), focused on a more radical approach to planning. Marxist or Radical planning theory locates planning is a bureaucratic activity that has flourished within a capitalist state. Radical or Marxist or Planners contend that planning cannot function in the public interest, and that class interest is always the driving force in a capitalist market. To scholars such as Harvey (1985, 1996) and Castell (1976), Advocate planners merely deal with the symptoms of a market-driven planning, instead of an entire model shift in the way in which economies function within a city.

This subsequently channelled in a stream of criticism from contemporary detractors such as Peattie, (2007), and Salsich, (2012) who contend that this movement still emphasises on the expertise of the planner, and that this undermines any knowledge of

the marginalized and those in need of *'real'* representation. To substantiate this; Peattie, (2007) contends that advocacy planning is:

- Too tasking and difficult for the planners involved
- That Advocate Planners are demographically different from their 'clients'
- That Advocate Planners and equality planners Raise the expectations among the poor that cannot be met
- That both these planning approaches weakens the political influence of the poor

Nevertheless, these planners had laid the batten for planning theory, which revived the theoretical discourse of what planning functions as a tool of attaining public interest (Fainstein, 1999). Post-modernism and the basic tenets of deliberative democracy began to evolve not only as a divergence from the tenets of modernity, but as a tool focusing on the establishing a new theoretical and conceptual position in extenuating conflict among varying class interests (McCann, 2003). Advocates of progressive planning found, that the reliability of contemporary planning theory rested on how practical it was in attaining the possibilities for better planning and possible direction for innovative work (Forester, 2004: 2). As a result, the planning profession was no longer focused on achieving a means to an end, but was an engaging egalitarian and transparent activity based on discussion and argumentation (Gunder, 2010).

### **3.4 What is Collaborative planning then?**

Based on the same elementary premise as advocacy and equity planning, collaborative planning begins with the fundamental observation that planning is above all a collaborative and deliberative activity founded on a Habermasian theme of deliberative democracy (Shaw, 2009; Goodchild, 1990). Scholars such as (Bugg, 2012; Healey, 2003; Tewdwr-Jones, 2002; Kaza, 2014) have recognized communicative action as the emerging new paradigm for planning, as practitioners to seek to re-address the context of increasing diversity in planning and to tackle the inadequacies of Comprehensive Planning.

*At the heart of Habermas's theory of communicative action which is meant as a tool to question and overcome the gravitational pull of existing powers that are always already*

*embedded in and acting through all types of structures. Reflection and undistorted debate are needed to wake up from our power-blind somnambulism and to reconstruct a world without hegemonies* (Brand and Gaffikin, 2007: 286)

Flyvberg states that *“Habermas’s theories of discourse ethics and communicative rationality provide the theoretical cornerstones to the communicative planning movement.”* (Flyvberg 1998:14)

*“Collaborative planning then is basically a process of collaboration between different stakeholders in different settings; these setting could be regulatory, negotiations, public-private partnership or community gathering”* (Jukuda, 2010:19).

Collaborative planning is therefore a process of co-operation between various stakeholders in unfamiliar situations. These situations include guiding collaboration, between general public and private entities, through public forums (Jukuda, 2010). Collaborative planning promotes the broad participation of all concerned stakeholders which is the way to build a healthy community and create shared values as well as understand what both planner’s and community members’ values are (Jepson, 2005; Harwood, 2006). The examination of these values are being served ensures that the participants have the ability to appreciate the another person’s point of view, thus ensuring successful collaborative planning effort (Salsich, 2000:739). Butler and Goldstein (2010: 239) argues that

*“Stakeholders with a shared interest assemble to diagnose a problem and develop understanding of how to address it. This includes mediating differences because even when collaboration is initiated in order to advance a shared vision, stakeholders are anxious to advance their own interests. Effective collaborative processes could reduce adversarial relationships and redress power and resource disparities among stakeholders”* (Butler and Goldstein 2010: 239).

Based on the above, Habermas’s construction of a theory of an inter-subjective rationality, predicated on seeking consensus, attempts to displace instrumental rationality and give reason for action, not just justifications for actions already imposed (Alexander, 2000). It could be argued then; that this provided a non-interventionist democratic approach to planning, by removing the control of a technocratic planner with a, planner who is a pragmatic student, who is willing to provide unmeasurable

knowledge, facts and information to participants (Argyris and Schön 1974, Schön 1983, Innes 1995, Lauria and Soll 1996, Wilson 1997).

Leadership within the context of communicative planning entails the ability to get participants to deliberate matters and concerns and reach to consensus. This is done by safeguarding whatsoever the personal position of stakeholders within the social-economic hierarchy; so that no group's interest will dominate over the other (Watson, 2006). Innes contends that the planners' role is to that "*talk and interact*" and that "*this 'talk'*" session forms the reasonable and coherent communicative action" (1998: 52)

The communicative model functions optimally when the planner positions themselves as both the mediator and arbitrator among stakeholders. According to Gunton (2010) the planner must emphasize on:

- all forms of knowledge are socially constructed;
- knowledge and reasoning may take many different forms, including storytelling and subjective statements;
- individuals develop their views through social interaction;
- people have diverse interests and expectations and these are social and symbolic as well as material;
- Public policy needs to draw upon and make widely available a broad range of knowledge and reasoning drawn from different sources.

Most contemporary planning theorists encourage some form of *communicative action* in order to facilitate the production of social capital and in mediating conflict (Lord, 2012). The relevance to planning is suggested by Habermas's statement: "*In the case of communicative action the interpretive accomplishments on which cooperative processes of interpretation are based represent the mechanism for coordinating action ....*" (Headley, 1997:44)

Based on this premise then, it is evident that the role of the planner has altered over time. Urban planners in the postmodern era need to be champions of all platforms of communication. Healey (1996) and Innes and Booher (2008) both contend that planners need to speak several languages to assist the process of communicative planning. This involves understanding how different stakeholders such as the economist, environmentalist or community representatives communicate within their

fields. In understanding this, Morton (2009) gives an accurate evaluation of collaborative planning process in practice, by reviewing an assortment of literature. In the resulting conclusion, Morton (2009) developed the following table (4) to illustrate the strengths of apt participation and collaboration in resolving conflict.

**Table 4: Strengths of Collaborative Planning Practices**

	Moore et al (1997)	Salin, (2000)	Wondollock&Y affee (2000)	Beierle&Cayford (2002)	Leach, Pelkey& Sabatier (2002)	Susskind et al (2010)	Frame et al (2004)
Strengths	increased social/ political capital	√	√	√	√	√	√
	new shared knowledge base	√	√	√	√	√	√
	Representation	√	√	√		√	√
	satisfactory teamwork		√	√			√
	new higher quality solutions			√	√		√
	legitimacy/ buy-in		√	√			√

### 3.4.1.1 Power Dynamics and the Criticism of Collaborative Planning

“What is Power?” this question has baffled academics for centuries. Because of this there still existed no rigorous formulated definition of what *power* actually is (see Bacharach & Lawler, 1980; Emerson, 1962; Weber, 1947), this makes it difficult in determining whether Power is a concept, a theory, or a discourse. To complicate this further the frequent use of words such as *influence, dominance, submission, status and authority*, generates even greater confusion when attempting to define what power is, particularly in relation to such concepts.

Nevertheless, there does appear to be a larger spectrum of literature pertaining to power, on both hypothetical and pragmatic levels, demonstrating it in various both

small and large communal environments (Emerson; 1967). Within this context, power is understood as the capacity of an individual/s to enforce their will over the will of the vulnerable, or the capacity to force those who are vulnerable to do things they do not willing to do (*ibid*). In this sense, power is understood as something that may be possessed, or something preserved predominantly for individuals in power (Balan, 2012). Certainly; one could contend that the concept of power represents the expressions of crisis, culture and knowledge within civilisations (Benko and Strohmayer, 1997:1). Flyvbjerg, (1998) contends that planners generally lack the conceptual understanding of this societal power relation. This then, magnifies the inherent limitations of participatory processes, in understanding and mediating the power relationships that exist in any community situation (*ibid*).

As a result, there has been growing academic opposition illustrating the ‘*ideal*’ nature of collaborative planning (see Alexander, 2001; David Gibbs, 2013; Forester, 1993 Gunder, 2010) and its failure to atone for the complex configuration of societal power relations in which planners are entangled in planning theory and Practice. Flyvbjerg (1998) states that:

*“Communicative planning theory fails to capture the role of power in planning. As a result, it is a theory which is weak in its capacity to help us understand what happens in the real world; and weak in serving as a basis for effective action and change; Because of these weaknesses, we believe that this approach to theory building is highly problematic for planning”* (Flyvberg 1998: 5).

Purcell, (2009) contends that this is because collaborative or communicative planning has been deliberately utilized to cultivate an environment which caters to present needs of Neoliberal forces. Instead of achieving its prescribed ideals, contemporary collaborated planning with its fundamental base premised on Habermasian principles of discourse ethics ‘*can be interpreted as part of a system of domination rather than [one of] emancipation*’ (Bickerstaff and Walker, 2005: 2140).

Booher, (2003) for instance contends that by further analyzing the collaborative process, it is imperative to understand that representatives of all interest groups may be encouraged to partake in the process; however is doing so, the communicative planning offers no direction on the principles of empowerment. If this is so, ‘*less powerful groups*

*do not have the capacity to influence policy implementation after they leave the negotiating table, consensus based agreements may be altered and unfairly implemented to preserve the interests of those in power'* (Berke 2002:24-25). Therefore the success of collaborative planning depends on the dissolving of existing institutions which favor traditional planning methods (Tewdwr-Jones and Allmendinger, 1998).

Tewdwr and Allmendinger (1998) further expand on this by contending that Communicative Planning is not a theory, but rather a life view based on a participatory egalitarianism, and an apprehensive aversion to capitalist dominated economies. These values of undistorted communication are flawed on the grounds that participatory egalitarianism on which communicative planning depends; is by no means problem free/nor is it a value held by everyone (Ibid). In addition; Tewdwr and Allmendinger contend that Communicative Planning maintains that all fractions of a community can be included within the collaboration planning discourse. Although little has been said on how this could be done or achieved (Tewdwr-Jones and Allmendinger, 1998).

That being said; Miraftab (2009: 32) calls for more *'radical planning practices that respond to neoliberal specifics of dominance through inclusion'*. This is because communicative or collaborative planning practice assumes apposition of being socially inclusive. As a result of this; advocates of radical planning offer a far more aggressive assessment of communicative rationality. Bengs (2005) for instance; argues that all planning theory, is simply ideology facilitating the governance motives of neoliberal globalization, with the concept of 'bottom-up' communicative planning being deployed to especially empower key stakeholders in articulating their wants and hegemonically achieving them. For Bengs (2005) planning is solution driven not problem defining, which he claims is the domain of theory. Accordingly, Sager contends *'that the main function of communicative planning theory is to lubricate the neo-liberal economy, and in particular the workings of the real estate market'* (Sager, 2005: 1).

*"What the neoliberal project requires are decision-making practices that are widely accepted as 'democratic' but that do not (or cannot) fundamentally challenge existing relations of power. Communicative planning, insofar as it is rooted in communicative action, is just such a decision-making practice"* (Purcell, 2009: 141).

In conclusion then, this study will yet again draw on Morton (2009) accurate evaluation of the challenges related to collaborative planning process in practice, as demonstrated in Table (5) below:

**Table 5: Challenges to Collaborative Practices**

	Moore et al (1997)	Wondolleck & Yaffee (2000)	Margerum (2002)	Beierle & Cayford (2002)	Leach, Pelkey & Sabatier (2002)	Frame et al (2004)	Mascarenhas & Scarce (2004)	Brand & Gaffikin (2007)
Power imbalances	√	√	√			√	√	√
High costs	√	√	√					
Participation burnout/attrition	√	√	√					
Un-representation	√	√		√			√	√
Increased or unreduced conflict	√				√	√		√

### 3.4.1.2 How Power Determines the Typology of Participation and 'Non-Participation'

This section aims to establish that there distribution of power in planning is fundamentally determined by the nature of the planning endeavour being embarked on (Lane 2005). The manner in which planners and policy-makers delineate and define the methodology to their work is to a large degree determined by the role they provide to non-planners (*Ibid*). Subsequently; the definition of the planning problem/s, the kinds of knowledge used in planning practice and the conceptualisation of the planning and decision-making context are the important determinants of the extent of participation offered to the public (Lane 2005; Stein 2006).

As a result; there are several types and various levels of community participation and collaboration in planning (Lane 2005). In instances where policy-makers and planners seek public participation, it is necessary that there be are distribution of power

(Arnstein 1969). Arnstein's contended that the distribution of power will determine the fairness of a given process because imbalances of power create persistent patterns of unequal access (Amy 1987), unless citizens have a genuine opportunity to affect outcomes, participation is centrally concerned with 'therapy' and 'manipulation' of participants (*ibid*).

Arnstein (1969) developed a ladder of eight levels ranging from 'non-participation' 'through to 'degrees of citizen power'. This Ladder or spectrum illustrates purposes eight types/levels of participation arranged in a ladder pattern with each rung corresponding to the extent of citizens' power in determining the end product (refer to figure 2)

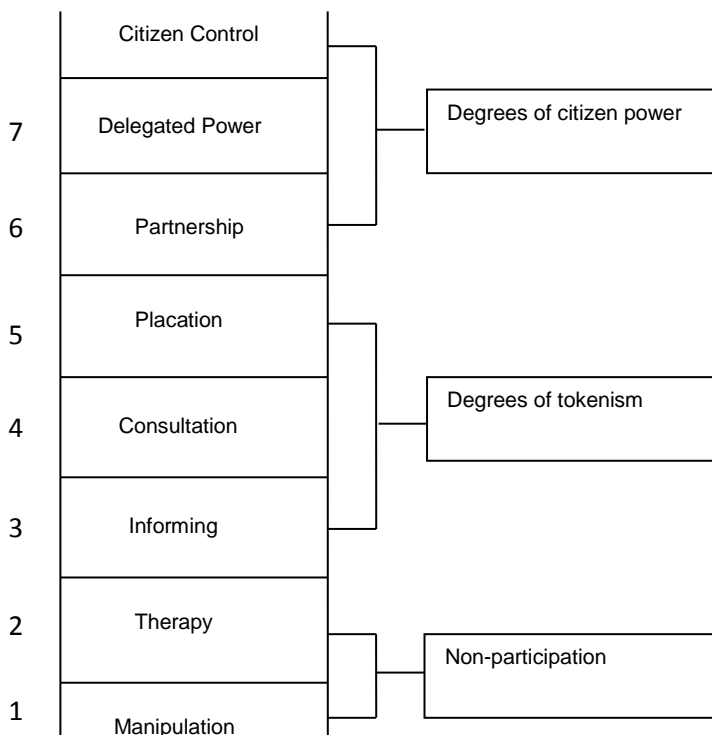


FIGURE 2. Arnstein's ladder of participation Source: Arnstein (1969, p. 217).

*Manipulation* and *Therapy*: these two bottom rungs of the ladder describe levels of 'non-participation' that have been contrived by some to substitute for genuine participation.

*Informing*, *Consultation* and *Placation*: the third, fourth and fifth rungs progress to levels of 'tokenism' that allow the have-nots to hear and to have a voice. But under these conditions they lack the power to insure that their views will be *heeded* by the powerful.

*Partnership*: is the sixth rung of the ladder that it enables citizens to negotiate and engage in trade-offs with traditional power-holders. It is the lowest of the levels of citizen power and starts the increasing degrees of decision-making clout.

*Delegated Power and Citizen Control*: the seventh and eighth rungs of the ladder are the highest of the levels of citizen power. At these levels the have-not citizens obtain the majority of decision-making seats, or full managerial power.

## **5. Conclusion**

In conclusion then, this chapter demonstrates that almost all societies at the beginning of the new millennium were caught up in seemingly never-ending processes of social transformation (Leildé, 2006). One consequence for members of these societies seem to be increasing insecurity about 'fitting in' and belonging (*ibid*). Debate and collective action with regards to these issues have found a niche within the planning profession. Consequently, contemporary planning academics contend that the planning profession has timelessly adopted itself to dominate societal rationality (whether Instrumental, or communicative as so on) in an attempt to guide planning that responds to societal values, public opinion, institutions and stakeholders (Alexander 2001). It would certainly appear that whenever society imposes a new philosophical approach, planning conforms by imposing a new method/s or approach to planning. One could argue that within the post-modernism paradigm, concepts such as democracy; justice; equality and freedom have become core characteristics of contemporary society, and thus account for the role of deliberative governance within egalitarian constituencies.

The credibility of modern planning theory and practice therefore depends on how constructive it can be in addressing possibilities for better planning and possible direction for innovative work (Forester, 2004: 2). This kind of philosophy then; demonstrates the various cultural changes civilisation has gone through over the ages to reach this point (post-modernism). That being said; some academics such as Berker (2002) contend the current confides of post-modernism have nurtured a growing emphasis on rational dialogue; which in certain circumstances is not fully equipped to offer a shared vision in political arenas dominated by fragmentation.

To investigate if the abovementioned statement has any credence; the next chapter will present an historical account exploring the inter-regional origin of conflict within

various municipalities within the province of KwaZulu-Natal. In doing so, a clearer interpretation of the nature of conflict within various Municipal regions will be exposed. Moreover; an understanding of the various planning approaches employed by both pre-apartheid and post-apartheid will exposed, in an effort to explore (if) the profession has varying levels of effectiveness and competency.

## **CHAPTER FOUR: THE GENETIC MAKE-UP OF CONFLICT IN SOUTH AFRICA**

The historical account of South Africa's journey from an Oppressive Apartheid state to a democratic nation appears analogous to that of any African fable, albeit behind the romantic facade of democratic freedom there still existed the greatest symbol to the apartheid regime '*spatial division and separation*'. It was always clear from the outset of democracy; that addressing this legacy of apartheid was always going to be a national priority. This chapter not only deconstructs the spatial inheritance of apartheid in post-apartheid South Africa; but aims to analyse the composition of conflict within the municipal framework. The first section explores genetic configuration of Apartheid conflict in South Africa. Consequently; the second section examines the relationship between apartheid conflict and the planning profession. The third section explores the rise of ethnic and political conflict in KwaZulu-Natal.

### **4.1 The beginning: Designing and constructing the apartheid state 1910-1970's**

According to Christopher, (2001) Apartheid is an Afrikaner word which means '*separateness*'. In South Africa, this '*separateness*' was the legalised segregation of people on the basis of their race or ethnicity (Christopher, 1987). Shortly after the formation of the Union of South Africa in 1910, the '*white leaders*' of South Africa began to implement national policies to sustain this notion of racial '*separateness*' (Andrew Boraine, 2006; Turok, 2001). The spatial reality of these policies culminated in the 1913 Natives Land Act which set aside a detailed quantity of land that could be occupied by people of African ethnicity (this land was known as native reserves). These territories or '*reserves*' amounted to only 7 percent of South Africa's total land; this though was later expanded to 13 percent under the Development Trust and Land Act in 1936 (Maharaj, 2013). These spatial policies then; not only empowered the establishment of segregated locations for Africans, but facilitated the implementation of a rudimentary

system of influx control, and by setting-up advisory boards<sup>2</sup>. The intention was to create a system of land tenure that would ensure that a majority of Africans would be deprived the right to own land (Ramudzuli, 2007).

It was not until 1948 though, when the National Party came into power and began to pursue in a more methodical framework of national society in terms of the philosophy of racial '*separateness*' resulting in pronounced '*spatial deformities*'. The then minister of native affairs Hendrik Verwoerd built on the 1913 Natives Land Act spatial concept of native reserves, and instigated the Group Areas Act (GAA) in 1950; the Bantu Authorities Act in 1951 and later the Bantu Self-Government Act of 1959. These acts not only outcast black ethnic groups but also designated territories from the former native reserves to administrative system of territories known as Bantustans or homelands (Visser, 2001). Initially these Bantustans were known as KaNgwane, KwaZulu, KwaNdebele, Bophuthatswana, Gazankulu, Lebowa, Ciskei, QwaQwa, Transkei, and Venda. Over the decades four of the Bantustans eventually attained immaterial liberation, however all the Bantustans remained economically and administratively reliant on the apartheid government irrespective of their status (refer to Map: 2).

#### **4.2 A divided South-Africa, and a divided planning profession: administering apartheid in South-Africa**

Although the first remnants of the planning profession are evident during the colonial years of the early 20<sup>th</sup> century, the sudden ascendancy of the profession to a position of significance somehow coincided with the 1950's emergence of the apartheid regime (Durington 2006; Todes 2003). Muller (2003:42) attributes this "*meteoric rise of the profession to its ability to work hand in glove with the apartheid state, in order to achieve the overarching goal of spatially expressing the ideology of 'separated' development and communities*". To do this, Alan and Mabin (1997) contend that urban planning as an activity had come to mirror the divisions in society itself, as the profession could be divided into two distinct groupings. The first group of planners worked mainly in the

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<sup>2</sup>These were bodies which would contain African elected representatives and would assemble to discuss local 'Homeland' issues affecting Africans, but without any power to change any legislation or policy.

private sector or for 'white' local authorities and presided over vibrant and flourishing property markets in the districts (*ibid*). Assisting these planners, was the rapid economic growth of the 1960's to the 1970's which was further reinforced by the suburbanization of the white middle classes, the emergence of central city skyscrapers, the introduction of freeways, decentralization of retailing activities and growth of new industrial parks within the 'white districts'(Bond, 2000). These 'white districts' then, began to resemble the broad characteristics of regions in the North settings, by having reasonably functioning institutional systems, formal economic systems and to some degree reasonably stable liberal democratic practices' (Pieterse, 2007). Because of this, the nature of the planning activities in these 'white districts' regions was not markedly contradictory to those being pursued by their colleagues in other international 'North' contexts, even though they only occurred within the overall framework of apartheid (Mabin, 1995).

The second cluster of planners operated largely for national or regional (provincial or 'Bantustan') government "or in the private sector in the service of these tiers" Alan and Mabin (1997). Turok (1998) states; that the main concern of planning at these scales, was the maladministration of planning for 'black areas'; a function that had become progressively centralized over time. This resulted in tensions developing between local administrative constituencies and central government over the operation and depiction of apartheid in local areas (Pieterse, 2010). The situation became unsustainable for the apartheid government when a majority of the planning professionals (who were of 'white' ethnicity) chose to practice in towns or districts which were conceived primarily as 'white' districts (McGranahan, 2009). Consequently then, no formal planning took place in the Bantustans districts as very few resources were channeled into these areas.

By the 1950's and early 1960's Industrial development, automobile growth, and population booms within the white districts began to affect the conception of 'separateness' envisioned for South-African cities. The National party government needed to stem the tide of high rates of urban movement, by reinforcing the ideology established by the national Department of Planning In August 1964 (Durlington, 2006). The aim was to "delineate, restrict, ban, control and dictate whatever happens in the country, between and/or by whom"(*Ibid*). In doing so, planners wanted to mitigate the degree to which prosperous white municipalities would tolerate the economic liability

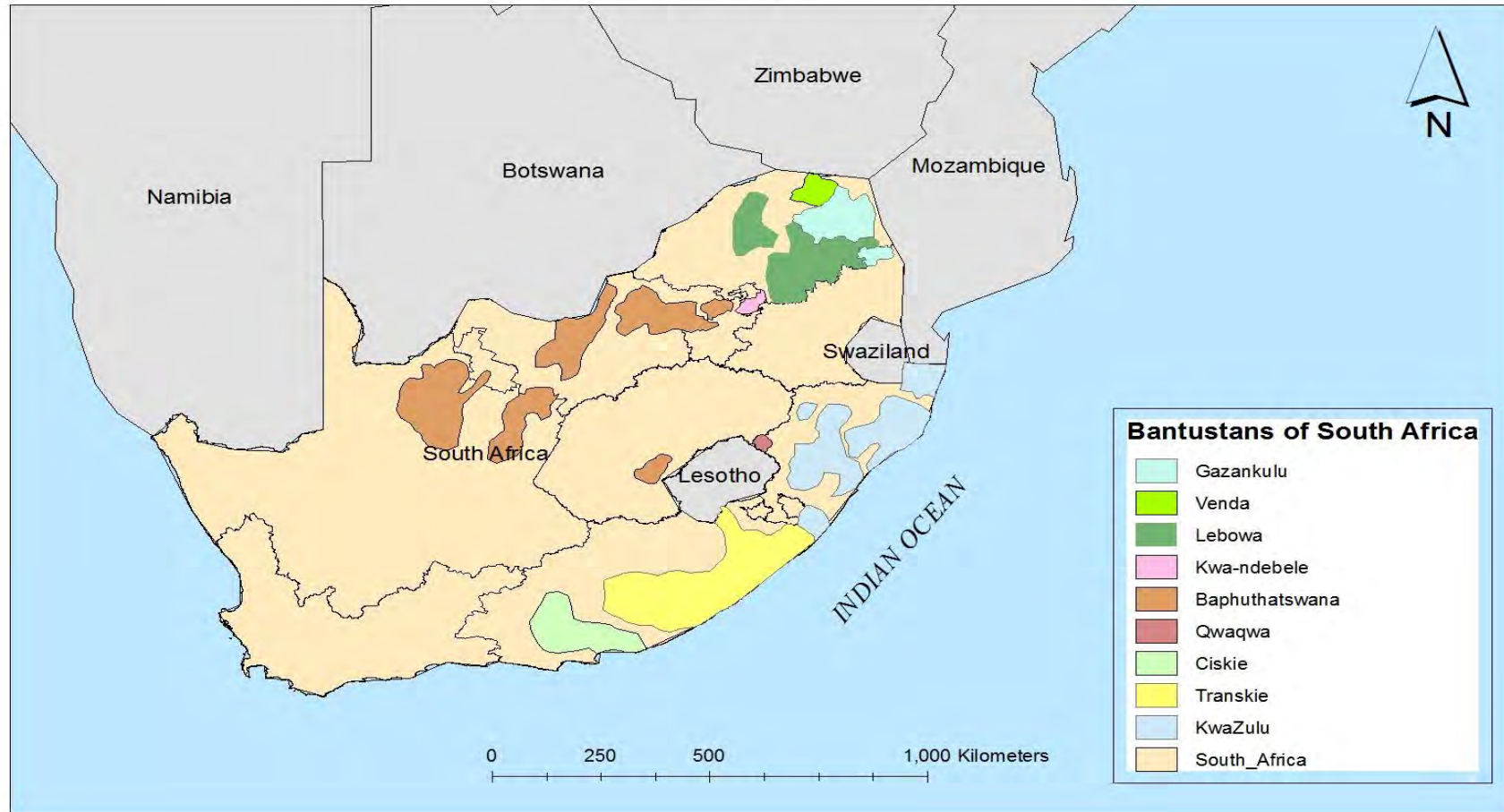
of servicing destitute black, coloured and Indian areas (Landman 2006:134 cited White Paper on Local Government, 1998).

In addition; any development of Black areas was rigorously controlled as marginalized townships were deprived of industrial, commercial and retail development (David Dewar and Fabio Todeschini, 2005). As a result; Bantustan's districts had a limited tax-base and almost no incentive to develop. Meanwhile, the white municipalities had smaller populations to serve and much larger concentrations of economic activity and wealth to tax (Mabin, 1995). They had well-developed road and rail infrastructure, excellence educational amenities, high standards of public services, good housing conditions and considerable employment opportunities, commercial and recreational facilities. This resulted in discernible spatial disparity between white districts and Bantustans districts (Harrison, 2005).

As unsustainable a situation as this was; the relationship between apartheid planning and the implementation of segregation had been solidified (Baum, 1997b). Planning professionals were perceived as the spatial administrators of Apartheid policy and only chose to involve themselves as apolitical, indifferent, technical bureaucrats (Oranje, 1997: 102-105, 118; Muller, 1993: 14; Smit, 1989: 108-111). This relationship was rendered untenable as minority of expatriated scholars, had in some way absconded the restraining apparitions of predominant ideologies, and associated themselves with international enlightenment philosophy culminating in Habermasian derived progressive planning theory (see: Friedmann and Hudson, 1974: 6; Dear, 1988 and Soja, 1996 ).

**Map 2: Bantustans in South-Africa (1959-1994)**

Bantustan Map of South-Africa (1959-1994)  
1:8,500,000



Map 2: Bantustan of Southern Africa  
sourced from Co-operative Governance  
and Traditional affairs, 2009 Handbook

### **4.3 The rise of the progressive planning in South Africa 1980's-1990**

In the late 1980s and early 1990s apartheid began to disintegrate, as South Africa started experiencing more manifestations of open political revolt during the mid-1970s and 1980s. Within the planning profession this '*political uprising*' had facilitated the '*progressive town planning*' movement which had begun with isolated advocacy practices in the late 1970s and early 1980s and developed into a mature movement addressing planning practice inside and outside of the formal planning apparatuses (Oranje, 2010). Smit (1997) attributes this rise in the '*progressive town planning*' movement to a survival strategy employed by the profession; when it became threatened by the *political uprising* of the 1980s. Therefore, In '*heeding to the calls for planning to reassess what it was doing*' South African planners aligned themselves to growing global literature on issues related to the inefficiency of instrumental rationality in mitigating with emergent societal apprehensions, predominantly those concerning ethnicity, gender inequality and the built form (Beauregard, 1991; Berke, 2002; Gunder, 2003a; Marcuse, 2000).

Key to this re-identification of the profession was the rise of South African Academic scholars such as Dewar; Smit; Muller and Watson who began questioning and criticising 'planners' involvement in apartheid planning; in particular those in private practice serving in the needs of white clients, and those in the public sector serving the apartheid needs of the State (Faling, 2002). This resulted in the growing politicisation of planning profession; and in the mid-1980s a new generation of planners arose to '*challenge*' the conservatism of the planning profession (Parnell, 2009)<sup>3</sup>.

### **4.4 The New South Africa and a New Profession: 1991-1994**

In 1990, then President FW de Klerk stated in his opening of parliament speech that apartheid was no longer tenable and by 1994 South Africa had celebrated the dawn of its first democratic elections. This triumphant event marked the momentous victory of liberal egalitarianism over the iniquity of oppression and segregation. Almost all

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<sup>3</sup>The South African Institute of Town and Regional Planners (SAITRP) a body established under Apartheid government in 1984 issued a circular to its registered planners in 1996 noting that planners were deeply implicated in the implementation of apartheid. (Slabbert 1994:41)

legislation which marginalized and oppressed people on racial grounds had been abolished: all ethnic groups could now move, live and work freely without concern for laws pertaining to racial classification (Seekings, 2010). Many Commentators monitoring this institutional change agreed that the success of South Africa's young democracy hinged on dismantling the spatial legacies of the apartheid era (Oranje, 2010). The first step in doing this was the official reincorporation of Bantustans into South Africa's nine new provinces (Refer to map 2).

Nevertheless, the task of integrating and reconstructing South Africa was a difficult one though as most of the former Bantustans districts comprised of various, incongruent and economically unsustainable fragments of land (Harrison, 2007). Even at the advent of democracy the spatial markets of the previous Bantustan territories had remained almost completely reliant on the affluent former 'white' districts (*Ibid*). Achieving a truly democratic and free South-African society then, was dependent on undoing the engineering of social division, and separate development adopted by the former apartheid regime (Turok, 1994b)<sup>4</sup>

Town Planning practitioners were some of the first professions to avail themselves to the task of undoing the legacy of Apartheid. As mentioned earlier, the profession had begun to adapt its self-understanding to changing socio-political circumstances, by advocating for a '*progressive approach*' to spatial planning (Camacho, 2010). Making this task of urban-reconstruction more difficult though, was the precarious position the profession found itself in at the advent of democracy, as it was largely perceived by academics and the public at large as an instrument of injustice and discrimination (Oranje, 1997: 131-133; Smit, 1989: 271, 275-276, 304, 322). Fortunately for South-African planners, the newly elected democratic dispensation was sympathetically inclined towards planning profession, placing a strong focus on its role in spatial and socio-economic upliftment (Harrison, 1995: 6). This then, channelled in a wave of

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<sup>4</sup>A group of UCT planning academics known as 'the UCT group' was instrumental and highly influential in shaping urban spatial policy in Post Apartheid South-Africa. Planners linked to these movements interpreted the UCT ideas as a platform for redressing urban apartheid and variations of the UCT ideas were accepted broadly by business. In the 1990s' when the state conceded that apartheid was a no longer tenable, urban restructuring was taken up in separate forums to discuss developmental needs and negotiate the future planning of cities (Todes 2006).

enthusiasm within the profession (Booher, 2003), as witnessed in the string of national, and provincial, and municipal policy initiatives which mushroomed at the advent of democracy in an attempt to integrate and reconstruct South African Cities.

#### **4.5 Liberalism, disparity, conflict and post-apartheid Planning (1994-2014)**

The current debate among South-African academics is centred on understanding why the country's post-apartheid landscape continues to be marked by division, distant, exclusion, inequality and separation (Dewar, 1992; Wyk, 2012). The fundamental concept arising within the academic arena is that urban integration exertions intended to transform the apartheid city are frequently centred on unbalanced and relatively vague objections which produce unintended consequences (Maylam, 1990; Stephen Berrisford, 2007). Although theorists have approached the explanation of unequal development in various methods, there is inherent understanding that the current 'regional problems' are likely to be universal as the spatial misgivings of capitalist accumulation are unequal, and are likely to change over time (Todes, 2012). In apprehending this reality; one must comprehend the distinctive arrangement of factors that irrefutably contrast within the South-African context (Durington, 2006; Turok, 2001). This section of this chapter examines the literature which deconstructs conflict within the developmental South-African state. It aims to evaluate if the planning approaches adopted at the advent of democracy in South Africa have reaped the rewards of dismantling the spatial legacies of the apartheid era.

##### **4.5.1 Capitalist conflict and the post-apartheid story of South Africa**

There is general consensus among academic and development practitioners alike, that the newly elected egalitarian government of 1994 inherited a nation with unfathomable socio-economic difficulties and imbalanced settlements patterns (Harrison, 2006). Even prior to the ANC government coming to power, the political party had already established an abundance of strategic methods to remedy the bequests of apartheid. Even so; many of these '*development approaches*' were considered far too '*idealistic*' and degenerated with the realization that the new dispensation was instead facing a neo-liberal global economic environment, anxious investors and an unstable public sector (*Ibid*). As a result; a restrained approach to macroeconomic administration was adopted by the new government (Todes, 2003). The idea was to duplicate the fruitful

experiences of the recently developing nations (NICs) of East Asia which had succeeded in curbing inequity over a short period of time (Turok, 2001; Visser, 2001).

Tragically; this approach appears to have failed to reap the developmental objectives of a young egalitarian South-Africa. Despite the generally positive financial developments, market-driven urban development (*fuelled by shifts to the financial and services sectors, and rapid urbanization*) have sustained the disproportionately shape within South-Africa's post-apartheid landscape (Theodore et al., 2011). The adoption of neo-liberalized state policies continue to support developer and market-driven processes of urban land development, which has resulted in the varying scales of investment across the various regions of South-Africa (Purcell, 2009). Economic elements are undoubtedly part of the explanation why exclusion and isolation exist in new as well as old neighbourhoods (Seekings, 2010). Because of this, prosperity and growth tend to favor previously 'white' regions/municipalities, while regions/municipalities previously assigned to the marginalized Bantustan region seem to be in a state of continued decline (Pieterse, 2007; 2009; 2010). This has resulted in the sustained exclusion of various regions from economy opportunity within post-apartheid South Africa.

It appears then; that the legacy of Apartheid planning lives on, as the economic exclusion of people is still shaping the nature of design in South African Cities today (Landman, 2006). Class has replaced race as the purposeful distortion of urban spaces continue to split society, separating rich from poor, re-creating the racial enclaves forged by apartheid (*Ibid*). It can be said, that the Rainbow nation still appears to have some of the most inefficient cities in the world (Pieterse 2009).

*"Since 1994, densities have increased in some urban areas and there has also been partial regeneration of inner cities, but, overall, little progress has been made in reversing apartheid geography, and in some cases the divides have been exacerbated"* (NDP 2011: 238).

This unremitting polarization and conflict within the post-apartheid city has come to represent what Castells had earlier identified as historical manifestations of power and production in capitalism (Castells 1976 cited in Susser 1996). The growing disparity within contemporary South African cities has created a volatile regional environment which is characterized by '*potent political, spatial, and socio-psychological contestation*',

and they '*contain a depth of antagonism and opposition*' beyond that of '*divided cities*', a characterization now of almost all cities (Bollens 2012: 6). As a result Post-apartheid South-African cities are marked by contested political control as identity groups seek to protect their distinctive group characteristics and the increasing lack of trust among various interest groups (Robinson, 1993 cited in Pieterse, 2010).

Yiftachel (2006) alludes to this reality by stating that within fledgling developmental egalitarian societies, "*liberalism is not a stable constitutional order; as property systems are fluid; inter-group conflicts over territory inform daily practices and essentialize deep divides around race, caste and ethnicity. As a result growing economic and social disparities erupt in conflict and violence; as the actions and attitudes of various actors in urban environments highlight the conflicting rationalities in which decisions are generally made*"

According to Yiftachel, (2009) the nature of this urban conflict and violence, may manifest in uneven service delivery, entrenched by uneven political representation, and can result in impermeable physical barriers (walls, barricades) that become fault-lines of conflict. Bollens (2012: 16) argues that majoritarian concepts of democracy do not fit the reality of large, multi-ethnic cities and other forms of representation and engagement need to be considered to avoid major conflict.

In conclusion then; the nature of this conflict has brought about a variety of questions concerning the planning approaches adopted at the advent of democracy in South Africa. It would appear that the collaborative, integrated multi-stakeholder approach has failed to reap many rewards. Could it be that the progressive, integrated multi-stakeholder approach turns out on critical examination to have undercurrents that fail to contextualize conflict within the Post-Apartheid context? In order to deconstruct this hypothetical reality; a case study of a variety of municipalities within the province of KwaZulu-Natal will be presented. The objective is to address the questions posed in table 1 of this paper and to examine the effectiveness of various progressive planning techniques in mediating conflict within the province.

## **4.6 The Province of KwaZulu-Natal a melting pot of political, spatial, and socio-psychological contestation**

The province of KwaZulu-Natal, is located on the eastern seaboard of South Africa, and was forged out of the former Province of Natal and the 'independent homeland' of KwaZulu. Even during the pinnacle of the apartheid movement, the province was always a melting pot of a variety of diverse cultures, and of people from a variety of ethnic roots. The province serves as the homestead stronghold for the Zulu nation dating back to the great Zulu King Shaka Zulu, who was born in Shakaskraal which today is found in modern day KwaDukuza. Furthermore; the province has had a strong contingent of British and Dutch settlers, who had settled in the province in the early 17<sup>th</sup> and 18<sup>th</sup> century, after the discovery of the port of Durban. This not only strengthened the regional economic significance of the province of Natal, but would later become the arrival point of people of Indian heritage, who were originally imported as indentured labours to work the sugarcane fields of the province.

### **4.6.1 The rise of ethnic and political conflict in KwaZulu-Natal**

KwaZulu-Natal is a province that has a population of about ten million people (Census, 2011), and has a rich history of political violence and inequality. Various metropolitan, local and district municipalities with exception of a few; have failed to fully share and benefit from the pattern of growth and prosperity that the nation has been experiencing in Post-apartheid South Africa (Pillay, 2004). These differences in regional development exist due to the spatial distribution of natural resources, historical imperatives and cultural factors (*Ibid*).

Perpetuating this economic disparity even further is the cryptic war based on the deep cultural, ethnic and sometime political inconsistency existing in the various regions within the province. This 'war' according to South-Africa 'the bloody history', (2013) is alleged to have been instigated during the twilight years of apartheid with the unbanning of major anti-apartheid movements such as the Pan-Africanist Congress (PAC), the African National Congress (ANC), and the SA Communist Party (SACP) between 1990 and 1994. During the late 1980's and early 1990's the National Party (NP) along with the abovementioned unbanned liberation movements, began

committing themselves to negotiating political and spatial change in South Africa (Taylor, 2002). Tension began to arise though, as a few Bantustan leaders in provinces within the republic dreaded forfeiting of their own political position of power if the Bantustans were disbanded and amalgamated into South Africa (*Ibid*).

Within the province of Natal, tension within the KwaZulu Bantustan had resulted in a volatile relationship between the African National Congress (ANC) and the Inkatha Freedom Party (IFP). This conflict had been ignited by the notion that the KwaZulu Bantustan would be amalgamated into Province of Natal, and the new democratic republic of South Africa. The IFP with its leader Mangosuthu Buthelezi (who was an administrator of the Bantustan region under the apartheid system) were of the view that the KwaZulu Bantustan was in fact land rightfully belonging to the Zulu King, and the larger Zulu ethnic nation. The notion of incorporating the KwaZulu Bantustan into new South-Africa would not only dissolve the ethnic land claim of the Zulu Nation, but render the Zulu nation powerless against the ANC (whose supporters were perceived by IFP followers to traditionally be of Xhosa ethnicity and heritage). This phenomena of heightened ethnicity and identity politics had become an defining feature of KwaZulu resulting in four years of political violence (from 1990 to 1994) leading up to the dismantling of apartheid in 1994. It is believed that up to 20,000 people died as a result of political violence between the early 1990's and the elections of April 27:1994 (The history of KwaZulu, 2011).

This ethnic and politically charged violence within the province began to disintegrate though when the IFP's president Mangosuthu Buthelezi, the ANC president Nelson Mandela and the NP and president of the republic F W De klerk, meet eight days before the 1994 elections. Negotiators during these mediation proceeding were able to reach a last minute deal, to secure the sovereignty of the kingdom of the KwaZulu nation, and the role of its king. Key to mediating this deal was the formulation of the Ingonyama Trust [Act 3 of 1994] which was later re-amended in 1997 to the KwaZulu-Natal Ingonyama Trust amendment Act 9 of 1997. This decision, and the birth of this Ingonyama Act was seen as a turning point of the conflict within the province and the nation as the IFP choose to contest the 1994 elections ushering the dawn of a new democratic South Africa, and peace within the province of KwaZulu-Natal.

## 4.7 Modern Day KwaZulu-Natal

Modern day the province of KwaZulu-Natal, has become a poster province of political and economic peace within the Republic of South Africa (Taylor, 2002). That being said, the KZN Provincial growth and development Strategy (PGDS) of 2011 recognizes that:

*'The province still exhibits facets of environmental vulnerability, social need and uneven economic development. Because of this, spatial disparities still exist due to the spatial distribution of natural resources, historical influences and cultural factors. These spatial disparities have often been aggravated by past spatial planning. This has resulted in a disjuncture between where people live and where social and economic opportunities are concentrated within the province'* (PGDS 2011: 39).

In acknowledging the abovementioned statement, Taylor (2002) contends that economic disparity within the province of KwaZulu-Natal has resulted in obscured conflict and violence among ethnic clans, which continue to perpetuate the already existing spatial discrepancies forged by apartheid regime. This 'cultural' conflict tends to rear its head within municipal regions which are plagued by complex non-interventionist apprehensions such as environmental vulnerability, social need and uneven distribution of resources. As a result the province still appears to be beset by political tension and ethnic discord (PGDS, 2011).

In contemplating this; the next chapter explores the legislative framework in which the planning profession operates within. The goal is to explore if there are any legislative limitations to the effectiveness of the planning profession; and which whether the legislation endorses progressive planning principles in Post-Apartheid Kaw-Zulu Natal.

## **CHAPTER FIVE: THE LEGAL FRAMEWORK UNDER WHICH PLANNING OPERATES IN KWAZULU-NATAL**

The purposes of all legislation is to guide, control and regulate development (Jakuda 2010). Within the South-African context however, almost all legislation and policy has been geared to re-address the concerns related to the spatial inequalities inherited at the inception of democracy in 1994. This section of this study aims to examine the legislative framework within which the planning profession operates in, within the post-apartheid KwaZulu-Natal. In doing so, it will enable the researcher to illustrate the legislative pre-eminence the profession has, in mediating conflict in a post-apartheid South Africa. This chapter then, identifies of the considerable array of legislation that controls planning within the geographic boundaries of the Republic of South Africa and KwaZulu-Natal. Some of the most significant legislation is made mention of below

### **5.1 The Constitutional authority of the planning profession**

The Constitution of South Africa was originally drafted in terms of Chapter 5 of the interim Constitution (Act 200 of 1993) and was first adopted by the Constitutional Assembly on 8 May 1996. The Constitution of the Republic of South Africa [Act No 108 of 1996] is the supreme Law of the republic of South Africa, with the Constitutional court the Supreme Court in the country. Heralded by legal experts as one of the world most comprehensive Constitutional legislation, this law emphasizes the need to re-address the injustices of the apartheid past. As a result Chapter 7 (Local Government) of the Constitution encourages collaborated and transparent planning processes.

#### **5.1.1 The Objects of local government**

According to Chapter 7 of the Constitution of South Africa [Act No 108 of 1996], the objective of local government is to provide democratic and accountable government for local communities. This is expressed in section 152 by stating that:

*(a) To ensure the provision of services to communities in a sustainable manner;*

*(b) To promote social and economic development;*

*(c) To promote a safe and healthy environment; and*

*(d) To encourage the involvement of communities and community organizations in the matters of local government.*

It would be difficult to contend, then, that the constitution of South Africa follows the wave normative collaborative planning theories of the 1970's and early 1980's. The emphasis of local government in encouraging the involvement of communities and community organizations in the matters of local government translates the need to re-address the injustices segregated development of the apartheid past. The South-African constitution therefore encourages the involvement of the communities in the mediation of conflict in an order to achieve sustainable social and economic development.

Debates however, have begun to arise from academic arena, whether these normative collaborative approaches, although professionally worthy provide a precarious foundation for the theorizing of phenomena in developing urban and rural regions (Yiftachel & Huxley, 2000). The next section, explores the The Municipal systems act [32 of 2000] as a legislative framework to mediate conflict in both District and Local government level. The goal is to distinguish whether this legislation refers to

## **5.2 The Municipal Systems [Act No 32 of 2000]**

The Municipal Systems Act or (MSA) is based on chapter 7 of the Constitution of the Republic of South Africa [Act No 108 of 1996]. Its main Aim of this act is to provide for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all (*Ibid*) it also aims to define the legal nature of a municipality by including the local community within the municipal area, working in partnership with the municipality's political and administrative structures. This is done In order to provide for the way in which municipal powers and functions are exercised and performed; in relation to community participation. Chapter 4 of the Municipal systems Act makes mention of the need for Community participation, as a fundamental aspect of the new local government system. Within this system, active engagement of communities in the affairs of municipalities of which they are an integral part, and in particular in planning, service delivery and performance management is essential; in creating a new system of local government which requires an efficient, effective and transparent local public

administration that conforms to constitutional principles. There is no mention of techniques and approaches that can be utilized to mitigate any potential conflict among community stakeholders, political administrations and government officials.

### **5.3 Development Facilitation [Act No 67 of 1995]**

originally envisaged as interim legislation post the 1994 national elections to facilitate accelerated housing delivery by waving other legislation and giving decision making to provincial Development Tribunals (where established), this legislation was largely utilized by the private sector for the development such as, shopping centres, golf course estates, and private game reserves; among others. However, On 18 June 2010, the Constitutional court of South Africa declared parts of the Development Facilitation Act (DFA), 1995 (Act No 67 of 1995) unconstitutional. These sections were Chapters V and VI of the DFA which were found to be inconsistent with the Constitution and were therefore deemed invalid. According to the Constitutional Court municipal planning includes the powers and functions necessary to determine rezoning and township establishment applications, and concluded that municipal planning is the exclusive competence of municipal government. Therefore the powers to consider and approve applications for the rezoning of land and the establishment of townships are elements of “municipal planning”, an exclusive municipal function assigned to municipalities by section 156(1) of the Constitution read with Part B of Schedule 4. Consequently, Chapters V and VI of the Act were found to be constitutionally invalid as they assign exclusive municipal powers to organs of the provincial sphere of government. That being said, the DFA is largely considered by some Academics and Planners alike to have perpetuated the spatial imbalances within the country, by pilfering decision making power from municipalities to provincial tribunals. This act, did to some degree identify and prescribe process to mitigate conflict arising within the municipal constituencies. Nonetheless, this Legislation has been repealed, by the new Spatial Planning and Land use Management act 16 of 2013 (SPLUMA).

### **5.4 Less Formal Township Establishment [Act No 113 of 1991]**

The Less Formal Township Establishment Act (LEFTA) was adopted and promulgated in 1991, in an effort to alleviate the shortage of land, and to eliminate informal settlements. LEFTA aimed to and create sustainable and orderly development in former

Bantustan districts and in African townships. This Act provided for shortened procedures for the establishment of townships, for less formal forms of residential settlement and to regulate the use of land by tribal communities for communal forms of residential settlement. The Act is administered by the provinces and it provided for the exclusion of certain laws and the suspension of servitudes and restrictive title deed conditions. In doing so, LEFTA did provide a very basic system of governance and conflict resolution particularly within developing former Bantustan municipalities. Although this legislation adds value to the statutory arsenal available to post-apartheid planners, it (LEFTA) like the DFA has now been repealed by the new Spatial planning and land use management act 16 of 2013 (SPLUMA).

### **5.5 KwaZulu-Natal Planning Ordinance [27 of 1949]**

This Law was established to *“consolidate and amend the law relating to the establishment of private townships, the sub-division and lay-out of land for building purposes or urban settlement and the preparation and carrying out of town planning schemes; and to provide for the other incidental matters”* . It was only truly applicable to former natal arrears, and in some instances Bantu townships in and around cities. This law however was repealed by the Provincial Planning and Development Act 6 of 2008 (PDA). To date, Only KwaZulu-Natal and the Northern Cape has new planning legislation been enacted and put into effect since 1994 and even here certain aspects (relating to appeals) are challengeable (Salfii, 2010). Because this Legislation was promulgated during the apartheid era, it makes no mention of conflict resolution techniques and processes.

### **5.6 Provincial Planning and Development [Act 6 of 2008]**

The Provincial Planning and Development Act (PDA) was initially developed to provide for the repeal of the KwaZulu-Natal Planning Ordinance [27 of 1949] and the KwaZulu Land Affairs Act, of 1992. Insofar as it relates to the subdivision or consolidation of land, township establishment, the alteration, suspension and removal of restrictions relating to land and town planning. However with the Constitutional Court ruling with respect to the DFA in June (2010), the PDA currently serves the direct legislation for controlling planning in the province, although it is in the process of being re-amended to align itself with the (SPLUMA). Chapter 10 of this act makes mention of the establishment of the

KwaZulu-Natal Development and Planning Appeal Tribunal, a decision making body regarding Land Use applications. Because this is a decision making body, it does not have the ability nor the legislative mandate to resolve conflict planners encounter within their respective municipal jurisdictions.

### **5.7 Ingonyama Trust [Act 3 of 1994]**

The Ingoyama Trust act *re-amended in 1997 to the KwaZulu-Natal Ingonyama Trust amendment Act 9 of 1997*- was originally established on the eve of the 1994 election, the intention of this act was to hold the land in title for *'the benefit, material welfare and social well-being of the Zulu nation and communities'* living on the land traditionally owned by the king. In order to do this, a corporate body, to be called the Ingonyama Trust Board or (ITB), was established to be the trustee of the king's land, which shall be administered subject to the provisions of this Act by the Ingonyama and the board established by section 2A of this Act. It is believed that some 2.8 million hectares of land in KwaZulu-Natal province is administrated under this act (Salfii, 2010). Academics such as Taylor (2002) contend that this Act has been utilized to reinforce the cultural dominance of the Zulu Nation over other ethnic tribes. As a result, it emphasizes on the Traditional Land Management without contextually considering the cultural and ethnic conflict existing within tribal communities in KwaZulu-Natal. Power is therefore shifted in favour of the Zulu tribal ethnic group, perpetuating conflict and Power dynamics in the administration of Land.

### **5.8 Spatial planning and Land use Management [Act 16 of 2013]**

As a result of the DFA Judgment in June 2010 there had been a relatively insufficient clarity in understanding the Constitution about the meaning of planning and which spheres of government responsible for land use planning and management. Because of this, the Department of Rural Development and Land Affairs (compelled by the outcome of the constitutional court ruling) subsequently published the Spatial Planning and Land Use Management Bill in June 2012 and in 2013 enacted the Spatial Planning and Land Use Management Act 16 of 2013 to repeal the DFA Act 67 of 1995. This Act now serves as the overarching legalisation guiding all forms of spatial and land use planning in the Republic.

To date (when this dissertation was being published), this legislation although promulgated, was still in process of drafting rules and regulation to govern this Law. SPLUMA requires municipalities to establish Municipal Planning Tribunals in order to discharge the administration of all land within their respective jurisdiction.

## **6. Conclusion**

This chapter then demonstrates the role of legislation in structuring collaborative and consensus-seeking decision making processes in the planning and development arena. This chapter objective was to demonstrate the legislative framework within which the planning profession operates in, within the post-apartheid KwaZulu-Natal. Although the constitutional ruling in 2010 declaring chapter 5 and 6 of the DFA left the legislative environment as dormant as it was in 1994. This alone explains why almost all legislation arising within that contemporary in South Africa, supports planning that is transparent, collaborative and accountable in order to atone to the principles of enshrined within the highest law in the country.

In KwaZulu-Natal however, these legislative processes has been complicated by the proclamation of certain Acts (like Ingoyama Trust act 3 of 1994), which emphasize the Zulu king as the holder of title of all tribal land. Therefore, although municipalities may make decisions pertaining to land developments on tribal Zulu ground must be accompanied by comments from (ITB). This is in direct contrast to SPLUMA, which aims to strengthen the role and capacities of municipalities in administrating spatial planning and land use decisions, by excluding politicians and tribal leaders from decision making. This has resulted in a legislative disjuncture, as planners working in former Bantustan municipalities contend that SPLUMA has no actual appreciation of Municipal differentiation, and thus fails to conceptualize with the manner in which planners mediate conflict and cultural power arising within their municipalities.

## **CHAPTER SIX: RESULTS, ANALYSIS AND DISCUSSIONS**

This chapter presents the results and analysis of this study. The main objective of this research was to examine the genetic make-up (composition) of conflict within various Municipal regions in post-apartheid KwaZulu-Natal. In doing so, this study set out to ascertain the effectiveness of collaborative planning techniques in mediating conflict arising from developed and developing municipal constituencies. The researcher hypothesis was that Town planners' within municipalities in KwaZulu-Natal have universally adopted collaborative planning techniques in an attempt to engineer consensus building, without having full understanding of the genetic make-up of conflict in their respective constituencies. This is because planners practicing in developing regions are increasingly called on to operate in situations characterized by material and cultural conflict (Watson, 2006).

To investigate this, the researcher used descriptive research methodology and survey techniques. Data was gathered from randomly selected COGTA officials and from purposely selected town planners from various municipalities across KwaZulu-Natal. The data collected represents the respondents' perceptions regarding the genetic make-up of conflicts/within their respective municipal districts. From the data gathered the researcher was able to formulate conclusions which were drawn from the research objection and question of the study as set out in section 1.4 of this study.

### **6.1. The Role of Co-operative Governance Directive in defining the Composition of Conflict in KwaZulu-Natal**

As mentioned previously, the province of KwaZulu-Natal has a rich history of political violence and inequality (Taylor, 2002). Recent economic policies, coupled with the latest outbursts of globalizing capitalism have prised open insurmountable social disparities, deepening fragmentation and social conflict within the province (Watson, 2009). Various metropolitan, local and district municipalities with exception of a few; have failed to fully share and benefit from the pattern of growth and prosperity that the nation has been experiencing in Post-apartheid South Africa (pillay, 2004).

According to the two key informants who work within co-operative governance and Traditional Affairs directive (Cogta)<sup>5</sup>; planning within the province of KwaZulu-Natal has traditionally taking place on two contradictory '*municipal spaces*'. The first space consists of municipalities located within the former tribal Bantustan of KwaZulu. The second space consists of municipalities in the former colony of Natal. These municipal spaces were forged from the inherited spatial disparities of Apartheid policies. The Apartheid scars of these '*municipal spaces*' is evident though the varying levels of development taking place across the province of KwaZulu-Natal. As a result, 'rural' municipalities located within the former KwaZulu tribal Bantustan areas have failed to fully benefit from national patterns of growth and prosperity that the province of KwaZulu-Natal has been experiencing after democratic freedom in 1994 (PGDS).

According to these planners the existing contrasts between rural and urban '*municipal spaces*' is a result of liberal economy, which tends to favour municipalities in the former Natal regions. Consequently, development and prosperity tends to favour municipalities in the former colony on Natal as investors are 'enticed' by the existing infrastructural platform existing within these municipal constituencies. One of the respondents substantiated this by stating that "the differences are deep, municipalities in the former colony of Natal have better politically run administrations', good public governance, and better public fiscal accountability. Personally if I had money, I would not invest it within the former Bantustan municipalities."

Subsequently, both planners stated that municipalities in former Bantustan tribal areas are in a state of continuous economic decline as a result of poor private fiscal investment. This is because Investors are generally deterred by the lack of basic infrastructure, general poor state of governance, and political volatility in these municipalities. These Municipalities still rely on national government for fiscal and developmental support. This support can be consistent and reliable; however it is not enough to stem the tide of economic investors. This has resulted in a developmental gap between these municipalities, which further encourages the migration 'epidemic' within the province. This migration phenomenon is both an international and national

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<sup>5</sup>Reference to Co-operative Governance and Traditional Affairs (Cogta) in this study only refers to the regional office in KwaZulu-Natal, and not the National Cogta Directive.

impasse; and is ramification of '*municipal*' spaces' which have become competing 'financial' entities.

One of the Cogta planners interviewed identified the varying distinction in 'developmental conflict' as a major barrier to sustainable growth within the province of KwaZulu-Natal. Conflict arises as a result of competing stakeholders of varying interests striving to shape both the urban and rural environment. These stakeholders have financial muscle and power to distort information, get political buy-in, and upset the ability of equal and concerted planning processes. According to this planner; development tends to favour already urbanized municipal spaces where conflict is minimal, and is mediated in a spirited manner.

In contrast, Municipal spaces in former Bantustan regions do not have any of these characteristics, and fail to attract development, resulting in 'municipal conflict' of sorts. This is because no platform for proper democratic governance has ever been properly established in these municipalities. As a result, whenever conflict arises between stakeholders, within these administrations, the ability to process, facilitate and 'mediate' conflict is often very poor. The task of the planning profession and subsequently Cogta is to create an environment which nurtures sound co-operative governance in order to determine the needs of all people everywhere is made all the more difficult (Hall, 1988). This planner was of the view, that municipal planners should not always be bureaucrats held captive by the legislative prison. Modern contemporary planners should be 'advocates' for those who cannot engage freely within the planning platform. The planner's role is to ensure the satisfactory use of all resources, for the benefit of all people.

The second planner interviewed was of the opinion that conflict is a result of individual capitalists rather than various municipal regions competing with one another. These consumer driven individuals can monopolise political and societal power, in order to attain their own self-interest. As a result; conflict generally arises between the planner, those who are being planned for, and those with a self-interest agenda (Flyvbjerg; 1998a, 1998b). Planning efficiently; is only possible when planners 'take' control, and lead in order to mediate conflict effectively. The planner must rely on his technical expertise in order to plan effectively. Planners generally have the legislative power to

do this, however they disempowered themselves when engaging in conflict scenarios and become victims of 'those with a self-interest agenda'. The responsibility of the Cogta directive is to assist planners in municipalities when this happens.

These divergent perspectives begin to address the objectives set-out in table 3 of this study. What was evident to the researcher was that the social and political inequalities between the former municipalities reflect the prominence of a democratic system that does not completely function properly (Davidoff, 1966). This concept of uneven democracy has spatial consequences and is further distorted by capitalist accumulation, a phenomenon of uneven development that is universal and unlikely to change over time (Todes, 2012).

### **6.1.2 Which planning approach should planers use to mitigate conflict then?**

In view of the above examination, it appears that municipalities, both in the former tribal Bantustans and in the former colony of Natal have to be understood as the historical manifestations of power and production in apartheid capitalism (Castells 1976 cited in Susser 1996). Conflict arises as a result of competition between fractions of capital active 'individuals'<sup>6</sup> and in the built environment (Harvey, 1996). Both planners within the Cogta directive contend that some form of collaboration among private investments in the built environment is necessary in order to ensure that the aggregate needs of all individuals' are met (*ibid*). The role of the Cogta directive is to ensure that a platform for Collaborative planning exists within all Municipalities. This collaborative planning environment needs to promote the broad participation of all concerned stakeholders which is the only way to build a stronger sense of community and create shared values as well as understand what both planner's and community members' values are (Jepson, 2005; Harwood, 2006).

When questioned whether this 'collaborative planning environment' exists in all the municipalities, these planners responded by stating that in some circumstances there are '*somewhat unquantifiable*' contributing factors to conflict within the KwaZulu-Natal context, and that this upsets the ability of Cogta to promote and maintain an open and transparent planning environments (Durlington, 2006; Turok, 2001). Both planners

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<sup>6</sup>Individual in this regard refers to both private investors, and municipalities themselves

became evasive and were not willing to disclose much, and referred the researcher to planners in the former tribal Bantustan municipalities.

## **6.2. The disposition of conflict- the case study of former Bantustan municipalities**

The main objective of this study is to examine the genetic make-up of conflict arising within various municipalities in Post-Apartheid KwaZulu-Natal. The researcher conducted focus group with town planners, who work in municipalities located within the former Bantustan regions (Richmond Local municipality, Mkhayakhude District Municipality municipality, Ndewdwe municipaliy, Msinga Local municipality, Harry Qwala District Municipality, Nongoma local Municipality). The researcher was able to establish that planners in these municipalities felt planning was a '*burdening*' process as conflict among a variety of stakeholders would arise as a result of economic and social interests. This burdensome 'conflict' generally arose during large land use applications which is a process often masted by a 'sometimes political or ethnic agenda' of sorts. Decerning and mediating conflict is therefore dependent on how the conflict arose. Planners from Mkhayakhude District Municipality municipality, Harry Qwala District Municipality, Nongoma local Municipality emphasized that '*smart planning*' is dependent on identifying the environment in-which politically related conflict would arise.

As a result; the researcher established that Planners in Mkhayakhude District Municipality municipality, Msinga Local municipality, Harry Qwala District Municipality, and Nongoma local Municipality felt that the planning profession had a discredited sense of identity, primarily due to its role in engineering social and exclusion during the apartheid era. According to the planner from Mkhayakhude District Municipality municipality, this had created an environment of various social interaction constraints in-which planners '*Had very little authority*'.

Planners from Harry Qwala District Municipality, Mkhayakhude District Municipality and Nongoma local Municipality and richmond municipality emphasised on how political figures (councillors, Mayors, and even municipal managers) would intervene, impede and even certain circumstances intimidate planners to '*plan according to their own vested interests*' and not in the interest of the general public.

Because of this; these planners felt that they sometimes had very little '*mediating authority*'; and could not always facilitate and mediate conflict in an amicable manner. Planners from both Richmond municipality and Harry Qwala District Municipality accentuated that conflict among stakeholders generally arose from both ethnic conflict and economically driven objectives. It is the planners' responsibility to '*detect*' which conflict was arising from each planning scenario presented. In circumstances when conflict was the result of ethnically driven motives, 'planners' can be questioned with regards to their political affiliation and ethnicity. In certain circumstances; effective and influential planning and conflict mediation was fully dependent on political affiliation.

The overwhelming conclusion from all these planners was that Planning therefore operates on a '*sometimes you win; sometime you lose pendulum*'. What determined if you win or if you lose was dependent on the nature of conflict (whether economic or ethnic) which may arise in various scenarios.

Planners from both Harry Qwala District Municipality and Mkhayakhude District Municipality lay emphasis on how Planners within former Bantustan municipalities can feel disempowered when mediating conflict '*in the best interest of the public*'. Moreover; planners from Mkhayakhude District Municipality, Msinga Local municipality, Harry Qwala District Municipality, Nongoma local Municipality disclosed that '*Planning professionals*' were generally not trusted, within their respective municipalities. This was a result of the '*apartheid scar*' resonating among both stakeholders, and political constituencies in developing municipalities.

According to planners from Ndwedwe municipality, Msinga Municipality and Ladysmith municipality, what perpetuates this distrust of the '*Planning profession*' is that most planners are '*perceived as agents of the state*'. As a result; the planner is still excluded from properly engaging with community or the group being planned for.

These sentiments reverberate Watson (2003) when she states that:

*"In some situations we find ourselves dealing with seemingly irreconcilable gaps, between differing 'communities' or groups, or between expert planners and those planned for, where there is no obvious hope of constructing dialogue or reaching consensus, where world-views and the very meaning of development or progress differ, and where people regard each other from within completely different rationalities"* (Watson, 2003: 403).

As a result; the researcher discovered that conflict within the former Bantustan municipalities was fashioned by the deep cultural and ethnic inconsistencies and stakeholders of competing financial interests. Although not completely contradictory to Forester (1987) domination of citizens by "*concentrations of economic power*", conflict in these former Bantustans municipalities was 'in certain scenarios' played out and maintained, by means of '*distorted ethnical discrepancies*'. These distorted ethnical discrepancies were further sustained by the political stakeholders, who could manipulate this situation in an effort to attain economic dominance over their respective counterparts; and to attain favour with their relevant political constituencies.

### **6.2.2 The effectiveness of collaborative planning approaches in resolving municipal conflict in the former Bantustan municipalities**

What this study has ascertained thus far, is that conflict within the former Bantustan municipalities arises as a result of deep cultural and ethnic inconsistencies amongst various identity groups'. This contestation, can manifest in the urban planning arena, and may be fuelled by private economic imperatives of stakeholders with an underlying political agenda. When asked if collaborative planning approaches are effective in resolving municipal conflict in a Post-apartheid KwaZulu-Natal, Planners from, Mkhayakhude District Municipality, and Harry Qwala District Municipality stated that collaborated planning was the only means by which planners can create an environment in which stakeholders of engage amicably. This is because, collaborative planning promotes the broad participation of all concerned stakeholders in a way that will encourage and construct healthy communities. In doing so, collaborative planning encourages environments where stakeholders get the opportunity to sympathize with all other people involved in the planning process. To these planners, consensus building was a major key in neutralizing the extent to which cultural and ethnic conflict may arise. The capacity to mediate all forms of conflict was thus dependent on the planners' ability to be both 'mediator and arbitrator among stakeholders'.

In contrast, planners from Richmond Local municipality, Ndewdwe Local municipality, Msinga Local municipality, and Nongoma local Municipality, emphasised that a lack of 'trust' would 'sometimes' undermine the ability of stakeholders in engage adequately. As a result, stakeholders with a majority ethnic group identity would 'flex their muscles' in order to show their dominance over other ethnic groups. Planners therefore have to

identify Power differences among stakeholders, and methods of neutralizing tensions between these patrons. This has to be done in order to create a platform where all stakeholders can have an equal opportunity to present and voice their opinion. It must be mentioned; that planners from Ndewdwe Local municipality and Msinga Local municipality indicated that if the planner was thought to be affiliated with a particular cultural identity group. It could have devastating consequences, for his career and his ability to mediate conflict within his/her Municipality. This makes it difficult to get all parties to partake in an honest, transparent manner in relation to their goals and various vested interests.

What the researcher also discovered was that there was general consensus among planners from Mkhayakhude District Municipality, Harry Qwala District Municipality, Ndewdwe Local municipality and Msinga Local municipality that collaborative planning processes were predisposed to ethnic power relations, a constant reality which was being produced and reproduced by various members loyal to their particular tribal group identity (Flyvbjerg; 1998a). The planner from Nongoma Municipality stressed that although the collaborative planning process and all legislation encourages all interest groups to partake in the planning, it does not necessarily describe or define how planners can get this done. It is almost impossible mediate this conflict harmoniously, as the planner is stripped of all his power; and his ability to mediate by almost all parties participating during this planning process. The planner must realise the he himself is a participant and not the facilitator of the public planning process. As a result he must assume a more, political, direct, uncompromising approach.

This disjuncture, illustrated two very different approaches to mediating conflict. Whilst planners from Mkhayakhude District Municipality, Emnambithi/Ladysmith local municipality, Umlalazi local municipality and Harry Qwala District Municipality were of the opinion that collaborative planning was the only means to mediate conflict, and attain consensus from conflict arising from the deep cultural and ethnic inconsistencies amongst various identity groups. In contrast, planners from Msinga Local municipality, Mkhayakhude District Municipality, Harry Qwala District Municipality, Richmond Local municipality, Ndewdwe Local municipality, and Uphongola Local municipality, disagreed with this assertion, stating that an entirely different approach was needed.

This 'undefined' approach needs to 'give power' to the planner, in order to enable him to be more proficient, to present the 'best plan possible'.

### **6.3 The contrasting disposition of conflict- the case study of former Colony of Natal/ (*white*) municipalities**

Contrary to this; the second '*space*' consists of municipalities were located within the former '*white districts*'. These municipalities include EThekweni Metropolitan municipality, KwaDukuza local municipality, uMsunduzi Local Municipality, uMhlatuze Local. Planners working in these municipal spaces stated that conflict arose as the result of competition between private profit interests and public well-being (Forester 1989; Innes, 1995). What was apparent to the researcher was that these planners were echoing Harvey's (1996) sentiments that there are capitalist imbalances of modern democratic society creates an environment which nurtures competition. As a consequence, individual capitalists within these municipal regions acting in his/her own self-interest, ultimately resulting in conflict as they attempt to influence the decision/s of the collective class.

In addition; these planners generally exhibited an energetic and satisfying perception on the role of the profession in achieving urban reconstruction in a post-apartheid South Africa. Almost All the planners' within former 'white' municipalities acknowledged that their municipality had continued to economically benefit their previous position under the apartheid government, which had bolstered the economic strength of their respective municipalities. In recognizing this; these planners were of the perception that their respective municipality certainly had the capacity to attract both international and local investors. This reinforces Watson (2006) notion that Municipalities which reside within the former 'white districts' resemble the broad characteristics of regions within international North settings. Where Planner's practicing within municipalities in still preside over vigorous activity and share common traits such as:

- Fairly stable and well-functioning liberal democracies;
- Reasonably well functioning institutional systems and
- Well established local economic systems.

Because of this then, Municipalities in the former colony of Natal continue to prosper and grow, as visible by the continued emergence of central city skyscrapers, the introduction of new freeways, and the growth of new industrial parks (Pieterse, 2007; 2009;2010).

In addition; these planners expressed that the profession certainly had a large degree of 'Authority' and 'trust'. Efficient, effective and transparent planning could only be obstructed by 'certain stakeholders' who 'fail to fully engage in public planning processes'. Furthermore; mediating conflict has been made difficult by political figures who would champion economically driven objectives in order to satisfy their respective political constituencies. These individuals would attempt to undermine the public participation process, by imposing their own objectives among participants.

### **6.3.2 The effectiveness of collaborative planning approaches in resolving municipal conflict in the former Colony of Natal (white) municipalities**

The second section of this study has ascertained thus far, is that conflict within municipalities in the former colony of Natal arises between those stakeholders who are active in the built environment and investors who have fiscal capital (Harvey, 1996). In response to these planners from KwaDukuza local municipality, uMsunduzi Local Municipality, uMhlatuze Local municipality stated that the only means to attain efficient and productive spatial environments is to employ specific tools and techniques of collaborative planning.

What interested the researcher was that these planners emphasized that they would engage in the public planning process, having a predetermined hypothesis of the nature and genetic make-up of conflict among stakeholders. Planners from uMsunduzi Local Municipality, uMhlatuze Local municipality did state that in scenarios where conflict would arise as a result deep cultural and ethnic inconsistencies amongst various identity groups, these 'ethnically volatile individuals' did not outnumber the rest of the participants during public planning forums. As a result, these individuals could not monopolize enough affiliates to derail or dominate other participating stakeholders. Consensus building was therefore simplified, as power was disseminated to all the participants involved. Planners interviewed in the focus group stated that 'Proper planning' is dependent on the ethical morals and character of the planner involved. His

role is to facilitate a process which encourages all stakeholders to engage unequivocally. If minority groups attempt to disrupt the planning process, planners, had enough authority to disempower these individuals.

### **6.3.1 Mini case study of conflict in EThekweni municipality- South Durban Basin**

#### *-The location of South Durban Basin*

The South Durban Basin is the industrial hub of Durban situated in the province of KwaZulu-Natal. It stretches from the Port of Durban in the north to eZimkokodweni in the south and is home to 2 large petrochemical refineries, a large paper mill, motor manufacturers and at least 5000 businesses, 22 000 households and 200 000 residents. It includes the residential areas of Bluff, Clairwood, Wentworth, Merebank, Isipingo, and Lamontville and the Industrial areas of Jacobs and Prospection (refer to map 3).

#### **6.3.2.1 A history of conflict in South Durban Basin**

During the 1930s, the South Durban Basin (SDB) was planned as an industrial hub located within close proximity to the port of Durban. In the 1950s, through the enforcement of the Group Areas Act, Coloureds, Indians and African communities were often relocated adjacent to heavy industries and south basin ([www.durban.gov.za](http://www.durban.gov.za)). The apartheid planners of the time recognised South Durban industrial hub was a strategic economic node, and that providing a source of cheap labour would strengthen the sustainability of SDB (Scott, 2010). Over the decades SDB has been plagued by neglect, poor health and living conditions. In addition, there has been an environmental outcry over the spatial relationship between residential component, and the industrial activity in SDB (*ibid*). This has created conflict related to the ecological, social and economic sustainability of SDB.

Today, there are various other historical as well as political concerns that still shape the present politics and activism with South Durban Basin. Issues such as: drug abuse, lack of recreation for young people; high levels of unemployment; pollution and housing are factors that affect the quality of life of those who live in the area.

### **6.3.2.1.1 Collaborative planning in South Durban Basin-EThekwini Municipality planner**

The planner from EThekwini metropolitan municipality emphasized that conflict in South Durban Basin, was a constant balance between private stakeholders, development and ecological sustainability. The faulting status of the latter has manifested in conflict between the scales of need; at the both national and local scales (Jakuda 2010). In comprehending this, the planner from EThekwini Municipality contended that there has been an effort to restore customer confidence and build relationships between various stakeholders by improving socio-economic and environmental conditions for people who live in the area. That being said, there is a need for Planners in developing municipalities like EThekwini to constantly mediate between ecological conservation and at the same time plan for the expansion of the economy for the benefit of all people in society.

What makes this process challenging, is that community stakeholders do not communicate adequately with planners. Regardless of the position of Leadership that planners play, stakeholders (such as Non-profit organizations, and Merewent Home Owners associates) perhaps in some kind of fear, do not openly engage with us Municipal planners. The EThekwini Planning team has on numerous occasions attempted to “*talk and interact*” in an open transparent, democratic and accountable environment. However this situation is derailed by incapacitated stakeholders, who simply do not trust officials. This means that decisions are not entirely ‘communicatively rational’ as the planning process may be impeded and manipulated by stakeholders with financial and political influence. As a result Planning in SDB is always permeated by with power dynamics, conflict and racial undertones.

As a result, Planners have to present themselves as ‘advocates’ of the need of the stakeholder, in an effort to plan effectively and efficiently. In doing so, the planner ensures that whatever the position of participants within the social-economic hierarchy, no group’s interest will dominate (Watson, 2006). This is vital to resolving conflict within such environments like KwaZulu Natal.

Map 3: South Durban Basin



Map sourced from SDCEA-DN Local Action Project 2004 - 2005

## **6.4 Mini case study of conflict in Nongoma municipality- Rural Housing project**

Nongoma Local Municipality is an local municipality in the north-eastern part of Zululand in the KwaZulu-Natal province of South Africa. It is Zululand's second largest municipality in terms of population and the second largest in terms of area. It shares its name with the town of Nongoma, which serves as the seat of the municipality. It is the home of King Goodwill Zwelethini, the hereditary traditional leader of the Zulu nation, and his royal palaces are among the main tourist attractions in the region.

### **6.4.2.1 A history of conflict in Nongoma**

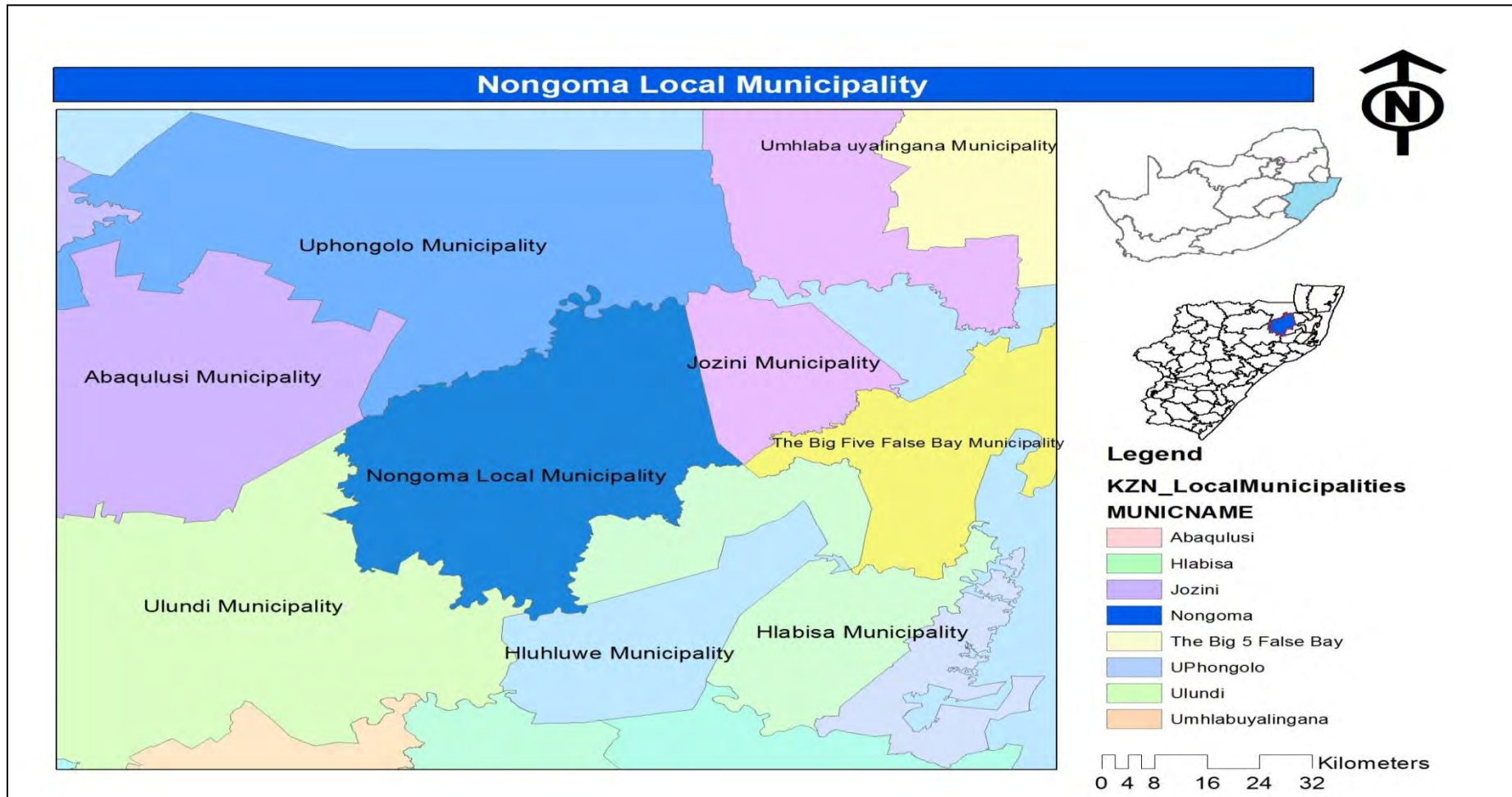
Nongoma is a local municipality with a rich history political and ethnic violence. The municipality formed what was previously the KwaZulu Bantustan, and has witnessed the full brunt of the volatile relationship between the African National Congress (ANC) and the Inkatha Freedom Party (IFP). In addition, Contemporary Nongoma contends with growing economic disparity, environmental vulnerability, social need and uneven distribution of resources.

#### ***6.4.2.1.1 Collaborative Planning in Nongoma Rural Housing Project- Nongoma Municipality planner***

In 2007, a National project to improve the rural housing in Nongoma was launched. The goal was for the municipality to provide of housing to more than 20000 deserving households. In 2008 this mandate was key developmental objective of Nongoma's IDP. By the 2009 Revised IDP, Planners had already begun to consult with local stakeholders on the development on of the project. Conflict arose however when political figures within the council would intervene, impede and even certain circumstances intimidate planners during the public consultation process. These political figures demanded that planners *'firstly house people most deserving and of a particular political constituency'*.

As a result; planners found themselves in a touchy situation, and had very little *'mediating authority'*. The planner's role is to plan in the best interests of all people, but in such cases it is almost impossible to do so. The planner was of the opinion that *'if he had not let this one go, he would have lost 'trust' with the political constituencies within his municipality. Ultimately what determines if you succeed as a planner is dependent on how you carry yourself in scenarios of political and ethnic conflict.*

**Map 4: Nongoma Municipality**



Data Set: Department of Rural Development and Land Reform (dataset Acquired on 17 November 2014)

What results is a fundamentally flawed decision making system of communicative rationality, as 'individuals' with Power can be exercise their domination, and thus emancipate all other interest groups, and even the planner themselves (Bickerstaff and Walker, 2005: 2140). The planner, visibly perturbed, stated that are 'we planners increasingly called on to operate in situations riddled with cultural and ethnic power differences. We planners have very few ways of dealing with these challenges, yet we are required to address and challenges such as growing social and material inequalities.' We have no power, absolutely no power.

## **6.5 Collaborative planning as a tool of mediating conflict in Municipalities**

The main aim of this study is to examine the genetic make-up (composition) of conflict within post-apartheid KwaZulu-Natal; and the effectiveness of collaborative planning approaches in mediating conflict arising from both developing and developed municipal constituencies. What this study has ascertained, is that conflict arises for contrasting reason, within the province of KwaZulu-Natal. The reasoning and configuration of the conflict generally depends on the municipality where the planner applies his trade. On one end of the Municipal pendulum, conflict arises as a result of deep cultural and ethnic inconsistencies amongst various identity groups'. This contestation, can manifest in the urban planning arena, and may be fuelled by private economic imperatives of stakeholders with an underlying political agenda (within the former Bantustan municipalities). On the other end of the Municipal pendulum, conflict arises as a result opposing private profit interests and public well-being as they struggle for urban space (within the former Colony of Natal).

This ultimately affects the level of power the planning profession has, in mediating conflict and in achieving urban integration in a Post-apartheid South Africa. Planners, both in the former 'white municipalities', and in the Bantustan Municipalities, attempted to mediate conflict by using collaborative planning principles. However, this is not a universal truth, as each planning scenario contextually presents itself with different stakeholders', and with a different composition of conflict. Nonetheless, collaborative planning appears to be convenient tool in mediating conflict regardless of its composition within the former 'colony municipalities'. This reality did not always

translate itself well within the former 'Bantustan municipalities'. There was a clear division as to the effectiveness of collaborative planning as some planners, depending on the genetic make-up (composition) of the conflict arising. What this study was able to capture was the varying experiences, feelings and opinions of these planners relating to conflict, and conflict mediation. What was interesting, was that these planners understood the genetic make-up of conflict, and could even detect political and ethnic conflict, but they would either attempt to mediate it through collaborative means (which proved unsuccessful) or in certain circumstance planners just surrendered to have any power, and simply did not attempt to mediate conflict at all.

## **CHAPTER SEVEN: SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

This study examines the genetic make-up (composition) of conflict within various Municipal regions in post-apartheid KwaZulu-Natal. This chapter is comprised of three sections, the first of provides a comprehensive summary and conclusion of the research findings presented in this thesis. The subsequent section, provides detailed recommendations and conclusion of the problems presented in chapter 1. In conclusion, the key lessons learnt and mergers this with the key the hypothesis, main objective and main research question presented in chapters one and two.

### **7.1 Summary of research Findings**

This dissertation set-out to examine the nature of conflict among stakeholders, and its impact on the urban reconstruction agenda in the post-apartheid South-Africa. What was discovered was that the genetic make-up of conflict arises for contrasting reason, within the province of KwaZulu-Natal. Firstly, it must be mentioned that each Municipality within the province of KwaZulu-Natal has contradictory spatial and socio-economic characteristics. The origin for these contrasting conditions has generally been attributed to Apartheid policies of South Africa's history. However the persistence of this inequality has generally been accredited to the implementation of neoliberalism as a social, economic and political project (Mini, 2012). This study does not dispute this claim, but contends that the concept of spatial disparity is further sustained by what now appears to be 'unquantified' cultural and ethnic inconsistencies. These unquantified inconsistencies are not uniform, and exist as a result of the historical and cultural conflict in various municipal regions KwaZulu-Natal.

Secondly; the researcher discovered that In an effort to mitigate this '*unquantified*' conflict within municipal planning environments, town planning practitioners have universally adopted collaborated planning approaches which have not reaped the anticipated rewards particularly in Municipalities located in the former KwaZulu Bantustan. In contrast, this approach appears to be very a valuable and practical planning tool in the former 'white municipalities'. As a result, the planning profession has inconsistent competency, in mediating conflict and in achieving urban integration in some Municipalities in Post-apartheid KwaZulu-Natal. What was interesting was that

all planners generally understood the genetic make-up of conflict, but many wanted to mediate any form of conflict through collaborative means. The Table below summarizes the key theories, in relation to the key findings of this study:

**Table 7: Summary of findings**

Themes	Municipalities Located in Former colony of Natal	Municipalities Located in Former Tribal Bantustan of KwaZulu
<b>Characteristics of Municipality</b>	<ul style="list-style-type: none"> <li>• Fairly stable and well-functioning liberal democracies</li> <li>• Reasonably well functioning institutional systems</li> <li>• Well established local economic systems</li> <li>• Well-developed build infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Politically unstable municipal environments which are predisposed to volatile ethnic and cultural conflict</li> <li>• Poorly functioning institutional systems</li> <li>• Reliance on state funding for economic sustainability</li> <li>• Poorly developed built infrastructure</li> </ul>
<b>Reasons why conflict arises among stakeholders</b>	<ul style="list-style-type: none"> <li>• Conflict generally arises between those stakeholders who are active in the built environment and investors who have fiscal capital (Harvey, 1996).</li> </ul>	<ul style="list-style-type: none"> <li>• Conflict among stakeholders is generally fashioned by the deep cultural and ethnic inconsistencies (Watson 2006). This conflict may be fuelled by a conceal economic agenda</li> </ul>
<b>Genetic make-up (composition) of Conflict and Power in Municipalities</b>	<ul style="list-style-type: none"> <li>• Society is dominated by Stakeholders with "<i>concentrations of economic power</i>" (Forester 1987: 45).</li> <li>• This Domination is played out and maintained, within a post-modernist society by means of '<i>distorted communication</i>' (<i>ibid</i>)</li> <li>• Minority groups and women may be excluded from decision making</li> </ul>	<ul style="list-style-type: none"> <li>• Society is dominated by Stakeholders with ethnic, material and cultural differences (Yiftachel, 2006)</li> <li>• This Domination is played out and maintained, by means of '<i>intimidation</i>' through political and tribal entities.</li> <li>• Ethnic, material and cultural differences may be a catalyst for selected</li> </ul>

	<p>Process, in favour of those with stakeholders with "concentrations of economic power" (Forester 1987: 45).</p> <ul style="list-style-type: none"> <li>Economically influential individuals thereby have the capacity to control societies beliefs and knowledge, their consent, their trust, and their understanding or definition of problems</li> </ul>	<p>stakeholders being excluded from decision making Process.</p> <ul style="list-style-type: none"> <li>Decision-making is generally less transparent and organized, and public participation and deliberation efforts are often perceived as '<i>lip service</i>' or forms of co-optation, in a more uncompromising development environment (<i>ibid</i>)</li> </ul>
<b>Municipal Planners Response to conflict</b>	<ul style="list-style-type: none"> <li>Adoption of a 'collaborative approach' to planning, in order to undo injustices of Apartheid Planning</li> </ul>	<ul style="list-style-type: none"> <li>Adoption of a 'collaborative approach' to planning, in order to undo injustices of Apartheid Planning</li> <li>Acknowledgement of failure of collaborative planning by certain planners</li> </ul>
<b>Municipalities ability to adopt National, Provincial, and local government legislation</b>	<ul style="list-style-type: none"> <li>Municipalities have not had difficulty in adopted legislation which encourages progressive decision making process in order to atone to the principles of spatial injustices of apartheid.</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities that fall within the ITB jurisdiction have difficulty in implementing and aligning with existing legislative framework, as conflict within these municipal regions arises from the exclusion of politicians and tribal figures from decision making processes.</li> </ul>
<b>Collaborative planning approaches vs. Power dynamics in developing municipalities</b>	<ul style="list-style-type: none"> <li>General consensus that efficient and productive collaborative planning could mediate all forms of conflict</li> <li>The profession has 'some degree of Authority' and 'trust'</li> </ul>	<ul style="list-style-type: none"> <li>General consensus that efficient and productive collaborative planning could mediate all forms of conflict</li> <li>The profession is still heavily discredited, primarily due to its role in engineering social and exclusion under apartheid. It is a difficult process for</li> </ul>

	<ul style="list-style-type: none"> <li>• The profession is efficient and productive collaborative planning is effective in mediating conflict.</li> <li>• Capitalist individuals would attempt to undermine the public participation process, by coercing their own objectives among participants (Harvey, 1996).</li> <li>• In certain circumstances, economically driven objectives are championed by political figures.</li> <li>• Conflict mediation then is dependent on the ethical morals and character of the planner involved.</li> </ul>	<p>planners to gain the trust of stakeholders</p> <ul style="list-style-type: none"> <li>• Planning operates on a sometimes you win sometime you lose cycle. With planners trust only being attained through political or ethnic affiliations</li> <li>• Planners gave personal experiences where political figures would intervene and even certain circumstances intimidate planners to plan according to their own vested interests</li> <li>• Planners may be questioned with regards to their cultural and political affiliation. Affective collaborative planning and conflict mediation may be dependent on ethnic and political affiliation of the planner.</li> <li>• Planning based on cultural and ethnic characteristics, with all emphasizing that 'Planners' of 'white' were generally not trusted, within former Bantustan municipalities.</li> <li>• African Women, planners applying their trade in former Bantustan municipalities, were of the opinion that gender discrimination was prevalent reality which limited their ability to mediate conflict</li> </ul>
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## 7.2 Conclusions and Recommendations:

Over the past couple of decades scholars and academics have been at odds in defining the persistent polarization of South-Africa's post-apartheid municipalities. Discussions in both the academic and professional arena have generally centred on the role of market forces in reinforcing the spatial divisions (Todes, 2012; Turok, 2001). The uniform nature of this debate exists on two contrasting municipal environments; the first being the developing (the south) and the second being the developed (the north). What was discovered was that very few academics have departing from the homogeneous nature of contemporary planning theory (see Huxley & Yiftachel, 2000; Watson, 2006, Yiftachel, 2006, 2009). In addition; this study has revealed that there is a need for both international and domestic scholars to understand that ethnicity and cultural differences has been an immensely influential factor in modern politics, development and planning. Therefore there is a need for contemporary '*Africans*' planners to understand that culturally motivated conflict has been an immensely influential factor in modern post-apartheid politics, fostering powerful links between identities and space, by imbuing a wide range of 'spatialities', such as territory, homeland, region, city, locality, place and even the body, with potent cultural and political importance (*ibid*).

In order for South-Africa to attain a radical transformation of urban space, there is a need to acknowledge the past, as well as an alternative way to address cultural and ethnic conflict (Landman, 2006:145). Achieving a truly democratic and free South-African society is still dependent on undoing the engineering of social and cultural divisions, an ever-present character of modern South African that planners generally do not comprehend during the spatial planning processes (Turok, 1994b).

Furthermore, this study has shown that the universal adoption of collaborative planning is only 'fully-functional' in municipalities that were previously under the 'Colony of Natal'. Collaborative planning and its inadequacies (as illustrated in section 3.4.1.1) are exposed in municipalities within the former Kwa-Zulu Bantustan region. The researcher, like (Krumholz 1994:150) contends that the planning craft needs to be more political in nature in order to reach out to marginalized minorities. Taking into consideration the history of the profession in the country, planners particularly those in

developing municipal constituencies of the south need to be more politically 'aware' and 'involved' in order to mitigate conflict arising from ethnic and cultural.

Perhaps Alexander (2000) notion, that planners must understand the nature of the conflict presented in each situation, and then decide which rationality is most practical and possibly most effective (this is dependent on the political or economical forces at work). Is it not possible then, that within municipalities in the Former KwaZulu Bantustan, a more comprehensive 'ends-by means' approach could be adopted to bridge the development gap and alleviate planners ability to mitigate conflict? This view is perhaps a tad 'radical' and would require an overhaul of the existing legislative process in South-Africa, in order to encourage a more comprehensive approach to planning in these municipalities.

Moreover, if this 'radical socialist' top-down approach is to be adopted, it will compel National government, to create a 'tax' levy for municipalities within the former colony of Natal. This tax 'levy' could subsidise the improvement of basic infrastructure and access routes to the former tribal Bantustan. A similar example of existed within the Appalachia region in the United States. The region seemed to lag behind the nation, urban Appalachia lagged behind urban America, and rural Appalachia lagged behind rural America. Contrasts between rural and urban places underscored the scope of developmental gaps and, after decades of debate, it was recognized that federal aid to lagging regions was necessary. The core-periphery perspective was then used to examine the spatial dynamics within Appalachian development. What was developed was the Appalachian Regional Commission (ARC), which stressed investment in infrastructure, especially highways, and designated growth centres to strengthen linkages with the larger economies (Alonso 1989). Connecting the region with existing extra-regional urban cores and stimulating growth at centres within the area was seen as the most efficient approach. Prompted by strong political will-power, and sound structural policies, Appalachia employed the core-periphery model as development strategy with the objective of connecting peripheral rural Appalachia with the urban cores. Between 1965 and 1990, major differences occurred in the patterns of income change among the three Appalachian peripheries.

As such, the core-periphery concept employed here seems to hold potential for the evaluation of future programmatic approaches in the former Bantustan Municipalities. The results of the abovementioned; study provides a useful baseline for further research in South Africa, particularly into how planners can use this model to address issues of development at regional and national scale. The Appalachian region has become a testimony, on how development can take place when political will-power, an comprehensive understanding of conflict, sound policies and good planning practices come together to develop areas considered to be behind national, and even international levels of development.

### **7.3 Lessons learnt**

The researcher believes that even though Apartheid based on race is now prohibited, the system and injustices of Apartheid engineered conflict produced a form of cultural division among South Africans, as people were separated based on their ethnic groupings. Planning academics and scholars' within the South African context, have generally understood the spatial configuration of this segregation, but never really examined how the rich ethnic and racial identities influence modern day South-African planning.

This inability of the profession to completely comprehend this reality emphasizes the divisions existing within the profession itself, as a majority of those considered planning 'academics' inhabit spaces in which contention arising from cultural conflict is generally misunderstood (see Alan and Mabin, 1997). As a result, planning education and planning practice within a developing egalitarian South Africa are at odds with one another. Although some academics from the 'south' have laboured towards identifying the persistence of this phenomenon, very few have wondered away from what were essentially ideas emanating from the North. As a result, comprehending the insurmountable social disparities, deepening fragmentation and social conflict in 'South-Africa' has never truly been studied, neither have the impact of these concepts been conceptualized during public planning processes. Consequently planners, policy-makers, academics and developers in South Africa have felt disillusioned if not defeated by the post-apartheid project.

What was learnt from this study is that there is not enough theoretical and conceptual comprehension of the genetic configuration conflict with Municipalities in KwaZulu-Natal. What was demonstrated was that a disjuncture exists between what Planners assume planning should be, and the reality of planning practice. What is needed is a more South-African approach to planning, in order to cultivate 'innovative African' planning techniques for some of the undefined developmental issues facing contemporary African cities. This approach must be developed soon, in order to attain a more comprehensive and realist strategic planning agenda in current dispensation.

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## Appendix A-Questioner Guideline

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Planners Name (*optional*):.....

Municipality/Department:

- In your experience, when do issues of conflict arise during the public planning process?
- Generally, how do municipal planners deal with issues of conflict?
- In your view, how do planners generally deal with politics and power dynamics that may arise during conflict resolution process
- Based on your experience, do you think that collaborative planning is practical, particularly in mediating power and politics in municipal public planning process?
- Based on the above, does the municipal planner possess any power at all?
- What then in your view; are the ethical and moral obligations of planners, particularly in this post-apartheid dispensation?