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Title: South Africa in transition from top down towards bottom up planning;
"The fate of Hillbrow, Johannesburg"

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“Education is the most powerful weapon which you can use to change the world”

Nelson Mandela, 2003

Preface

This thesis represents the ending of the Master of Environmental and Infrastructure Planning at the University of Groningen. The progress of my master program was slightly contradictory. The first part, the courses and exams, went seemingly easy. The second part, the realization of this thesis, rather laborious. Finally, after a slight delay, the final result is here.

The topic of the thesis resulted from a personal interest in the apartheid regime in South Africa. Furthermore, discovering the unknown has always been of great interest to me. South Africa is a nation that during my entire school career has never been the subject matter, which I think is curious. In the recent past, remarkable things happened there. Especially for urban and environmental planners it is a unique case. Because I was quite unfamiliar with South Africa and the relation between apartheid and environmental planning, it seemed like (and was) a challenge to be subject of research.

After reading about South Africa, apartheid and planning I found remarkable literature, for example about the relation between beer and the apartheid policy. But I still had no specific idea for my research. Then I discovered the movie 'Jerusalema'. This movie entails the story of the suburb Hillbrow, located in Johannesburg, and the transformation that it has undergone after the abolishment of apartheid. This is where my thesis started to progress. The result is a quite detailed research on the Hillbrow neighbourhood and the identification of the planning instruments that influenced the transition that appeared in Hillbrow. Because this is just one single case, generalization of the results is difficult. The conclusion of this research can therefore be strengthened by further research.

The knowledge acquired during this research has made me realize that environmental planning is a strong tool in guiding the society. South Africa under and after apartheid is the proof of this. In essence, and in line with Nelson Mandela's quote, education provides new insights.

Summary

The goal of this thesis was to identify the instruments that were used within the South African planning culture and are leading in the transition from top down towards bottom up planning after the abolishment of apartheid. Within this goal there are five themes of importance; planning approaches, planning cultures, historical background of South Africa, planning and governance during apartheid and key apartheid Acts. These themes are discussed within the theory chapter and the relationship among them was made clear. The theory chapter formed the basis for the research.

The methodology chapter discussed the danger of subjectivity in research and the characteristics that are needed to perform a scientifically valid research. Furthermore it was explained that this study will be applied research with descriptive research objectives. Within this descriptive nature of research, there is an analytical undertone. Literature sources are used and analyzed to describe phenomena. The type of information that is used is qualitative. The methodology chapter ends with theory on the use of case studies. Main point is that case study research is useful for gathering data and knowledge, and that with many cases generalizations can be made.

The Hillbrow neighbourhood in Johannesburg was chosen as main case for this research. There were several reasons for choosing this case. One of the main reasons is that it has undergone a great physical, demographical and socio-economical transformation. It changed from a predominantly white, middle class neighbourhood towards an almost entirely black inhabited neighbourhood. This is quite unique within South Africa. Other characteristic points are the high population density and high crime rates.

The case study is logically structured. At first an introduction is given on the neighbourhood. Then the case focuses on the physical change and housing and the following section continues with planning and governance issues. The last part of the case deals with the regeneration of Hillbrow. This last part is of great importance because the changes over time in Hillbrow became obvious.

It has been found that the relation between environmental planning and apartheid in South Africa was very narrow. During the apartheid regime, environmental planning was used for the physical separation of races and the protection of economic, social and spatial interests of the white inhabitants. After the abolishment of apartheid the goal of environmental planning changed. The need to protect the white interests was no longer there. The legacy of apartheid needed to be erased.

Hillbrow is characterized by the fact that already before the abolishment of apartheid minority groups moved into the neighbourhood because of the housing shortage in the fixed areas. Just few years after the abolishment of apartheid, the neighbourhood was predominantly inhabited by former discriminated racial groups. This had great influence on environmental planning and the mindset within the planning culture. The process towards a non racial, democratic local government appeared to be difficult. In the transitional phase after apartheid (1994-2001), there were few planning initiatives within Hillbrow. This period is characterised by the declining of Hillbrow and the increasing density rates of residents and rising criminality. Not until 2001 the local government boundaries were set and the first democratic elections took place.

In 2030 Johannesburg needs to be a 'world class city'. An impressive list of policy plans is developed with mid- and long-term visions to achieve this goal. In the plans, Hillbrow is very underexposed and just few initiatives for rejuvenating the neighbourhood are mentioned. Hillbrow can be characterised as 'developmental black hole' because over the years there were almost no developments. There are few signs of a bottom up planning approach in Hillbrow. For most part this can be blamed upon the fact that planning initiatives are scarce, this being the fate of Hillbrow.

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1. Introduction

In the first chapter the aim of this research is made clear and the background of this study is clarified. In the remainder of the chapter the problem statement and research objective are defined. This resulted in five research questions that are the key for the rest of this research. Finally the main points of methodology are discussed. They are further dealt with in the third chapter.

1.1 *Aim of research*

The aim of this research is to identify the factors in the planning culture that were leading in the transition from top down towards bottom up planning in South Africa (SA). These factors are planning instruments that were used within the planning system, such as laws, rules, policies and mindsets on planning over time. A familiar example is the prohibition for African inhabitants of South Africa to live in certain areas who were reserved for white people only. The case of the Hillbrow district in Johannesburg is used to validate to what extent these planning instruments reflect in practice. Goal is to advise on what instruments can be improved, to stimulate a more bottom up planning approach in South Africa.

1.2 *Background*

The summer of 2010 was the scene of the World Cup football. All over the world, millions of people watched the matches that were broadcasted and many fans travelled towards the country where this event took place. It is by most people known that this country is the home of the 'Bafana Bafana', the South African football team.

South Africa hosted the tournament and presented itself before and during the tournament as a safe nation with good facilities. It also wanted to express itself as a new, pre-development, democratic nation. South Africa wanted to present itself as modern and developed nation which is one step ahead of other African countries. To demonstrate this, promotion movies were made which intended to convey the public that all people in SA were involved; rich, poor, white and black. The world had to see that the country was a united nation which had led apartheid far behind.

During the tournament only few problems appeared and the general impression that aroused to the world was that SA was indeed a safe, democratic country and that regardless of origin, everyone in the society was equal and had the same chances and opportunities. SA was cheering for the 'Bafana Bafana'.

But SA still remains the country that is well known for its apartheid regime. The apartheid regime lasted until 1994, only 18 years ago. This regime was characterized by segregation between the white and black inhabitants of South Africa and had its reflection in all strata of society.

One of the most important tools of steering the apartheid was environmental planning. Comprehensive development plans determined where white and black people were allowed to live and where facilities and jobs were located or allowed. This forced the black inhabitants of SA to live in areas where there were no jobs and facilities. Housing was poor and the black people had no or few legal and social rights. The phenomenon 'apartheid' became known all over the world, sadly in a rather negative way.

In the 18 years after the abolition of apartheid, it appears a transition took place in SA. At the World Cup this had to become obvious to the world. South Africa presented itself as a country where there was no longer segregation and wanted to propagate that great changes had been made. It appeared

that all inhabitants were involved in the World Cup tournament, something that should be the case in environmental planning and governance in general in SA nowadays.

The world observed South Africa as a modern, developed country. And maybe really a step further in development than other African nations. But can a country manage to accomplish a complete reversal of policy in just 18 years, and if they have, how did they do it? Another important question is whether the SA shown to the world at the World Cup really is the reflection of society today? Do all inhabitants of South Africa have the same rights and obligations and is there equity in environmental planning in contemporary SA?

1.3 Problem statement

During the apartheid regime, environmental planning and development in general was a central, top down, form of governance. It was used to steer apartheid and to strengthen the segregation between different groups in society.

The apartheid regime made it that development in SA has become a political contested issue (Watson, 1998). Healey (1997) argues that societies such as South Africa (multicultural, fragmented, conflictual and complex), need a different way of thinking about decision making and planning. This is especially the case after apartheid was abolished.

Therefore a switch is made in the South African planning culture. A bottom up planning approach was introduced. After reading lots of literature on South Africa, surfing the web and having deepened in on SA it appears that in just 18 years, South Africa managed to change their planning culture compared to the apartheid era.

The change toward this new bottom up planning approach is very complex. A lot of factors play a role and many changes were needed in different policy fields to achieve the (seemingly) transitions from top down towards bottom up planning. There is little insight on the factors in the South African planning culture and the instruments used. This study therefore tries to identify the instruments within the South African planning culture that were used for this transition.

1.4 Research objective

The objective of this research is to identify the instruments in the planning culture that were used to realize the transition from top down towards bottom up planning in South Africa. After the identification of these instruments that were used in general, the research will focus on to what extent these instruments reflect in the Hillbrow district in Johannesburg. These instruments can be laws, rules, systems and the mindset on environmental planning. The impact of these instruments in practice is identified by using the case of Hillbrow.

Goal of this study is to identify the instruments which were used within the South African planning culture and are leading in the transition from top down towards bottom up planning. Also points of improvement will be discussed.

1.5 Research questions

To achieve the objectives that are mentioned previously, this study will answer the following questions:

- *What was the relation between apartheid and environmental planning in South Africa?*
- *What are the characteristics of the South African planning culture in the different phases of apartheid?*

- *To what extent, changes have been made from top down towards bottom up planning in South Africa?*
- *How do these changes in planning culture reflect in the Hillbrow district and how do we account for these changes?*
- *What factors can be improved to strengthen the bottom up planning approach in South Africa and especially in the Hillbrow district?*

1.6 Methodology

This study can be placed within the social sciences. Within the social sciences there is always a matter of subjectivity. To reduce subjectivity to minimal proportions within this study, it is important to use scientific sources. Other factors that are of importance for a external and internal valid research are that it has to be controlled, rigorous, systematic, valid and verifiable, empirical and critical (Kumar, 1999).

The nature of this study will be applied research with descriptive research objectives. The type of information that will be used is qualitative. This qualitative data are second hand sources such as scientific publications, books and government publications. Methodology on the case study is validated by theory of Flyvbjerg (2006) who argues that case research outcomes can be used to get insights on a particular field, subject or society.

The methodology used for this research is comprehensively set out in chapter three.

1.7 Report structure

The *second chapter* will address to the main themes of this thesis. These are apartheid, the South African planning culture and the shift from top down towards a bottom up planning approach. The theory chapter will enlighten these three themes. A first step will be made to get insight in the relation between the South African planning culture, apartheid and the shift in planning policy that is made.

In the *third chapter* the methodology and methods used in this study will be discussed. The methodology and methods are based upon theoretical arguments and should improve the validity and reliability of this research.

Chapter four will give an introduction of the case study, in which the Hillbrow neighbourhood in Johannesburg is researched. The developments in Hillbrow over time, before and after apartheid, will be chronologically explained. The relation between apartheid and environmental planning will be made clear and the characteristics of the planning culture will be set out.

In the *fifth chapter* the analyses of the case study will be made. Aim for this chapter is to identify the instruments that were used within the South African planning culture to reform the planning approach from top down towards bottom up in Hillbrow, Johannesburg. An additional goal is to check whether there are shortcomings within this process.

Finally the *sixth chapter* will provide the *conclusions* of this research and the theory and implications for policy will be reflected. The chapter will close with recommendations for future research.

2. Historical background, planning approaches, systems and cultures

This chapter starts with theory on planning approaches and systems. The definitions of top down and bottom up planning will be determined. They will be illustrated with some examples. Subsequently it is set out how planning cultures can be defined and what characteristics can be distinguished. This is explained with theory on planning cultures and with a few brief examples who will clarify these characteristics. The aspects of planning cultures that are important for this study will be pointed out.

This chapter will end with an overview of the creation of (racial and spatial) segregation and apartheid in South Africa. First a historical overview is presented with the most important developments on socio-political level. These developments will lead to the introduction of segregation and apartheid. The notions of apartheid and segregation will be made clear. To conclude there is a section that discusses the planning system and culture during apartheid.

2.1 *Planning approaches*

Within the history of spatial planning different planning approaches and discourses have been dominating. These shifts in discourses are a much discussed subject in literature. Authors like Alexander (1992), Healey (1997 and 2006), De Roo (2007) and Voogd & Woltjer (2010) discuss these changes in paradigms. Main point of discussion is the shift from a rational and technical approach towards a communicative and collaborative approach.

Voogd & Woltjer (2010) distinguish five main stream approaches of planning typologies. These typologies are highly connected with planning systems.

- *Rational / comprehensive*

Planning is a rational, systematic and comprehensive activity. Problems are solved in a scientific manner. The planning process is a tiered system that is accurately implemented. The government plays an important role within planning.

- *Disjoined / incremental*

Instead of a rational comprehensive approach, a more incremental approach is used. Problems are solved more ad hoc and sometimes independently. With the latter often referred to Lindblom (1959) whom phrased this as 'muddling through'.

- *Advocacy*

Planning is established through the different views of different interest groups. These interest groups are all fighting for their own interest. The government can only play a role within the planning process if they also advocate their interests.

- *Communicative*

Communicative planning is driven by interaction and communication between stakeholders. The goal is to create a broad base for decision making. Decisions are not made through rational, systematic handling but through interaction and agreement. Rationality is validated by the consensus on decisions.

- *Institutional*

This approach is in line with the communicative approach. However, within this approach the specific social and historical context is of great importance in decision making. Not interaction itself stands central but the context in which this interaction takes place.

From these five discourses or approaches two will be highlighted; the rational or comprehensive approach and the communicative approach. They are, in a sense, polar opposites. The rational, comprehensive, can be seen as a top down planning approach. Communicative planning at the other hand is a far more bottom up orientated planning approach. These two approaches are highlighted because within the planning approaches they can be seen as two extremes that face each other. All other planning approaches lie between these two extremes. This can be best show graphically as done by the De Roo (2007) in the figure below;

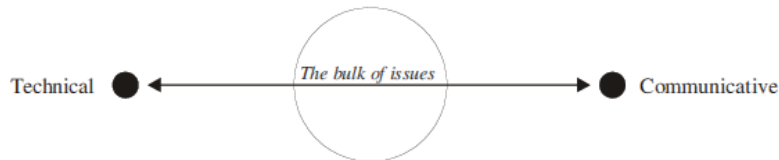


Figure 2.1; Technical versus communicative (De Roo, 2007, p.110)

The figure shows that both planning approaches are at the other ends. De Roo (2007) identifies them as “extreme approaches” (De Roo, 2007, p.110). He there explains the technical approach as technical rational for very simple cases with a high degree of certainty and control. At the other end there is the communicative approach “for very complex cases where uncertainty prevails, particularly in relation to actors perceptions, motivations and behaviours” (De Roo, 2007, p.110).

Planning in South Africa before and after apartheid has a similar divergence. During apartheid planning was used to steer apartheid and control within planning was dominant. Afterwards it was used to erase the traces of apartheid and uncertainty was the dominant factor within planning. This will become clearer in the subsequent chapters.

Top down planning versus bottom up

- *Top down*

The top down planning approach is characterized by the thought that if in the planning process all information is known at forehand, the outcome and final results will be clear and predictable (De Roo, 2007, p.110). This means that planning is fully rational, systematic and comprehensive. This planning approach is also known as ‘blueprint planning’ because at forehand the entire planning process is thought out. Another character is the technical and functional aspect. De Roo (2007) visualizes the planning process as followed;

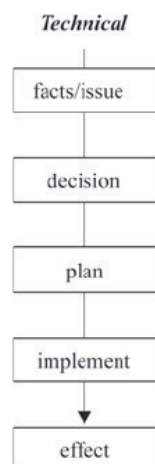


Figure 2.2; Technical planning process (De Roo, 2007, p.110)

De Roo (Planning Theory Course, 2010) further characterizes the top down planning approach as operational, action orientated, clear standards and objectives and the focus of the plan is obvious. There was an explicate linkage between means and ends.

An example from practice is Europe after the Second World War. With the ending of the war a top down approach was needed to rebuild Europe. In the Netherlands this led to a strong government led planning system. This was an efficient and functional approach to rebuild the country and to solve the housing shortage as soon as possible. From national level the development was controlled. The role of the planner was to be the expert and technician with an eye for detail. The planner was the one to set up the plan towards a blueprint level.

- *Bottom up*

The most used form of bottom up planning is the communicative planning approach. This approach is an outflow of technical, rational, top down planning. With the need for more flexibility, the influence of market forces and public-private partnerships, the top down approach fell short. And also the fact that it was clear that a fully controlled planning process was a utopia. It became clear that there were uncertainties in the planning process that could not be controlled at forehand.

Furthermore there was need for flexibility in respect to regional and local interpretations of rules and regulations. This resulted in the creation of a more communicative, bottom up steered planning approach. Within this approach actors at regional and local level are involved in the planning process. The creation of broad support of actors plays an import role (De Roo, 2007). Figure 2.2 visualizes the communicative planning process;

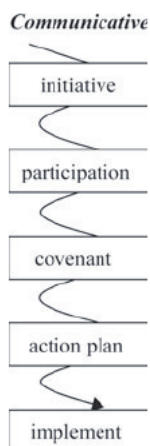


Figure 2.3; Communicative planning process (De Roo, 2007, p.112)

The approach is further characterized trough self regulation, bottom up, shared responsibility, emphases on the process, custom made and public support (De Roo, Planning Theory Course, 2010). The role of the planner is to consult, substantiate, negotiate and build consensus. He needs to deal with uncertainties.

In contemporary planning a communicative approach is often used. The central government no longer has the executive power within the planning process. A tiered system ensures that the planning process also takes place on regional and local level. Stakeholders are involved within the planning process and a more context based plans are made. Also a more comprehensive approach is used; in the development multiple policy fields are combined.

Discussion

In literature there is an ongoing discussion about planning theoretical matters. Different authors recognize different advantages and disadvantages within the different approaches. It should therefore be clear that the top down and bottom up approach as described have their downsides and comments can be made on both. In contemporary planning a communicative approach is far more used and accepted in most countries. This does not automatically mean that it is superior to the rational top down planning approach. In some cases this approach can be far more effective, such as in times of crisis. After the hurricane Katrina destroyed New Orleans a top down planning approach was necessary to act quickly and effectively. Afterwards a more communicative solution was chosen to ensure sustainability on the long term.

Box 2.1; Planning theory discussion

2.2 Theory about planning cultures

Within planning, planning cultures play an important role. Many countries deal with planning on their own way. Some countries have much influence on the environmental planning on all tiers, but others are not that keen on steering environmental planning. In Europe there are quite some differences between countries and their planning cultures. Even within countries there can be great differences on how to deal with planning. An example of this is Belgium. This country is divided by a language barrier what causes major problems in planning and specifically the alignment. In literature there are many striking examples. Planning cultures say something about the nature of planning. Important questions are the degree of control, participation, democracy and the legal anchoring. In the remainder of this section the characteristics of planning cultures will be discussed.

The definition 'planning culture' does not immediately explain itself. It has a broad meaning and can be interpreted in different ways. When thinking of a culture, people most likely think of the values and customs that are established by inhabitants of a country or region. Or the customs that are usual within certain religions. Planning is associated with the systematic preparation for the realization of infrastructure or facilities (Voogd & Woltjer, 2010). Planning also has a rational meaning (Alexander, 1992). Thinking on how to plan matters instead of acting unprepared. Combining these two then leads to some sort of definition or explanation. One then can say that the definition 'planning culture' can be defined as *'the values and customs that are used, in the systematic preparation for the realization of infrastructure or facilities, in a certain country or region'*.

In literature planning cultures are often referred to and in many cases planning cultures are compared. Sanyal (2005) argues that there are a lot of differences in how planners in different nations influence urban, regional and national development. The next question that comes up is of these differences are the result of differences in planning cultures.

Sanyal (2005, p. 3) describes 'planning culture' as *"the collective ethos and dominant attitude of professional planners in different nations towards the appropriate roles of the state, market forces and civil society in urban, regional, and national development"*. This definition however, is broad and says little about the contextual factors that are of important for characterizing a planning culture. These contextual factors can be for example the degree of control or the degree of participation.

A planning culture has its reflection on a planning system and these planning systems are shaped by contextual factors. In the EU Compendium (1997) these contextual factors are related with traditions in spatial planning, meaning the planning culture of a specific planning system. The identification of these contextual factors are difficult because there is a deep relation between the arrangements for spatial planning and socio-cultural and even linguistic aspects of the society. In the EU Compendium this complex relation, and the many variables that can be used to characterize a planning system or culture, are narrowed to seven factors. They are listed and shortly clarified (EU, *compendium of spatial planning systems and policies*, 1997);

- *Scope of the system*

This concerns the extent of integration between the spatial planning system and other policy topics and fields. Also the alignment between different policy fields on investments in spatial planning and other fields are part of this scope. There is a fundamental difference between planning systems that integrate social and economic planning with spatial development and those who are more focused on just controlling land use. The Netherlands for example integrates economic, social and spatial development. During the construction of a highway it is not just looking at the fastest way from point A to B. It is also about the consequences for the surrounding nature, inhabitants, employment etcetera. Different policy fields are integrated within planning.

- *Extent and type of planning at national and regional levels*

The extent and type of planning on different government tiers vary within different planning cultures. On municipal and regional level there are often general framework plans and regulation instruments. In different planning cultures however, there are in many cases differences on national level. In some cases there are national planning strategies and in others none. In the United Kingdom the government just writes guidelines for local governments. Local governments need to validate their plans with these guidelines. In the Netherlands the government writes far more detailed plans for regional and local governments in comparison with the UK.

- *Locus of power*

The locus of power relates to the extent in which the planning system is centralized, regionalized or localized. In contemporary planning there is a trend towards decentralization. The locus of power of a planning system can tell much about where the power is greatest and also decisive. A striking example can be found in China. The power within the planning system is centralized and decisive power lies here.

- *Role of public and private sector*

Public and private investment is important for development. The division between public and private investment is significant and tells a lot about the extent to which development is plan-led or market-led. In some countries spatial planning and development is very plan-led and the role of the government is predominant. In other cases the government is more focused on development from the market. In African countries there are multinational companies who in return for the extraction of natural resources construct infrastructure. This is collaboration between government and private investors.

- *Legal framework*

The legal framework of a planning system (culture) concerns the nature of the law system and the Constitutional provisions and administrative traditions. For example to what extent plans and policies are binding or the legal rights that one has in relation to land or property. In the Netherlands the planning system aims at the protection of civilians. Rights and obligations are legally established and cannot be changed easily.

- *Maturity and completeness of the system*

This is related to things like the degree of acceptance by the public for the need for regulation and planning, the provision of up to date policy instruments, the degree of vertical integration and the extent of cooperation between levels of administration. To get to the stage of a mature and complete planning system, there is of course a time factor that is of importance. Most developed countries have mature planning systems. Laws and regulations are accepted and most people understand that planning is necessary. But it needs to be said that in most countries with mature planning systems the living standard is high and that there is no need for slums or deprivation, or proliferation of buildings.

- *Distance between expressed objectives and outcomes*

This concerns the extent to which actual development is in accordance with the stated spatial planning objectives and policies. This is essentially the ability to act in a planning system or within a planning culture. The creation of planning is good but it is ultimately the implementation and results that count.

The seven contextual factors mentioned above will be the basis of terms on what the context of a planning culture includes in this study. With the help of these seven factors the South African planning culture can be characterized in the different phases of apartheid. These seven contextual factors will serve as a framework, on which can be reflected. In the next section a historical overview is given of the most important developments on socio-political level. The creation of racial and spatial segregation and apartheid will be made clear. This also gives an introduction towards the relation between apartheid and spatial planning.

2.3 History of South Africa

In literature on the history of South Africa there is often a classification made based on developments in time. This is done by authors such as Prinsloo et al. (1999), Swilling et al. (1991) and Lester et al. (2000). In this chapter the sequence that is mostly used in literature will be followed.

1652 - 1900

A key date that is mentioned by the different authors mentioned above is 1652. This is the year that the Dutch established a mainland base in the Cape of Good Hope (Prinsloo et al., 1999; Lester et al., 2000). The aim of this was to provide the Dutch East India Company sailors, who were passing the Cape, with food, water and medical care. The arrival of the Dutch in the Cape is often seen as the beginning of South Africa.

The Dutch colony expanded during the years and this had great influence on the social, economic and political developments. The Dutch controlled the colony in authoritarian way and the base of (racial) segregation was built here (Prinsloo et al., 1999). Slavery, at that time, was an accepted form of labor, at least for white Europeans. In South Africa there was an abundant amount of land but labor was scarce. Therefore slaves were imported from India, East Africa, Indonesia and Madagascar. By the year 1808 there were about 63.000 slaves employed in South Africa (Shell, 1994 in Lester et al. 2000). Eventually, in 1795 the Dutch lost control of the colony to the British (Prinsloo et al., 1999).

The British took over the power in 1795 and in the years following, they interfered at minimal expense with administering the colony. But after 1815, when the British defeated Napoleon, they gradually started to intervene in administering their colony. The rise of the British middle class and their growing economic, social and political influence was of great importance in this change of policy. In 1834 slavery was abolished. The upcoming free market economy was one of the reasons for the abolishment together with religious ideas about slavery (Lester et al., 2000). Slavery did not fit the values which were part of the emerging free market economy. Labor ought to be rewarded with pay. Within religion all people ought to be equal and therefore slavery fell into disrepute.

After the abolishment of slavery, the former slaves and Khoikhoi workers (natives who were put to work) were classified as 'Coloured'. Although they were 'freed' from slavery, the most lacked access to productive land and capital. An independent existence therefore was very hard. They were also discriminated with seeking residential plots in towns and were forced to live in impoverished areas. In 1841 the Masters and Servants Ordinance was introduced by the colonial government. This made the situation of the Coloured people worse. This ordinance described the labor relation between the master (employer), who were predominantly white, and the servants. The servants were

predominantly former (black) slaves. The ordinance prescribed criminal penalties for laborers who broke their terms. For employers there were more gentle punishments. Misconduct or desertion by slaves could even lead to corporate punishments. Lester et al. (2000) summarize the changes in one sentence;

"The first major transition within colonial society, marked by the abolition of slavery then, meant simply a shift from one system of dominance to another" (Lester et al., 2000, p.69).

Another important event in the period between 1652 and 1900 is the so called 'Great Trek'. The Great Trek is the migration of the Cape Afrikaners (who are descendants of the Dutch, also mentioned in literature as 'Afrikaner') in the period 1834 - 1838. The migration was the result of frictions between the British and the Cape Afrikaners. Push factors for the migration were the liberal policies of the British in areas such as the freeing of slaves, and also the economic difficulties experienced by many inhabitants of the Cape. Pull factors to leave the Cape were the need for land and a supply of labor (Prinsloo et al., 1999). Also the replacement of many Cape Afrikaner representatives by British governors and officials was one of the reasons for the mass migration (Lester et al., 2000, p. 74).

In the period between 1834 and the mid- 1840s about 10.000 – 15.000 Cape Afrikaners established new colonial communities in the interior. They saw much of the interior as 'empty land' over which they wanted control. Native kingdoms such as the Zulu and Ndebele however, did not feel to give up their kingdoms. The result was the creation of pitched battles between the natives and the Cape Afrikaners. But the most preferred way to gain control over land was negotiation (Lester et al. 2000).

By the 1850`s the Cape Afrikaner power in the interior became centralized in coherent republics such as trans-Vaal (known as the South African Republic after 1859) and trans-Orangia (known as Orange Free State after 1854). In the South African Republic (SAR) and the Orange Free State (OFS), Africans were denied citizenship, and there was a strong hierarchy based on race (Lester et al., 2000).

The discovery of minerals such as diamonds (1860`s) and gold (1880`s) had great influence on the spatial patterns of contemporary South Africa. The discovery of these resources renewed the British imperialism and also stimulated immigrations from Europeans and the inflow of black migrant workers. The mining industry led to the formation of new urban settlement and this created demand for labour. This also caused growth of the agricultural sector. The result was a capitalistic and industrial industry with high degree of white control over production and a racially divided labour force (Prinsloo et al., 1999; Lester et al., 2000; Mabin, 2001).

At this time, there was still the conflict between the republics founded by the Cape Afrikaner (SAR and OFS) and the British. The 'mineral revolution' sharpened this relationship and in 1899 the South African War began.

In 1902 the Cape Afrikaner lost the war and peace was signed with the Treaty of Vereeniging. The treaty had far reaching consequences for segregation in South Africa. The former South African Republic and the Orange Free State were promised self-government by the British and they were also allowed to retake their lands that were taken in the war by Africans (Prinsloo et al., 1999). In 1907 the states (Orange River Colony what was the former OFS and Transvaal) were restored and former laws, such as 'white only citizenship' were reintroduced (Lester et al. 2000).

Also the British policies were more 'white orientated'. They wanted to control the labour force and wanted to exclude the majority of the population from political power (Prinsloo et al., 1999). The British and Cape Afrikaner had the mutual determination to protect white political and material

privilege from black threats. Other mutual interest were the development of the economy, and with the integration of the various pre-war states, a much greater economical area originated (Lester et al., 2000).

The mutual interest of the British and the Cape Afrikaner states led to the arise of the South African Union in 1910. Although in the former British states (the Cape and Natal) the non racial franchise was still valid and never extended to the Union as a whole (Lester et al., 2000).

1910 - 1948

The constitution of 1910 united South Africa. There was one (white) government. The main goal of the South African Union was to establish economic growth and to resist black influence. The state was not (yet) independent from Britain (Prinsloo et al., 1999)

Prinsloo et al. (1999) place the period after the unification of South Africa as the era of segregation. The era before apartheid was formally in effect. In the period after 1910 there were several laws introduced by the white government that strengthened the position of white inhabitants of South Africa. Examples are the Land Act (1913), Natives Act (1923) and the Native Consolidation Act (1937). In annex A a more extensive overview of influential laws will be added and in section 2.5 the most influential laws will be explained. These laws had great influence on the African, Asian, black and Coloured communities, because the laws put restrictions on those groups in the society. For example the prohibition of living in certain neighbourhoods.

The precursor of apartheid was shaped in this period. The mix of government policies and social practices were designed to regulate the relationship between the different racial groups. Prinsloo et al. (1999) also mention that it was not only the segregation between black and white but also the Coloured, Indian and Asians were target of racial segregation.

Lester et al. (2000) also point out that capitalism played an import role. The exploitation of the mining industry was a major policy of the government at that time. This involved the gathering of a workforce which existed out of black workers and immigrants. Strict rules were introduced for these workers, for example the prohibition of liquor. Racial segregation and the political and economic exclusive power for the Afrikaners was legitimated by Darwinian evolutionary theory by the Afrikaners themselves at that time. The concepts of 'adaption and survival of the fittest' and 'struggle between species' explained and legitimated racial differences at that time (Lester et al., 2000).

"Those who governed did so because they were best designed, biologically, to govern"
(Lester et al., 2000, p.133).

Nowadays we know that this ideology is irrational and unfounded. All people are equal to each other and it does not matter what racial roots they have. Back in the time this 'theory' that supposed to legitimate white supremacy can now be seen as a cover up for the financial interests the white people had.

There are different views on segregation and the reasons it was implemented or introduced. This is also pointed out by Prinsloo et al. (1999). They conclude that whatever was the exact reason for segregation, that it is certain that it was based on racial differences. And it was on this basis that the term 'apartheid' was introduced in 1948 by the Nasionale Party. Lester et al. (2000, p. 171) agree upon this and mention "*apartheid was never based upon a consensual master plan*".

1948 - 1994

Prinsloo et al. (1999), Swilling et al. (1991) and Lester et al. (2000) all mention the year 1948 as the introduction of apartheid. This is obvious because this is the year that the Nasionale Party (NP) won the election with a narrow majority in votes.

The victory of the NP was for most part the consequence of the relaxing of segregation in the period of the Second World War. This concerned the Afrikaner working class as well as the Afrikaner intellectuals. The policy of the NP was based upon this relaxation of segregation. They wanted to protect the white exclusivity on all different levels and wanted to protect their financial interests. With the NP governing the country, the segregation that already existed was more effectively and formally established. In 1961 South Africa became a republic after getting out of the Commonwealth. The NP further exerted control over all aspects of life. Political activities were made illegal and non whites were politically disenfranchised. Also a great number of laws assured the institutionalization of segregation into apartheid (Prinsloo et al., 1999, Swilling et al., 1991 and Lester et al., 2000).

The laws introduced after 1948 had many influence on the spatial layout and structure of South Africa. One example is the creation of self governing homelands. These homelands were created to house the majority of the black population of South Africa. This idea and policy was legitimated with the term 'separated development' (Prinsloo et al., 1999, p.32).

In the period 1948-1994 the African National Congress (ANC) made name in South Africa. The ANC resisted against the NP policies and therefore introduced the Freedom Charter, what was their basis of anti-racial ideology. Because the Africans were politically disenfranchised, they needed conventional ways to resist against the NP policies such as strikes, civil disobedience, stay-a-ways and boycotts. The ANC would later have a great role in the dismantling of apartheid (Prinsloo et al., 1999).

In the 1970s and 1980s the resistance of the Africans increased. Their demands for more rights, freedom and equity slowly gained effect. The white government eventually had to made concessions and some laws were eased (such as the review of homeland policy and educational compensation). Next to the internal pressure on the apartheid's system there was an increasing international pressure on South Africa's apartheid's policy (Prinsloo et al., 1999).

In 1990 the NP's leader, President F.W. De Klerk, announced the unbanning of the ANC and released their leader from prison, the later President Mandela. This point meant an impasse in the apartheid era. In 1991 negotiations started between the ANC and NP about a new Constitution. After three years of negotiations, in 1994 the first democratic elections were hold, with the ANC ending as the greatest party (Prinsloo et al., 1999).

The relation between apartheid and spatial planning in South Africa will be further set out in chapter 3 of this study.

1994 - Present

In 1994 the apartheid was finally formally abolished. This meant the ending of apartheid and the racial and spatial segregation in South Africa. After the apartheid era, a transition took place in South Africa towards democratization. In this thesis this era is particularly of interest because the shift in urban planning. From a top down approach towards a bottom up planning approach. The spatial consequences of this change will be further explained in the fourth chapter. In the next section planning and governance during apartheid will be discussed. This planning approach during apartheid is the basis from which changes were made towards a more bottom up approach. To identify these changes the Hillbrow neighbourhood in Johannesburg will be subject of study.

2.4 Planning and governance during apartheid

The nature of local government in South Africa lies in the tradition of top down delivery of technical nature with strong administrative control. This centralized system was needed to implement and control apartheid throughout the country and control population movement. Within this system the local authorities are strongly hierarchical and accountable for most issues to provincial (regional) administrations. Local councils have modest responsibilities and just six percent of the total public tax is raised by it. Local councils should take care of maintaining 'concrete, pipes and pylons' for water, sewerage and electricity. They are also responsible for the disposal of waste, regulating traffic, parks and leisure facilities, public health, land-use, motoring and trade activities. Matters as education, economic development and social services are the responsibility of higher powers (Turok, 1994). Turok (p.247) emphasizes that *"centralized provision of physical services, the ethos of regulation and institutional fragmentation mean that local authorities are ill-equipped to plan and manage the overall development of their towns and cities"*. Furthermore he argues that in this planning culture there is no tradition of collaborating with other public, private or community organizations.

This top down approach was illustrated by the fact that all local planning ordinances, area plans and development control decisions had to be approved by provincial authorities. The Group Areas Act was the leading object which development should be concentrated on. Within the planning process there was no room for public consultation or participation. The local planning departments were responsible for preparing 'guide plans' (sub-regional land-use zoning schemes), which served as master plan for future development. These plans were unambiguous and had to be consistent with government standards. Planning authorities were also in charge of private development, but shapes and densities of these needed to be in line with regulations (Turok, 1994).

In essence apartheid planning can be seen as blueprint planning and has much in common with project management techniques used in large scale engineering schemes. The goal of planning during apartheid was clear; the physical separation of races. Because the goal of planning was clear, there was no need to weigh alternatives. This resulted in the ignorance of external effects such as social and economic implications. Eventually, planning was for most part the protection of white privileges. Zoning schemes therefore were in service of the white South Africans. Figure 2.4 illustrates this. The figure illustrates that the white areas are divided from other areas. There are buffer zones such as railroads, highways and industrial areas (Turok, 1994).

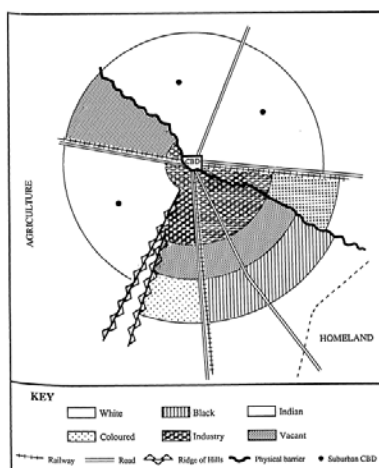


Figure 2.4: Zoning scheme of Johannesburg (Turok, 1994)

2.5 Key apartheid Acts

The apartheid in South Africa was based upon the ordering and control of the society on racial grounds. White interests were leading over all other racial groups in society. To enforce the apartheid regime there were several laws introduced. The five most important Acts, identified by Lester, Nel and Binns (2000) will be discussed;

- *Population Registration Act, 1950*

This Act enhanced the classification of all persons in South Africa into a discrete racial group. After all people were 'classified' according to their race, they could be assigned to a specific area to live and various discriminatory measures were undertaken against them. The main groups were the White (Also referred to as Afrikaner), black (African), Coloured, Indian and Asian (Lester et al., 2000).

- *Group Areas Act, 1950*

After people were classified in terms of the above mentioned Act, it was possible to assign these groups to racially homogenous areas. After the Group Areas Act was introduced, each town was divided into racially separated areas. It led to the forced removal of people from one area to another (Lester et al., 2000).

- *Natives Act, 1952*

This Act imposed rigid controls on African people and restricted their rights to stay in white classified neighbourhoods. The Hillbrow neighbourhood in Johannesburg was for example a white classified neighbourhood. A pass system was introduced, what compelled that all Africans had to carry a permit detailing where they could reside. The system also forced workers to leave their families and work in rural areas in mines or other industries (Lester et al., 2000).

- *Reservation of Separate Amenities Act, 1953*

The Reservation of Separate Amenities Act was the legal basis to ensure that all public and many private facilities were for the exclusive use of individual racial groups. Examples are the use of beaches, busses, trains and even toilets by specific racial groups. Whites always had the exclusive use of the best facilities, unlike the black people in South Africa (Lester et al., 2000). Figure 4.4 gives a striking example of segregated facilities in SA;



Figure 2.5; "Segregated beach near Cape Town" (United Nations Photo, 2012).

- *Bantu Self Government Act, 1959*

With this Act the government of South Africa wanted to establish the territorial division of the country into a predominantly white owned state. For other groups, the so called 'Bantustans' or 'Homelands' were introduced. These areas were supposed to be 'self-governing' and in some cases even 'independent'. One of the main reasons for introducing these areas was that it legitimated the denial of South African citizenship for Africans, according to the white government of South Africa. Many of

the homelands grew to be slums. They were isolated from services, facilities and jobs (Seeking, 2000; Lester et al., 2000). Figure 4.5 illustrates the forced movement of people to homelands;



Figure 2.6; "Children of Ekuvukene, which is a "resettlement" village in Kwazulu "homeland", Natal. Millions of black South Africans have been forcibly resettled in such villages called black "homelands" since 1948, the largest force movement of people in peacetime history" (United Nations Photo, 2012).

3. Scope of study and research methodology

3.1 Scope

The scope of the study will relate to identify the instruments of the South African planning culture that influenced the transition from top down towards bottom up planning. After the identification of these instruments, it is examined to what extent these reflect in the Hillbrow district in Johannesburg. Estimation can be made in what phase of the transition SA is in and what instruments should be improved to strengthen bottom up planning. The South African transition can be a good example for other countries on how to evaluate towards a bottom up planning culture.

3.2 Methodology

Within the world of research are many contradictions. One of them is the difference between the physical and social sciences. Research within the physical science is characterized by the strict control of each step that is taken in the research. In social science this strict control cannot be expected and sometimes cannot be demanded (Kumar, 1999, p. 6). This lack of control (subjectivity) is also found by Baarda et al. (2005). They recognize that within qualitative research, variables are difficult to control.

Because physical (non-social) research is characterized by strict control in each step of research, it is more objective and quantitative of nature. Often experiments are conducted, for example the change in temperature on different altitudes. The outcome of the experiment is quantitative data which is obtained objectively by measurement. Within the social sciences there is lack of control within these research steps. Social sciences for example describe and try to explain and account for human behaviour. The outcome of this kind of study is subjective and qualitative of nature.

For this study this means that outcomes will be subjective. Because sources from second hand will be used, such as literature, documents and online publications, these will be interpreted by the author. The interpretation of literature in such cases is always subjective. Subjectivity in research can be dangerous because invalid conclusions can be drawn. In this study it is tried to be as objective as possible, by consulting various sources which are scientifically valid.

Although there are contradictions within research, the definition of research is common. Kumar (1999, p.7) states that research is "*a process for collecting, analyzing and interpreting information to answer questions*". The characteristics of research are that it has to be, as far as possible, controlled, rigorous, systematic, valid and verifiable, empirical and critical (Kumar, 1999, p.7). Kumar (1999, p.7) explains these characteristics as followed;

- *Controlled*

To confirm causality between two variables it is important to minimize external influences. "*The concept of control implies that, in exploring causality in relation to two variables, you set up a study in a way that minimizes the effects of other factors affecting the relationship*" (Kumar, 1999, p.7). In the physical sciences this is far more easier because, for example, experiments are done in a laboratory. Social sciences are more focused upon human behaviour and experiments cannot be done in laboratory. Therefore it is difficult to exclude external variables. Therefore, in social sciences, it is attempted to identify the amount of influence of these external factors and to describe them.

- *Rigorous*

It is obvious that research needs to be rigorous to find all the answer to the questions asked. Without thorough research, answers will be ill-founded. Kumar (1999) highlights that the degree of rigour differs markedly between the physical and social sciences and within the social sciences.

- *Systematic*

In research, procedures must be followed. Without a logical sequence of steps the investigation will not be rigour and controlled.

- *Valid and verifiable*

This implies that the conclusions drawn upon the data used must be valid and can be verified by yourself and others.

- *Empirical*

Conclusions are based upon hard evidence gathered from real life experience or observations.

- *Critical*

The procedures and methods used must be scrutinized to ensure a foolproof research. Also the research must be able to withstand critical scrutiny.

3.3 Type of research

Kumar (1999) classifies research from different perspectives. Each perspective has its own categories of research. Figure 3.1 visualizes this;

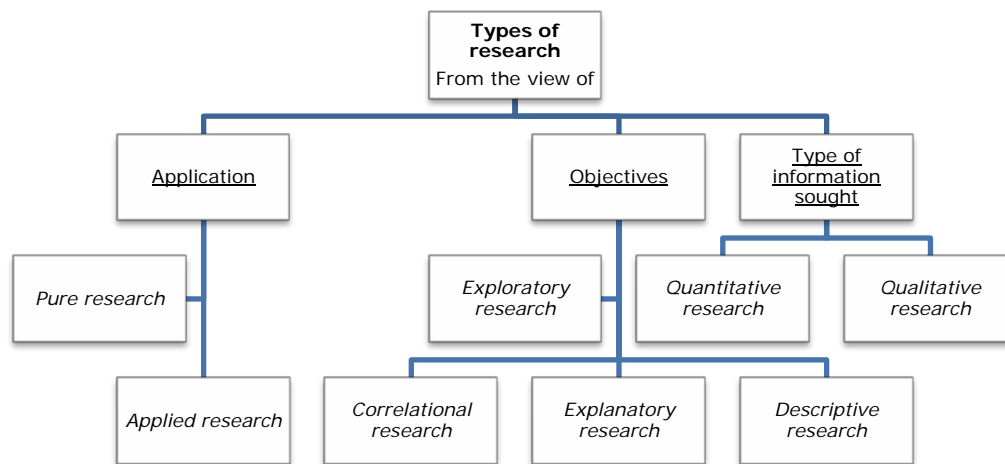


Figure 3.1; Types of research (Kumar, 1999, edited by author)

This study will be applied research with descriptive research objectives. The type of information that will be used is qualitative. Figure 1.2 visualizes the research arena;

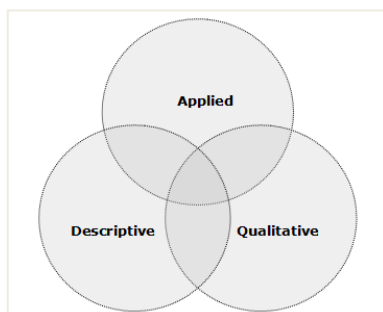


Figure 3.2; Research arena (Based on figure 1.1 by Kumar, 1999)

The objective of this study, for most part, can be seen as descriptive because it has the aim to describe the influence of apartheid on the transition from top down towards bottom up planning in South Africa. It is tried to identify the instruments that were leading in this transition and it is tried to

describe how these instruments reflect in the Hillbrow neighbourhood in Johannesburg. Within this descriptive nature of research, there is an analytical undertone. Literature sources are used and analyzed to describe phenomena.

The type of information sought is qualitative. According to Baarda et al. (2005) qualitative research is characterized by the use of different data sources. Kumar (1999) suggest that there are three criteria for the classification of quantitative or qualitative data; the purpose of the study, the manner of measurement and the way information is analyzed.

This study will have a qualitative nature. Data will be interpreted by the author and is therefore subjective. Also the purpose of the study is to identify the instruments of the South African planning culture that influenced the transition from top down towards bottom up planning. This is done in a subjective and qualitative way.

It has to be mentioned that although this study has been defined as accurate as possible, there are always paradigms in research. In research there cannot always be qualitative measurement and therefore quantitative measurement will or can occur. Furthermore, outcomes of applied research sometimes can be used to enhance research methodology, and to improve future research. It has, in that case, not only the function to explain phenomenon or issues. Finally, although the objective of this research is primarily to be descriptive of nature, it can also have other functions. Other researchers can interpret it as explorative research for their own follow up research.

Use of data

Data can be gathered in different ways. The two main ways of collecting information are the use of primary or secondary data. Primary data enhances findings out of first hand. This can be done in different ways, for example by interviewing or questionnaires. The source of secondary data is out of secondary hand. This is data that is already gathered by others (Kumar, 1999).

In this study secondary sources will be used;

- Government and semi-government publications (e.g. economic and demographic information)
- Earlier research (research studies that have already been done by others)
- Mass media (e.g. reports published in newspapers, magazines)

When secondary data is used it is important to check the availability, format and quality of the data. The validity and reliability needs to be checked. Census data is for example more reliable than a personal letter. With the use of personal bias, it is important to keep in mind that the author can be subjective. Newspaper or magazine publications can therefore be subjective. Furthermore, the availability of data needs to be checked and also the format of the data needs to be useful (Kumar, 1999, p.124). All data used in this study will therefore be checked on validity and only reliable sources will be consulted. And as Baarda et al. (2005, preface, p.4) mention, to reduce the influence of external factors on your research, you should perform the role of the devil's advocate.

3.4 Case

As mentioned before is the goal of this study to identify the instruments which were used within the South African planning culture and are leading in the transition from top down towards bottom up planning. To identify the instruments that were leading in this transition, a bottom up approach is chosen. By studying a neighbourhood at local level, the changes can be illustrated on low scale. Hillbrow is located in Johannesburg. It is a former white, middle class neighbourhood and has

transformed by different reasons towards an almost entirely black inhabited neighbourhood. Other characteristic points are the high population density and high crime rates.

Because Hillbrow has undergone a great physical, demographic and socio-economic transformation, it is of great interest. Within this research these changes will be studied and the instruments that caused them. For the identification of these instruments, secondary data will be used such as government and semi-government publications, earlier research and newspaper articles.

The case study will use existing data to give an introduction in the Hillbrow neighbourhood. After the introduction, a historical timeline will show the changes that appeared over time in the neighbourhood. Finally the instruments that were used to improve and strengthen the bottom up planning process will be identified.

The use of a case is methodologically seen arguable. It is often argued that because the case is been viewed by the eyes of the researcher, it can be very subjective and interpretations of the researcher will be leading. Also heard is that generalizations cannot be made from a single case. The point mentioned above by Kumar (1999), "controlled, rigorous, systematic, valid and verifiable, empirical and critical", that are necessary for good research do not seem to match with case research.

Flyvbjerg (2006) identified this gap in research methodology and delved into it. His conclusions about (single) case research came from a totally different direction. Although the subject on case methodology can be very interesting for a rigor exposition, the findings of Flyvbjerg (2006) will be discussed in short.

One of the assumptions made in science, in general, is that theoretical, context independent knowledge, is more valuable than practical knowledge which is context dependent. Flyvbjerg (2006, p. 224) states that *"predictive theories and universals cannot be found in the study of human affairs. Concrete, context-dependent knowledge is, therefore, more valuable than the vain search for predictive theories and universals"*.

Doing case research, therefore, is useful for gathering data and knowledge. And with many cases generalizations can be made. And in the end this can lead towards theories and universals.

One of the main points of critics of case research is about the mentioned generalization. How can a single case be used to strengthen general theory? According to Flyvbjerg (2006) this does not mean that it cannot help to gain insight in a particular field, subject or society.

"A purely descriptive, phenomenological case study without any attempt to generalize can certainly be of value in this process and has often helped cut a path toward scientific innovation" (Flyvbjerg, 2006, p. 227)

The Hillbrow case will be used to identify instruments that were used in the transition from top down planning towards a bottom up planning approach. The outcome of this case study is not automatically general theory and applicable to the whole South African planning system. However, the outcome can contribute to general knowledge and the outcomes of the study will be valid and valuable for future research.

4. Case study on Hillbrow, Johannesburg

This chapter will start with an introduction on the case study, the Hillbrow neighbourhood in Johannesburg, South Africa. The characteristics of the neighbourhood will be sketched in chronological order. At first the geographical and demographical features will be discussed.

4.1 Introduction

Hillbrow is located in Johannesburg, the capital of the province Gauteng. Figure 4.1 shows the province Gauteng and the geographical location of Johannesburg and Hillbrow;



Figure 4.1; The province Gauteng, the city of Johannesburg and the Hillbrow neighbourhood (Silverman and Zack, 2007)

Gauteng

The province of Gauteng is the smallest and most populous province of South Africa and households about 9.2 million people in 2001 and in 2007 this were about 10.5 million people (Community Survey, 2007). The size of this province is roughly 17.000 square kilometres (gautengonline.gov.za, 2011). For comparison, that is half of the total land area of the Netherlands.

The province Gauteng is in comparison to other provinces in South Africa extremely populous. It households about 20 percent of the total inhabitants of South Africa. In table 4.1 the distribution of the population by province is shown. It shows that the province Gauteng has grown in the last decade by almost 4 million people and in 2007 was the most populous province of South Africa.

Province	Total population		
	Census 1996	Census 2001	CS 2007
Eastern Cape	6 147 244	6 278 651	6 527 747
Free State	2 633 504	2 706 775	2 773 059
Gauteng	7 624 893	9 178 873	10 451 713
KwaZulu-Natal	8 572 302	9 584 129	10 259 230
Limpopo	4 576 133	4 995 534	5 238 286
Mpumalanga	3 124 203	3 365 885	3 643 435
Northern Cape	1 011 864	991 919	1 058 060
North West	2 936 554	3 193 676	3 271 948
Western Cape	3 956 875	4 524 335	5 278 585
South Africa	40 583 573	44 819 778	48 502 063

Table 4.1; Distribution of population in South Africa by province (Community Survey, 2007)

Johannesburg and Hillbrow

The city of Johannesburg is the capital of Gauteng and is located in the centre of this almost entirely urban province. The city itself counts about 2.8 million people (Community Service, 2007) of which about 100.000 live in the inner city suburb Hillbrow. The neighbourhood has just the size of 1.5 square kilometre (Winkler, 2006). Hillbrow is located in the Central Business District (CBD) of Johannesburg, in the inner city. Annex B contains images of aerial views on Hillbrow.

Hillbrow

Hillbrow is a neighbourhood with a long history. In 1895 the first plots were sold and its birth was a fact. Within Hillbrow there were 466 plots with predominantly detached houses. In the 1920`s there was some low scale development of multi-story apartments, but the real high rise development started after the Town Planning Scheme was introduced in 1946. Via this policy document the height restrictions for new development were removed (Winkler, 2006). Until the late 1960`s there has been fast development of multi-storey apartments, most of them bedsits/studio's or one-bedroom dwellings which were specially built for the rental market (Beall et al, 2002). The Hillbrow of the 1960`s can be described as *“Bohemian area with an extensive bright light district with numerous restaurants, coffee bars, hotels, clubs, cinemas and shopping malls”* (Hart, 1996 in Beall et al., 2002, p.50).

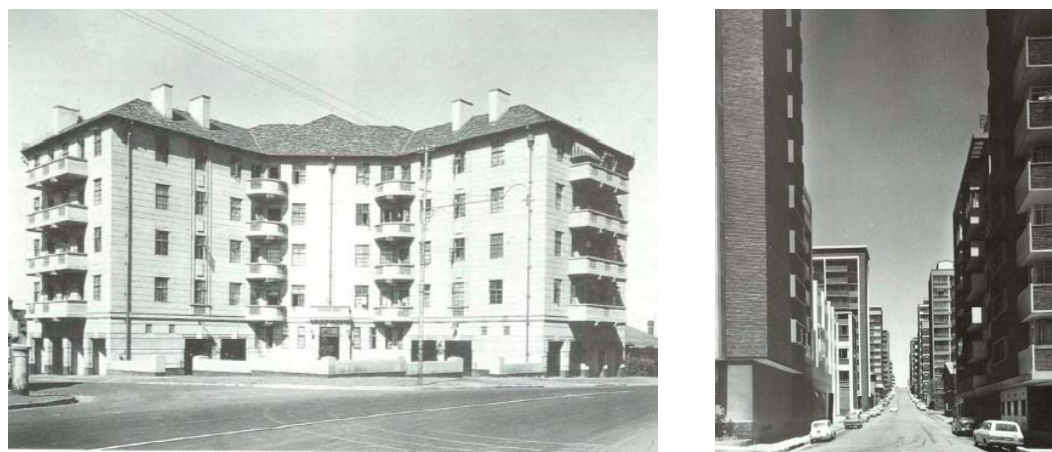


Figure 4.2; Left: Flat block build in the 1920s, right: Post World War 2 high rise development (Silverman and Zack, 2007)

These characteristics made Hillbrow the perfect port of entry for European and British immigrants (Winkler, 2006; Morris, 1999). This type of neighbourhood was habituated typically by middle class, white, singles, young couples, divorced and pensioned people (Beal et al., 2002). Due to the Group Areas Act and the Native Urban Areas Amendment Act of 1955, the black, Coloured, Indian and, Asian people were forbidden to live in Hillbrow. But prior to 1955 around 8.000 till 10.000 blacks lived in servant quarters located on the roofs of the inner city flats (often referred to as 'sky locations'), but

after new legislation they were forced to live elsewhere (Morris, 1994). The spatial segregation within Johannesburg is illustrated in figure 4.2;

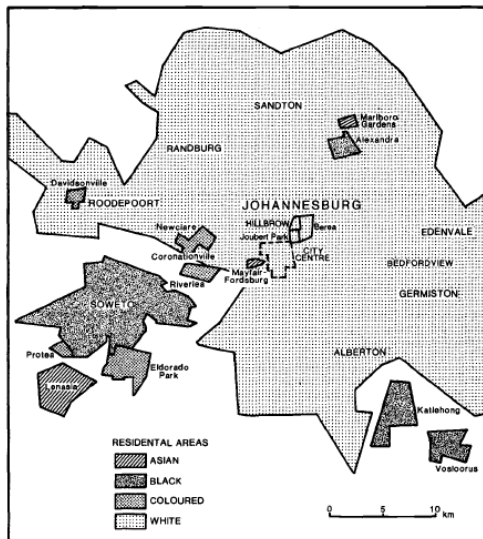


Figure 4.3; Spatial segregation in Johannesburg (Morris, 1994)

The figure above shows the spatial segregation in Johannesburg. The city is for most part designated for the white inhabitants. The darker areas on the map show the areas where the black, Coloured and Asian people were supposed to live. In most cases they were located in the periphery of the city.

The fast development of the apartments in Hillbrow proceeded in parallel with the economic growth at that time. In the 1970`s however, the economy stagnated and so did the development of property. The supply exceeded the demand and this resulted in the vacancy of apartments in Hillbrow (Winkler, 2006).

At the same time, housing became a problem for the non-whites who were depending on state assigned areas, as shown in figure 4.3. The stagnating economy resulted in budget cuts on the governments housing program and therefore less dwellings for Coloured, black, Asian and Indian people was (made) available. At the same time urbanization was increasing and demand for housing in townships, especially for Coloured and Indians, was needed. The Coloured and Indian townships were suffering with congested conditions and at the same time the inner-city suburb Hillbrow was dealing with vacancy of dwellings. Morris (1999) suggests that the main cause lies in the decreasing of immigration and the remigration of Hillbrow residents;

" The slowdown in immigration and the return of many immigrants to their country of origin in the wake of the 1976 uprisings led to a substantial increase in the vacancy rate in many Hillbrow apartment blocks" (Morris, 1999, p.513).

1976 uprising

This slowdown in immigration and the return of immigrants needs to be seen in the light of the transitions that took place in neighbouring countries of South Africa. African social and nationalist movements gained power in countries such as Botswana and Mozambique, and colonial rulers were driven out. This also influenced the situation in South Africa. It raised the moral to those trying to overturn apartheid. In 1976 this led to a great explosion of violence in Soweto, a black habituated neighbourhood in Johannesburg. Students protested against the decision to impose tuition in Afrikaans rather than English for various subjects within the curriculum. This was the start of riots throughout entire South Africa (Lester et al., 2000).

Box 4.2; Explanatory notes on the 1976 uprising

The vacancy of apartments in combination with the housing shortage in Coloured, Indian (and black) townships led to the fact that Indian and Coloured families were willing to take the risk to move towards the (until that time) 'white Hillbrow', by which they ignored the Group Areas Act. This coincided with landlords who were willing to rent their apartments to Coloured and Indian people, with which they ensured rental incomes.

At the end of 1977 the first press publications appeared with the news that non-whites moved into Hillbrow and the inner-city of Johannesburg. This eventually led to hard government action and the 'illegal' tenants were prosecuted and evicted. The government wanted to keep the 'white only' status, that was defined by the Group Areas Act. The result was a legal battle which ended in 1982 with the court verdict that no person transgressing the Group Areas Act could be evicted unless alternative housing was available. The latter being the problem in the first place (Morris, 1999; Winkler, 2006; HBIF, 2006). At the end of the 1980`s Hillbrow was reclassified within the Group Areas Act as 'Grey Area' (HBIF, 2006) but the law was abolished in 1990 anyway. A major demographic shifts occurred from the mid 1980`s.

"The intensification of violence in African townships from September 1984, the scrapping of influx control (this meant that Africans were now able to move freely between urban centre's, whereas previously they had been restricted to a particular urban or rural area) and the increasing willingness of desperate landlords to accommodate African people resulted in a spectacular increase in the inward movement of Africans" (Morris, 1999, p.514).

Morris (1994) conducted a household survey in April 1993 in Hillbrow. The result of the survey was that 62 percent of Hill brow's population was African, 16.9 percent was Coloured, 5.4 percent Indian and only 15.8 percent was white at that time. In 1985 approximately just 10 percent of the residents were African and by 1996 this amount was more than 80 percent (HBIF, 2006).

"Hillbrow is one of the very few neighbourhoods in South Africa that, despite the Group Areas Act, moved from being an all-white neighbourhood (in terms of the flat dwellers) to being predominantly black" (Morris, 1999, p. 3)

4.2 Physical change and housing

Apart from this demographic shift in Hillbrow there has been a physical shift. As described earlier, Hillbrow of the 1960`s was a vibrant and dynamic area with many new apartments. This changed however with the inflow of African, Coloured, Indian and Asian residents. Landlords played an important role in the impoverishment of Hillbrow.

Morris (1999) divides three types of landlords at that time; small landlords who owned an apartment in its entirety, Sectional Title landlords and corporate landlords.

Small landlords

About 20 percent of the apartment blocks were owned in its entirety by small landlords. When the demand for dwellings by Africans increased, the landlords could ask higher rents. The high rents forced the tenants to sublet parts of their dwelling and with this the pressure on buildings increased. Resulting in rapidly decreasing maintenance of these buildings.

Sectional Title landlords

In 1971 the Sectional Titles Act was introduced. This gave the landlords the possibility of subdividing their apartment blocks and selling off units individually. This meant that *"...each individual owner automatically becomes a member of the Body Corporate and this Body Corporate is responsible for*

collecting levies from each owner for the maintenance of the building, the upkeep of communal spaces, insuring the building and paying municipal rates and services" (Winkler, 2006, p.42). In the early 1980`s about 60 to 70 percent of the building were sectional title blocks. Almost all the owners were white because the Group Areas Act only allowed whites to buy property and most of the owners were also the occupants of the apartments (Morris, 1999). A major change appeared when in the mid 1980`s white residents moved out of Hillbrow.

"The Group Areas Act, the limited inward movement of whites and the reluctance of the financial institutions meant that many owner-occupiers could not sell their apartments and instead they had to rent them" (Morris, 1999, p.515).

Corporate landlords

About ten percent of the apartments in Hillbrow were owned by corporate landlords. These corporate landlords were different from other landlords because they had much financial capital available, had investment interest and had good managerial skills. These building were least likely to decline in value and maintenance (Morris, 1999; Winkler, 2006).

At the beginning of 1978 rules on rent control were changed by the government. This meant that rents were no longer kept artificially low. Rents increased rapidly and sometimes more than doubled. Landlords were forbidden to raise rents for existing tenants in the first two years (not more than 10 percent). This was not well received by landlords and they tried all kinds of tricks to get rid of the current tenants, such as terminating all maintenance contracts. With renting their property to blacks, Coloureds, Indians and Asians more profit could be made. The absence of owner-occupiers made the conditions of the buildings worse. Rent levels were high and the maintenance costs kept as low as possible (Morris, 1994/1999; Winkler, 2006; HBIF, 2006).

The desegregation of Hillbrow was initiated by the stagnating economy which caused an oversupply of housing in Hillbrow. With the cutbacks on government investment in housing for non whites, their demand for housing increased. This has resulted in the inflow of non-whites into Hillbrow and increased further after the weakening of the apartheid regime. The poor tenant – landlord relationship, the high rents, high density and bad maintenance of the apartments led to impoverishment in Hillbrow. Figure 4.4 shows the impoverishment of Hillbrow. Additional pictures are added in annex C.



Figure 4.4; Left: poor quality building in Hillbrow, right: trashed alley (Silverman and Zack, 2007)

From table 4.2 can be concluded that from the 1980`s until 2006 the PPH (people per hectare) in Hillbrow is constantly increasing and has more than doubled. In line with this is the decrease of the

floor space rate. A remarkable factor is the constant level of the building density. Although the population has more than doubled, there is no growth in the floor space – block area ratio.

	Hillbrow		
	1983	2001	2006
Net Residential Density (PPH)	700	1000	1812
Floor Space Rate (m ² / person)	56,7	36,9	21,9
Building density (FAR)	4,0	4,0	4,0
Total population	34,500	49,600	89,500

Table 4.2; Densities in Hillbrow (HBIF, 2006)

4.3 Planning and governance

There are a few authors who write about governance in South Africa, Johannesburg and more specifically, Hillbrow. Authors like Winkler (2006), Morris (1993/1996/1999) and Turok (1994) and also policy documents mention different aspects of governance. The most remarkable thing after reading these is that the governance structure after the abolishment of apartheid in South Africa seems complex and that it lacks transparency. In all publications different frameworks, laws, by-laws, planning schemes, goals, visions and policies are introduced. Appropriately quoted as followed;

“There has been so much institutional and ideological change in the city that it is unclear which philosophy should inform action” (Silverman & Zack, 2006, p.95).

Below a list of different frameworks and planning schemes that apply to the city of Johannesburg according to Silverman and Zack (2006);

- The Growth and Development Strategy (GDS) – a long-term strategy for promoting growth and poverty reduction in Johannesburg;
- Joburg 2030 – an investment and economic growth plan promoting Johannesburg as a world class city;
- The Human Development Strategy (HDS) – addressing concerns about poverty, inequity and exclusion;
- The Johannesburg Integrated Development Plan (IDP) – which identifies the inner city as a priority area for regeneration as a prime business location;
- The Inner City Regeneration Strategy – to create an inner city that would “raise and sustain private investment leading to a steady rise in property values”;
- The Urban Development Zone initiative – providing tax relief to private developers willing to invest in inner city areas;
- The Regional Spatial Development Framework (RSDF) for Region 8 – approved in 2003 and updated on an annual basis, the RSDF’s main goals for this region are to:
 - Create an efficient transport system.
 - Create an efficient urban structure.
 - Integrated and sustainable urban structure.
 - Economic regeneration.
- The Proposed Housing Action Plan for Inner City was outlined in May 2007, setting out a vision and action plan for the inner city, including the provision of mixed-income, inclusionary housing and mixed-use suburbs around the CBD.
- A Draft Inner City Charter was also presented in 2007, bringing together all the various strategies and programs to establish the way forward for managing the inner city. Further management mechanisms applied by the Municipality include:
 - Town Planning and Townships Ordinance 15 of 1986
 - The Gauteng Planning and Development Act 3 of 2003
 - The Development Facilitation Act No. 67 of 1995
 - Johannesburg Town Planning Scheme, 1979
 - Johannesburg City Council By-Laws

Box 4.3; List of different frameworks and planning schemes (Silverman & Zack, 2006)

Chapter 4.4 will further discuss the different strategies and plans, that apply to Hillbrow, mentioned in box 4.1. As shown in box 4.1, the governance system in Johannesburg is complex and is not easy to see through. The reason for this can be found in the period after the abolishment of apartheid. Morris quotes the following about Hillbrow in the 1980`s;

"Throughout the 1980s the Johannesburg City Council, controlled by the NP, did little effort to haul in slumlords or to adopt proactive measures to halt the decline of the neighbourhood" (Morris, 1999, p.160).

So the decline in Hillbrow already started in the 1980`s when apartheid succumbed. This was also the period when the black people started to move into the neighbourhood. And another remarkable fact mentioned by Morris (1999) is that Hillbrow is one of the very few neighbourhoods in South Africa that almost entirely changed from white-only towards predominantly black residents, despite of the Group Areas Act. And this is also one of the reasons that the Johannesburg City Council (JCC) 'ignored' Hillbrow. The JCC was represented by the (white) National Party.

Then in 1990 the more liberal Democratic Party gained control in the JCC. There were some indications of change in the policy towards Hillbrow. In 1990 the JCC announced that for the first time in several years (Morris notes seven or eight) the council was planning to invest in the area and that an additional million Rand was being invested for upgrading and improvement of Hillbrow. They also made the promise to purchase buildings in Hillbrow (and Joubert Park area) with state subsidies and then sell it back to the present occupants against reasonable prices. These plans, for most part, remained on the drawing board.

The JCC did minimal to improve Hillbrow. From the survey of Morris (1993) it seemed that just 38% of the residents in Hillbrow felt that the JCC was actually maintaining the neighbourhood adequately. A resident interviewed by Morris;

"The buildings are unkept. If you look at some of the buildings in Hillbrow it's a disgrace. So it's just going to get worse unless the JCC or someone does something about rejuvenating it. There is no program for people living in Hillbrow. The Council should have a clear policy and make sure to implement it" (interview with Themba, a long established tenant, in Morris, 1999, p.161).

In November 1994 the Transitional Metropolitan Chamber (TMC) replaced the JCC. Morris argues that the new TMC had to work through the old bureaucracy that was put in place by the NP. The Democratic Party was the dominant party in the TMC, but this political party was more capable of supporting the interest of wealthier constituencies. Hillbrow never had the councillors who really pushed their cause and therefore was for most part forgotten. The two local NP councillors 'representing' Hillbrow from 1988 to November 1995 were elected by an all white electorate. In fact, the entire JCC was elected by white people, so there was lack of legitimacy to intervene in the inner city (and Hillbrow). Another struggle was the disagreement between the Democratic Party and the ANC (who also represented the JCC). In the run up to the elections the ANC blocked all DP initiatives. This of course with the goal to portray the DP as failing party with no proven policies (Morris, 1999).

A factor that made meaningful intervention difficult was the inadequate legislation that governed the residential buildings in Johannesburg during this period. The Johannesburg City Council by-laws and occasionally the Slums Regulations were most used legislations. But these were very vague and with these legislation no adequate policy could be maintained. Examples can be found in the regulations on overcrowding. The by-laws indicate that just one toilet is needed for fifteen persons or the fact that eleven persons can live in one unit. The rules were so vague that they hardly could be applied. Also

the penalties for infringement were very low. Fines could not exceed 300 Rand, and therefore this instrument had no power. At the other hand, when overcrowding was observed, no real measures were available. People could not be evicted because alternative housing was not available (Morris, 1999).

Within Hillbrow there were several attempts to improve the neighbourhood. The failure of these attempts can not only be blamed upon the JCC. Also initiatives to involve residents failed by disinterest of these residents. In other parts of the inner city of Johannesburg there are success stories. Such as in the Western Joubert Park where approximately 180 million Rand is invested in infrastructure. Morris suggest that *"such initiatives in Hillbrow are unlikely to (ever) be set up because lack of bureaucratic and fiscal capacity"* (Morris, 1999, p. 168). There were smaller initiatives in Hillbrow such as the purchase of property by the JCC. The aim is to use the building for several activities such as library, study centre, local economic development initiatives and offices for NGO`s who offer services to the community.

In 1992 a new initiative was started up. The Hillbrow Working Group was founded. It existed out of council officials and people who represented 26 different organizations, who were active in Hillbrow. The goal was to coordinate policy between different departments and organizations and was driven by the JCC urbanization unit. This initiative looked like a good start to identify the problems in the neighbourhood and to gain support by all stakeholders to design and implement new instruments to improve Hillbrow. The Hillbrow Working Group disappeared 'in the process' after the elections of November 1995 (Morris, 1999).

In the 1990`s there was little change in the extant or form of governance in Hillbrow concerning density and maintenance requirements for blocks or flats. Instead of designing and implementing new instruments, the policy officials were informed on how to use existing regulations in a more effective way. At that time the JCC had little fiscal capacity to intervene in the neighbourhood. In fact the JCC was already overspending money in Hillbrow because of the high density. Therefore it was difficult to stimulate the JCC to spend even more money. The high density made it that cost on garbage collecting and cleaning of streets were much higher in Hillbrow compared to other parts of Johannesburg. However, Morris (1999) suggests that the per capita expenditure was probably less than in most suburbs. What contributed to the minimal fiscal capacity was the scrapping of commercial rates on mixed use buildings (commercial and residential) in the inner city. These rates were much higher than the usual rates on residential building. Landlords, however, had so much influence that the JCC decided to scrap them in 1993 (Morris, 1999).

The housing market in Hillbrow is pushed by governmental subsidies. In 1994 the subsidies were introduced and property purchasers with an income below 3500 Rand a month could qualify for subsidy between 5000 and 15 000 Rand. But there were some disadvantages such as the time of application for the subsidy. The average time was between six and twelve months, and sellers therefore often cancelled the deal. Also financial institutions remained resistant to granting bonds. Another initiative was the Johannesburg Housing Company (JHC) which was set up in the end of 1995. The JHC played an important role in the rejuvenation of buildings in inner city neighbourhoods in and around Hillbrow. In two years time about 100 building units in Hillbrow were purchased and renovated. They are now being rented at affordable prices (Morris, 1999).

Then in 1997 an innovative new legislation was introduced to solve the problems between landlords and tenants in the inner city of Johannesburg. The Landlord-Tenant Dispute Resolution Act exists out of a board (Landlord-Tenant Dispute Resolution Board) to which landlords and tenants are free to

approach to help settle disputes. This new initiative showed a fairly huge success. Morris therefore also mentions that *"...it is regrettable it came so late in the day"* (Morris, 1999, p.171).

Morris (1999, p. 171) suggest that a major problem of the local government of Johannesburg was that no political party was prepared to take *"firm and unpopular"* decisions. Furthermore, money owed to the council accumulated rapidly. 1997 the situation was so bad that the city of Johannesburg was facing bankruptcy and instant measures were needed. By March 1998 the arrears had increased to 1.8 billion Rand for the entire metropolitan area. The four metropolitan substructures were given permission to whatever was necessary to collect the arrears. In response to this the Eastern Local Metropolitan Council, which controls Hillbrow, took action against the errant payers in blocks of flats. The water and electricity was cut off at defaulters. Payments still were moderate and therefore a special deal was set up for the inner city. They needed to pay for one and a half month service charges and give a statement of intent to pay in the future on normal basis. This measure worked according to the council. But the switching off of water and electricity made the state of the buildings even worse and in many cases tenants left their houses. This made the situation even worse (Morris, 1999).

In 1998 the JCC appointed a inner city manager. His task is to improve the inner city conditions. This manager can try to gain support for changing the inner city and implementing new instrument. But in 1998 his staff existed out of only 2 people and budgets were minimal. According to Morris (1999), there are no significant changes observable in Hillbrow since, in 1995, the ANC gained power in the JCC apart from the subsidies of housing, improved legislation and the appointment of a inner city manager (Morris, 1999).

Synthesis of planning the 90`s

From the period of the weakening of apartheid in the 1980`s until the end of the 1990`s, when apartheid already was abolished, there has been no adequate policy in Hillbrow. From the facts mentioned above it can be said that the local government had no instruments to use or the capacity to act against the impoverishment. The efficient but racial planning policy that was performed during apartheid, as described by Turok (1994), was no longer there. However there is no substitute available and therefore planning in the 1990`s in Hillbrow failed.

Beal et al. (2002, p.72) describe the transition period (1995 - 2001) as *"an extension of the anti-apartheid fight for deracialized local democracy, rather than a battle over the nature of decentralization"*. This because only in 2001 the final local government boundaries were set, just before the first full local government elections. It is curious that it took so many years to set these boundaries because a democratic local government was one of the key points of the post-apartheid vision of a more equal society. So on municipality level there were no real breakthroughs, although there was action needed. The transitional phase was characterized by *"acute political competition, excessive posturing and dramatic and fundamental restructuring"* (Beal et al, 2002, p.72). Also Tomlinson (1999) identified the complexity of this transitional phase.

Annex D gives an overview of the governmental changes in Johannesburg in general over the years 1995 - 2001. This section is not discussing these general changes in Johannesburg detailed.

Particularly in Johannesburg, the most important city of South Africa, the contest over the integration, reconfiguration, and construction of non-racial local government was most protracted en vicious. The struggle did not only encompass the official termination of racial administrations, also battles for personal positions, or on the course to sail. The latter were about tariffs and taxation, outsourcing of

services and maintenance of infrastructure, area-based versus city-wide, project versus program management and the roles of Community Bases Organizations (CBO`s) (Beal et al, 2000).

In the next section the regenerations of Hillbrow will be further discussed. The chaos in governance is clearly seen in the various policy programs which have been prepared in recent years. Several regenerations programs introduced over the years will be enlightened and also the failures and success of the regeneration programs will be clarified.

4.4 Regenerating Hillbrow

The regeneration of Hillbrow is part of the regeneration of the Johannesburg metropolitan area. For the metropolitan area there are four major strategies that were designed over the period 2001-2011. These four city wide strategies are the foundation of the regeneration of contemporary Hillbrow. This section firstly focuses on these city wide strategies. Secondly the focus will be on plans that apply to the regeneration of Hillbrow nowadays.

Silverman and Zack (2007) identify four broad strategies that apply to the Johannesburg metropolitan area. These are the main strategies that are of influence nowadays, but are just a few of the many plans designed in earlier years. They are briefly outlined;

Regeneration in Johannesburg

- *Joburg 2030 Vision*

In 2002 the City of Johannesburg formulated a long term economic development framework with a thirty year horizon, known as the 'Joburg 2030 Vision'. The Joburg 2030 Vision encompasses the image of the future for Johannesburg. The document is strongly focused on economic development (Joburg 2030 Vision, 2002; Silverman and Zack, 2007; Winkler, 2006). The desired image for 2030 is to become a world class city;

"In 2030 Johannesburg will be a world-class city with service deliverables and efficiencies that meet world best practice. Its economy and labour force will specialize in the service sector and will be strongly outward oriented such that the City economy operates on a global scale. The result of this competitive economic behaviour will be strong economic growth that will drive up City tax revenues, private sector profits and individual disposable income levels such that the standard of living and quality of life of all the City's inhabitants will increase in a sustainable manner" (Joburg 2030 Vision, 2002).

To reach these goals, many problems need to be challenged such as the lack of skills, high levels of crime, inefficient public transport systems, inefficient urban form, overburdened telecommunications, and weak supportive conditions for enterprises of all sizes. These challenges should be gone by 2030 and the city of 2030 should (adopted from Silverman and Zack, 2007);

- *be dominated by service sector activities;*
- *be integrated and open to international trade, also making it susceptible to international slowdowns and recessions;*
- *have labour that is predominantly 'white collar' and 'blue collar' with a culture of numeracy;*
- *not have a survivalist informal sector;*
- *have a geographic pattern with as strong North-South axis along the Gautrain route;*
- *have resident housing close to places of business;*
- *have bylaw enforcement to international standards;*
- *have citizens that are numerate; and*
- *have quick, safe and efficient public transport.*

It is important to notice that Johannesburg had one strong metropolitan government but was divided into eleven administrative regions. Hillbrow falls within 'Region 8', the inner city area. Each region is managed by a director who oversees the implementation of identified annual key performance indicators. Yaakob Makda is the director of Region 8. There is also an Economic Regeneration Unit to implement the 2030 Vision with a specific economic regeneration focus. For Hillbrow this economic regeneration manager is Li Pernegger (Winkler, 2006).

According to Silverman and Zack (2007), the Joburg 2030 Vision is a framework that is based on outdated and inaccurate data. Furthermore it does not address developmental concerns. They also emphasize that the Vision for 2030, to boost economic growth, led to several government-led flagship projects. These projects however, do not apply to Hillbrow. According to Silverman and Zack (2007, p.48), Hillbrow (and neighbouring Berea district) is something of a developmental 'black hole'. Other points of critique are the lack of residential development for the poor and the regulations and laws against the informal and 'illegal' traders. Although these points are addressed to in the Human Development Strategy (HDS), developed as partner for the Joburg 2030 Vision. Also the Growth and Development Strategy (GDS) addresses to the weaknesses of the Joburg 2030 Vision (Growth and Development Strategy, 2006).

- Human Development Strategy

As mentioned, the HDS (2005) is designed to address to issues that are not mentioned in the Joburg 2030 Vision. These issues are for example poverty, inequity and social exclusion. The three main points where the focus lies on, are (adopted from Human Development Strategy, 2005);

- *Safeguarding and supporting poor and vulnerable households in their efforts to access the social safety nets offered by the three spheres of government. Some 51% of households in the city report they have a monthly income of R 1.600 or less. This strategic direction is a direct response to their need for support.*
- *Championing rights and opportunities targets issues of inequality in the city. There are still households and residents in Johannesburg who do not have access to houses and services, and who do not have legal status as consumers. The ability of these households to access and enjoy the opportunities created as a result of Johannesburg's economic growth path is seriously constrained when their basic rights are not being met. This strategic direction is a direct response to their situation and it addresses issues of economic inequality, gender and generational inequality and spatial inequality. The strategy supports city residents in an asset-building framework that is part of a longer-term approach to poverty alleviation.*
- *Building prospects for social inclusion is a longer-term objective that focuses on building social relationships and productive partnerships among city residents and between the City and its residents, so that together they are committed to working towards the goal of Johannesburg being a world-class African city for all, and able to do so.*

This strategy seems to address to problems that are also relevant in Hillbrow. But the strategy lacks instruments and mechanisms to implement and therefore is of little practical value (Silverman and Zack, 2007). This may indicate the unimportance of this strategy and even suggest that is just one of the many produced over the years.

- Growth and Development Strategy

The GDS (2006) is developed by the City of Johannesburg in 2006 and is a long-term strategy for economic growth and poverty reduction. It combines different strategies that were designed in the years before and updates these. The earlier mentioned Joburg 2030 Vision and the Human

Development Strategy are at the basis of the GDS. It is also tried to align the strategy with provincial and national strategies.

It comprehensively deals with issues across the city, rather than just providing economic or spatial focus (Silverman and Zack, 2007). The four main points for the realization of the strategy, as mentioned by the strategy itself are (adopted from Growth and Development Strategy, 2006);

- *There is a growing trend for larger cities, in many different parts of the world, to develop long-term City strategies to inform their medium- and short-term planning;*
- *The City has an existing body of strategy, developed during the 2000-2006 term of office, that for various reasons needs to be consolidated and refined;*
- *Over the last few years the need for all spheres of government to harmonize and align their strategies with one another has been emphasised. In addition, a number of key strategies have recently been developed by national and provincial government which provide coordinates for Johannesburg to realign its strategy towards; and*
- *Last, but not least, the ANC's Election Manifesto for the 2006 local government elections specifically calls for all metropolitan municipalities to define strategic initiatives to accelerate growth and reduce poverty. This must be done jointly with social partners.*

The GDS document itself claims that the Joburg 2030 Vision has weaknesses, such as bad data. The GDS updated these data and therefore enforces the long term 2030 Vision. Also the HDS is updated and goals and visions are aligned. *"The HDS therefore implicitly highlighted that the City needs a long-term strategy that consolidates other existing strategies and completes the strategic picture where there are obvious gaps. This Growth and Development Strategy will try to provide this coherence and completeness"* (Growth and Development Strategy, 2006, p.7).

- *Johannesburg Integrated Development Plan*

The Municipal System Act (2000) obligated municipalities to design an Integrated Development Plan (IDP). The Act stated that they should include the following (adopted from IDP, 2011-2012);

- *The municipal council's vision for the long-term development of the municipality;*
- *An assessment of the existing level of development in the municipality;*
- *The council's development priorities and objectives for its elected term;*
- *The council's development strategies which must be aligned with any national or provincial sectoral plans;*
- *A spatial development framework;*
- *The council's operational strategies;*
- *Applicable disaster management plans;*
- *A financial plan, which must include a budget projection for at least the next three years; and*
- *Key municipal performance indicators and performance targets.*

The IDP is a (former annual) medium term planning tool, that is designed to be operative for five years. The first was designed in 2002 and the first one that was operative for five years was introduced in 2006. The IDP integrates the Joburg 2030 Vision, and also the Growth and Development Strategy.

“The IDP sets out programmes and capital projects and indicates the financial resources required, as well as the organizational and institutional requirements to deliver on those programmes” (Silverman and Zack, 2007, p.3).

The City of Johannesburg's Corporate and Strategic Planning Departments is responsible for preparing, monitoring and revising Johannesburg's IDP (Winkler, 2006; Silverman and Zack, 2007; Beal et al., 2002).

Inner city regeneration

After having discussed the four main strategies that apply to the Johannesburg metropolitan area in general, the strategies that apply specifically to Hillbrow will be discussed. They are related to the policies mentioned above.

In 2004 the City of Johannesburg introduced a strategy for the regeneration of the inner city. Hillbrow is located within this area. The 'Inner City Regeneration Strategy' was designed to turn strategies into actions. The strategy is supported by a 'Business Plan'. This three year Business Plan existed out of a five pillar strategy as shown in figure 4.3;

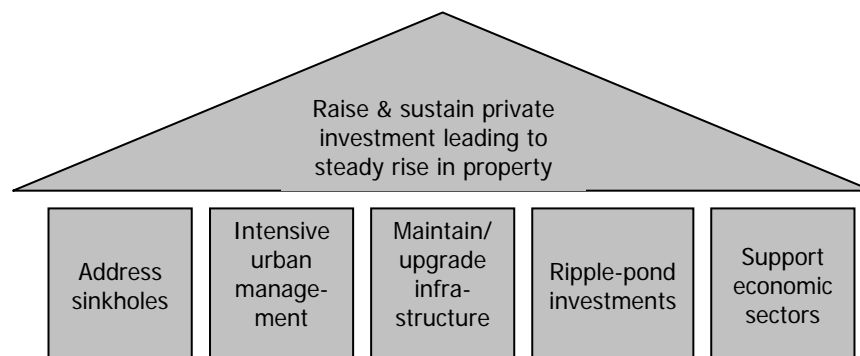


Figure 4.5; Five Pillar Strategy (adopted from Johannesburg Inner City Regeneration Strategy Business Plan, 2004)

Figure 4.3 states that the five pillars need to raise and sustain private investments, what will lead to the steady rise in property values. The five pillars are based on different strategies designed in earlier years; Vision for the Inner City (1997), Economic Development Framework of Greater Johannesburg (1999), Inner City Spatial Framework (1999), Inner City Economic Development Framework (1999), City Centre Development Framework (2000), Local Integrated Development Plan (2001), Inner City Urban Renewal Strategy (2001), Johannesburg 2030 (2002), Integrated Transport Plan (2003) (Johannesburg Inner City Business Plan, 2004). This once more shows that a severe amount of strategies and plans are designed in the past years.

The five pillars will be discussed in short (adopted from Johannesburg Inner City Business Plan, 2004);

Sinkholes

Properties that are slummed, abandoned, overcrowded, poorly maintained, often owned and neglected by the public sector. Properties used for illegal or unsuitable purposes (shebeens and clubs in incorrect places, prostitution, drugs, sweatshops, panel beaters in residential areas etc).

Sinkholes 'pull down' adjacent properties and city blocks by creating disincentives to private investment and blocking sales, and can spread to include whole neighbourhoods. The sinkhole syndrome is exacerbated by red-lining, poor urban management, poor credit control and badly managed sectional title.

Undertake Intensive Urban Management

Intensive urban management involves focusing efforts to ensure effective by-law enforcement, management of informal trading, regular or improved delivery of services and utilities, and maintenance of the public realm. Private examples include the City Improvement District programme and CCTV surveillance, while public-led efforts include the work of the Inner City Task Force.

Maintain and upgrade infrastructure

This objective relates primarily to the maintenance and improvement of service delivery infrastructure, including roads, street signs and robots, water, sanitation and power networks, and waste collection points. It is primarily a function of the CoJ's utility companies.

Promote Ripple-pond investments

Ripple-ponds are catalytic, concerted investments in property that create confidence for further investment in adjacent areas. Either public, private or a combination, examples include Braamfontein, Metro Mall, Constitution Hill and Newtown Cultural Precinct. A crucial requirement to make a ripple-pond investment effective is the support by the CoJ and its partners to ensure that the environment immediately surrounding the investment is especially well managed. Failing to do this may well negate the value of the initial investment.

Support Economic Sectors

This entails careful assessment of those areas of economic activity that are of current or potential importance to the gross geographic product of the Inner City, followed by the design and implementation of carefully crafted interventions to promote and assist their growth. These actions are most usually a combination of public and private initiatives.

There are different parties responsible for the implementation of the Inner City Regeneration Strategy. The director of Region 8, Yaakob Makda, appointed a special 'Inner City Task Force' to tackle crime and to enforce the by-laws based on the outdated 1975 Town Planning Scheme. The person responsible for this law enforcement is Martin New. The Task force will work together with an independent company (UAC, what is a Utility, Agency and Corporatized entity), the Johannesburg Property Company (JPC). The JPC facilitates the Better Building Programme (Winkler, 2006; Silverman and Zack, 2007; Better Building Programme, 2003). This programme is used to address sinkholes in the inner city and is enlightened in the section down below. The section following will discuss the implications of the five pillar strategy for Hillbrow. Each pillar and the accompanying plans will be highlighted.

- Sinkholes

For Hillbrow there are two programmes out of six to address sinkholes in the inner city. These two programs are the 'Better Building Programme' (BBP) and 'Blitz Operations' (BO).

Better Building Programme

The BBP was initiated by the City of Johannesburg and was implemented by the Johannesburg Property Company. The BBP was designed to tackle the problem with buildings that were in bad state. Often these buildings were poorly managed, inadequately maintained and had huge arrears in service and rates. The goal of the programme was aimed at attracting private sector investment to refurbish these buildings. After refurbishment the buildings had to be rented out at an affordable rate (Winkler, 2006). It supposed to work as followed (adopted from Silverman and Zack, 2007);

- *Buildings in poor condition and with high arrears are identified.*
- *The Council facilitates the transfer of ownership to a new company willing to redevelop the building.*

- *Instead of paying for the building, the new owner takes over the outstanding debt, which is then discounted down to the market value of the building. The council is willing to write off up to 60% of rates and taxes to make the project viable.*
- *Council facilitates the transfer and makes arrangements for the repayment of the remaining debt over a period of up to ten years.*
- *The building is then redeveloped as affordable rental housing.*

The director of the programme at that time was Geoff Mendelowitz. He stated that the BBP was; *“an attempt to break the cycle of decline that characterised many buildings in the inner city”* (quoted in Silverman and Zack, 2007).

Buildings that were earmarked for the Better Building Programme often are habituated. This means that existing tenants need to be evicted from their houses. This can be done at the basis of fire or health issues, what is in accordance with the 1975 Town Planning Scheme. When there are buildings that are in bad shape, but there is no direct fire or health hazards, tenants can be evicted if there are huge arrears. Evictions are legally justified by court, but the judge often only agrees with eviction when alternative housing is available. The latter of course being a big problem. In many cases the new owner of a building offers the tenants temporary housing but there is no regulation on how high the rents need to be. In many cases the tenants cannot afford the temporary housing. When the building is refurbished, the tenants may return to their houses, but only if they can afford the new rent prices (which are market priced) and if they meet the landlords requirements (what can be income or job requirements). The problem here is that buildings are refurbished and rented at market prices. The private investors who refurbish the buildings do not really care about existing tenants and adopt a marked orientated approach. Building look good from the outside, but on the downside there are social problems that are being transferred to other buildings or other parts of the city (Winkler, 2006; Silverman and Zack, 2007).

“Since April 2003 94 buildings have been placed in the Better Buildings Programme, with 19 refurbished so far and 48 expropriated and acquired by new investors. To date the value of refurbishments stands at R320-million, with R260-million in rates write-offs granted, according to the department of economic development, tourism and marketing” (City of Johannesburg, 2006)

The City of Johannesburg stated in January 2006 that in three years time, 19 buildings were refurbished in the inner city. At least four of these were in Hillbrow (Winkler, 2006). Although the BBP is an initiative to regenerate the inner city, it deals with several problems. One of them is the support from the municipality. In earlier years much effort has put into collecting arrears by the municipality. The BBP suggest that arrears should be written off. There is no real political support for this strategy. (Silverman and Zack, 2007; Winkler, 2006). Furthermore do the evictions not match the pro poor policy that the City of Johannesburg has set in the GDS and the HDS.

In 2005, Mendelowitz designed a plan to upscale the BBP. Although this report was tabled at a mayoral committee meeting in 2005, there has been no follow up since then. One of the reasons may be that Mendelowitz left the BBP in 2006. The BBP seem according to Silverman and Zack (2007, p.66) defunct according to three reasons;

- *Staffing changes within the Johannesburg Property Company which oversaw the BBP;*
- *Escalating property values in the inner city, to the extent where building values are now approaching the value of the accumulated arrears;*
- *Legislative uncertainty regarding the legitimacy of evictions.*

It can be said that the BBP indeed does lead to the raise and sustain of private investment and leads to the increase of property value, but at the expense of the poor. It is just displacement of problems and is not sustainable for the future. Also see Annex E for a newspaper article published by the United Nations in 2007.

Inner City Blitz Operations

The Inner City Blitz Operations is a tool to support the BBP. It is a partnership between the South African Police Service, the National Defence Force, the Johannesburg Metropolitan Police Department, the Cities Emergencies Management Services and the Sheriff of the Court. The 2004-2007 Business Plan describes the Blitz Operations as followed;

“Multi disciplinary operations (including a range of other law enforcement agencies) in identified areas where severe decay exists including breakdown of law and order which have a severe effect on the whole city e.g. Hillbrow. This includes a dedicated outside enforcement team focusing on specific areas” (Johannesburg Inner City Business Plan, 2004, p.14).

The Inner City Task Force was responsible for implementing the programme. The budget for the period 2004 – 2007, was five million Rand (Johannesburg Inner City Business Plan, 2004).

In practice, the Blitz Operations meant that the law enforcement maintains a zero tolerance policy. Buildings that are appointed for the BBP are raided and people who live there are evicted. According to Martin New, in a interview by Winkler (2006), in 2003 there were 319 evictions. He states that in earlier years this was about one eviction per eighteen months. Also criminal activities are dealt with in buildings, shops and on the streets (Winkler, 2006). According to Silverman and Zack (2007), some buildings in Hillbrow were raided more than 14 times because illegal activities and residents returned the days after.

The Blitz Operations are in essence a good instrument to regenerate the neighbourhood. Criminal activities are banded and people at least feel safer. Also the buildings that are ‘hijacked’ by illegal residents are evicted. On the other hand, this is just a shift of activities. Illegal tenants will seek their shelter elsewhere, in areas where there are no raids. Also criminals, such as drug dealers and prostitutes will go to other areas of Johannesburg or just return days after a raid took place. The Blitz operations aren't a city wide programme and so it is a short term solution. For the programme to work, a city wide strategy must be developed.

- Intensive Urban Management

For Hillbrow, intensive urban management is something that has great overlap with addressing sinkholes, which are discussed above. The Better Building Programme and Blitz Operations are actually the start of intensive urban management.

As mentioned earlier in this study, the City of Johannesburg had serious problems with collecting the great arrears in electricity and water. They therefore introduced a zero tolerance policy. No payment meant no water or electricity. This of course, does not match the policy set in the Business Plan. The cut-off of water and electricity only caused more problems and impoverishment. There seems to be misalignment in policy making.

- Maintaining and upgrading infrastructure

The maintaining and upgrading of infrastructure encompasses to the Business Plan;

“This objective relates primarily to the maintenance and improvement of service delivery infrastructure, including roads, street signs and robots, water, sanitation and power networks, and waste collection points. It is primarily a function of the CoJ's utility companies” (Johannesburg Inner City Business Plan, 2004, p.11)

Winkler (2006) states that there is no evidence for any maintaining or upgrading of infrastructure at all in Hillbrow. Albeit, there has been the upgrading of Constitution Hill. Constitution Hill lies at the edge of Hillbrow. In relation to the fourth pillar, ‘ripple pond investments’, this project should be of importance for Hillbrow and therefore discussed in the next section which enlightens the ripple pond investment.

- Ripple pond investment

Constitution Hill

Within Hillbrow there is one ‘ripple pond investment’ project. Although the project is located on the edge of the neighbourhood as can be seen in figure 4.4. Also other ripple pond investment projects are highlighted on the map;

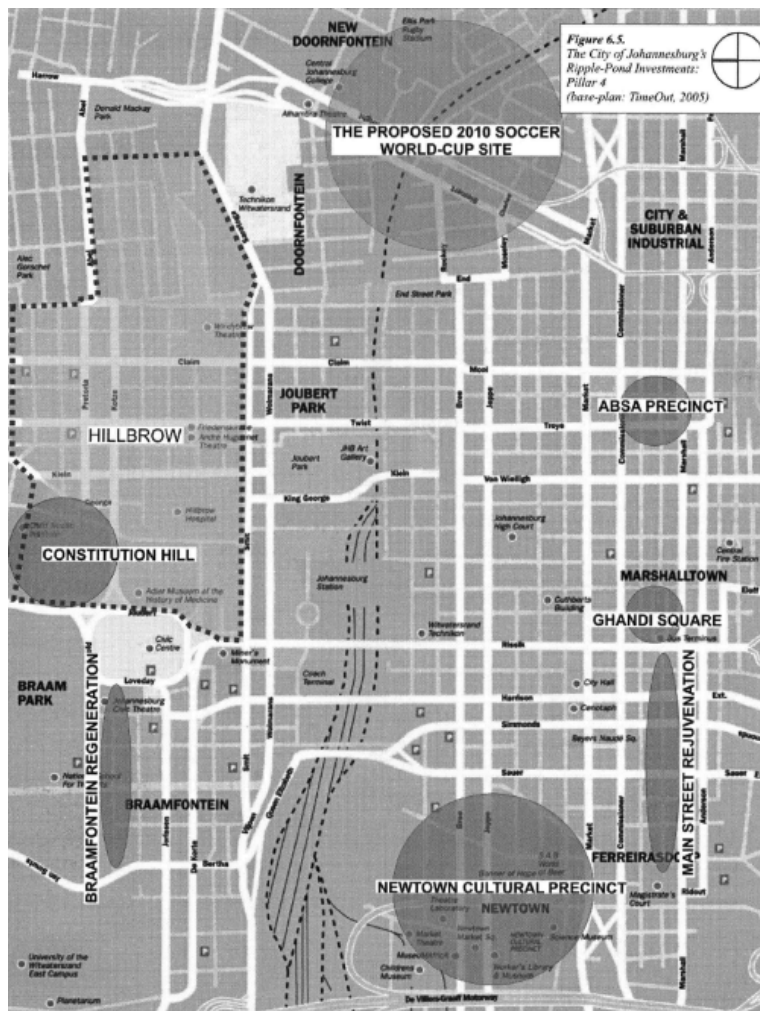


Figure 4.6; Ripple pond investment in the inner city of Johannesburg (Winkler, 2006).

Constitution Hill exists out of a fort that is built in 1899. In the years of apartheid it was used as prison and many resistance leaders have been locked up here. Therefore its byname is ‘Robben

Island of Johannesburg'. The site exists out of several buildings, among others a prison and courtyard (City of Johannesburg, 2008).

According to the Business Plan (2004), the goal of the development of Constitutional Hill is to create "(...) new public open space, heritage, tourism, retail and commercial activities, along with community and recreation facilities" (Johannesburg Inner City Business Plan, 2004, p.21). The project is funded by national, provincial and local government, with additional funding of private investors and donors. The total budget is estimated at 854 million Rand (Johannesburg Inner City Business Plan, 2004). The goal needed to be achieved via renovating the area and its buildings.

Winkler (2006) suggests that since the project was completed in April 2004, only thirteen residents are involved in the Constitutional Hill formal tourist economy. The following (rather long) quote by Winkler is very revealing about the project;

"Intensive urban management and 24-hour City Improvement District (CID) security guards ensure that no informal trading takes place within the bounds of this heritage precinct; and access to the precinct is controlled. Preventing economic activities, entangled in an "Afropolitan" experience, begs the question; does the city really 'know what people do in Hillbrow'? Currently there is no 'promise' or 'economic value drawn from' this ripple-pond investment by Hillbrow residents. In fact, pedestrian access from Constitution Hill to Hillbrow is barred via a supposedly temporary, tow meter high corrugated sheet-metal barrier. Is this the City's symbol of 'pride' and 'promise'?" (Winkler, 2006, p. 256).



Figure 4.7; Tourists in the Constitution Hill area (City of Johannesburg, 2008)

The project should act as catalyst, but according to Winkler (2006) there is no sign at all that there are multiplier effects for the residents of Hillbrow. Of course, Constitution Hill will attract tourism and with that, some kind of economic activity but it does not involve Hillbrow at all. The project is implemented from high tiers of government and there is no public participation or whatever. The City of Johannesburg tries to 'boost' the surrounding areas of Constitution Hill but apart from some economic developments, no social improvement is made. Furthermore on figure 4.4 more projects are highlighted, so is the World Cup 2010 proposed site and one could imagine that it is given high priority to in the years before the tournament.

- Supporting economic sectors

The last of five pillars is the support of economic sectors. Within the Business Plan there are several programmes and activities planned for Johannesburg. For Hillbrow the only one is the 'Hillbrow Health Centre of Excellence/ Medical Precinct' project. The projects aim at;

"(...) to stabilise, consolidate and promote economic development in the Medical Precinct north of Constitution Hill via precinct development and business support. It involves: a) an economic assessment of the area; (b) a sectoral feasibility study to identify development opportunities (c) a business plan for the creation of a major medical precinct; (d) integration into the wider project plan and improvements to the RHRU/Esselen St Clinic Health Centre of Excellence node; and (e) integrated redevelopment and regeneration opportunities for the wider communities in the area" (Johannesburg Inner City Business Plan, 2004, p.26)

As quoted, the project was still in an early stage. Other policy documents do not refer to the project and it seems that the programme has never been launched. But in February 2011, just about seven years after the announcement of the project, the City of Johannesburg published a news article with the statement that a health centre was being realized;

"The Hillbrow Health Precinct's prime function will be to offer excellent care for the treatment of sexually transmitted infections (STIs) and HIV/Aids in vulnerable women and children. Bounded by Hospital, Esselen, Klein and Smit streets, the precinct will be located on the site of the defunct Hillbrow Hospital. It will also be a world-class research and training centre for health professionals. The project is unusual in that it combines inner city rejuvenation with poverty alleviation, primary health care and world-class research on HIV/Aids" (City of Johannesburg, 2011).

Because the project is still in progress there is no data available about the effects of this project. For this study it is therefore not relevant. It would be interesting for future research to research the effect of the health centre for Hillbrow. In my opinion, health service available for all habitants of Hillbrow and Johannesburg must be a necessity of life and therefore available.

Synthesis

In this chapter the Hillbrow neighbourhood is examined on different fronts such as the geographical, demographical and social economic features. Also governance issues are discussed and the great amount of different policy plans that have been designed and or implemented over the years. The next chapter, the analysis, will combine the theory and research chapter. Within the analysis the amount of changes in Hillbrow will become clear and the planning culture in Johannesburg, especially in Hillbrow, will be outlined. Also the changes in planning and policy during and after apartheid will be analysed and so will the implications.

5. Analyses of case study

This chapter will analyze the case as described in chapter four. The changes in the planning culture will be identified at the hand of the seven characteristics that were listed in the theoretical framework. At each characteristic there will be reflected upon the changes that appeared in South Africa and specifically within Hillbrow.

5.1 *Scope of the system*

South African planners have had different views on planning over time. During the years of apartheid, the scope of the planning system was focussed on the physical separation of different racial groups. Different policies were introduced to achieve this separation of races. The implementation of laws such as the Group Areas Act and the Natives Act are good examples of this. The laws had great implications for the prejudiced and disadvantaged groups in society. The laws introduced were very comprehensive because they combined different fields of policy. With the Group Areas Act, not only geographical boundaries were set, but also economical and social limitations were established. The scope of the planning system was wide and different policy fields were integrated to assure physical separation between the different racial groups. With this separation the 'supreme' white inhabitants and rulers assured that they benefited for most. Planning was used to protect the economic, social and spatial interests of the white inhabitants of South Africa.

A change in policy was made in the years that the apartheid regime weakened. The aim of planning was no longer primarily the protection of white interest but there was more focus on keeping the minority groups content with the apartheid policies. Black, Indian, Coloured and Asian people were promised more self control. For example the allocation of homelands. It was quite obvious that these incentives were implemented to keep the apartheid regime in tact as much as possible. Main goal of planning initiatives were the pleasing of minority groups.

After the abolishment of apartheid the scope of the planning system changed. Planning started to focus more upon the rehabilitation of South Africa. The traces of apartheid needed to be erased. Apartheid laws were no longer valid en legally embedded spatial segregation disappeared.

Within Hillbrow, the planning system changed over time. Hillbrow originated as a predominantly white neighbourhood where planning was focused upon the creation and maintaining of a middle class neighbourhood. Until the 60`s and 70`s Hillbrow indeed was a middle class neighbourhood and the port of entrance for many (white) European and British immigrants. But when at the end of the 70`s the economy stagnated, the vacancy of apartments increased. At the same time there was a shortage of housing for the racial discriminated groups who were obligated to live in fixed areas. As described in chapter four, it led to the inflow of black, Indian, Asian and Coloured people into Hillbrow. This eventually led to the fact that in the years following, the white population fled away from the neighbourhood.

After the abolishment of apartheid the scope of the planning system within Johannesburg was focussed on many policy fields and areas. A list of city wide plans is designed over the years. Within these plans it is tried to integrate different fields of policy such as economical development, housing, infrastructure, poverty and transport. The scope of the system is aimed at comprehensive development of the city of Johannesburg. At the other hand, there had been so much institutional and ideological change in the city that it was unclear which philosophy should inform action. A real specific 'scope', therefore is hard to define.

Within Hillbrow it is unclear what the scope of the planning system entails. There were only few plans, strategies or initiatives implemented to tackle the continuing deprivation in the 90`s. And out of the plans and strategies developed in the years 2002 – 2012, there are almost no measurable results of the implementation in Hillbrow. In many plans that were developed by the planning authorities of the city of Johannesburg, Hillbrow was neglected. Priorities were always given to other areas of the city for various reasons. Because the neighbourhood is one of the few neighbourhoods that entirely changed from white towards predominantly black inhabited neighbourhood, it was ignored by the (white elected) city council of Johannesburg. Hillbrow can be defined as ‘developmental black hole’.

5.2 Extent and type of planning at national and regional levels

It is already mentioned that during apartheid, planning was a tool to steer the physical separation of different racial groups. Planning, at all tiers of government, was aimed at this. All plans, from all tiers of government, needed to be in line with the Group Areas Act. The design of this Act was developed at national level, but implementation took place at regional and local level. There was no public consultation or participation at all in plan making. Because the Group Areas Act was leading and there were no alternatives, external effects such as social and economical implications were neglected. The extent and type of planning was primarily focussed upon the protection of white privileges and this was done with a top down planning approach. In Johannesburg there were comprehensive zoning schemes for the city. They indicated what racial group were allowed to live in which area. Hillbrow was assigned as ‘white neighbourhood’.

After the abolishment of apartheid the Group Areas Act no longer existed. The nature of planning had to be changed entirely because the aim was no longer the same. In the years after apartheid there was a high degree of uncertainty and chaos within governance in Johannesburg. A notable example is the period from 1995 until the end of 2001. In this period there was political chaos. Not until the end of 2001 the local government boundaries were set and the first full local government elections took place short after. Different interests made policy implementation difficult. There were struggles for personal positions, and disagreements on the policies to be implemented.

In Hillbrow there were several attempts to launch initiatives to solve the continuing impoverishment and all additional problems. But the local government had no instruments or the capacity to really act. The Johannesburg Housing Company renovated about 100 building units in two years time. But this success came to a halt when the city of Johannesburg was facing bankruptcy. Attempts to collect the arrears only worsened the situation in Hillbrow and more and more buildings declined. Planning solutions were ad hoc and not well thought out. Therefore planning in the 90`s in Hillbrow failed.

The extent and type of planning at regional (city wide) level in the years after can be characterised as comprehensive. Many policy plan were designed for the regeneration of Johannesburg. Within all of these plans (Joburg 2030, HDS, GDS, IDP) it is obvious that they try to integrate different policy fields to regenerate Johannesburg and to erase the traces of apartheid. But unfortunately, for Hillbrow there are no detailed regeneration plans and just few initiatives for the neighbourhood can be found.

5.3 Locus of power

During the apartheid, planning was very top down orientated. The Group Areas Act was leading in plan making. The executive power was in the hands of the central government. At local level there were only few responsibilities for planning authorities. But they were ill equipped and had no resources or instruments to manage the overall development in their towns or cities. In the post apartheid period, planning needed to be changed entirely. The need to steer apartheid in a top down manner was no longer there.

After apartheid, there has been a long period of mismanagement within Johannesburg and especially Hillbrow. The misalignment in policy making, personal battles for positions and the ignorance of Hillbrow by the Johannesburg City Council are the most important reasons. Because of this chaos in policy making, there was no transparent decision making. Hillbrow was frequently ignored in development- or rejuvenation plans made by the JCC. In the period from 1988 until the end of 1995 this can be devoted to the NP councillors who represented Hillbrow. They lacked to push the cause for Hillbrow. Another factor that played a role was the disagreement between the ANC and Democratic Party at that time. Many initiatives of the DP were blocked by the ANC because elections were upcoming. The transitional phase after the apartheid lasted until 2001. This period is characterised by a high degree of political competition, cumbersomeness and dramatic and fundamental restructuring.

After 2001, the JCC was still the most important authority that had to make decisions for the development of Hillbrow. And as mentioned, many plans and initiatives were introduced but without the instruments or mechanisms to implement them.

5.4 Role of public and private sector

The JCC has not made any investment on the maintenance and upgrading of infrastructure in Hillbrow in the years after the abolishment of apartheid. The only public sector initiative that is implemented, was the Blitz Operations initiative. This zero tolerance policy law enforcement dealt with hijacked buildings and the criminal activities that were undertaken. But because the initiative was set up in Hillbrow alone, the problems easily could spread to other parts of Johannesburg or even other parts of Hillbrow. To really make the Blitz Operations work, a city wide approach should be embraced.

The private sector has only marginal influence on development in Hillbrow. There are two initiatives that are supported by private investors. And the initiatives that are supported by private investment are in fact the only real developments that took place in the past years. But although the private supported investment did lead to development in Hillbrow, they are points of critique as will be clarified down below.

A public-private partnership introduced by the JCC was the Better Building Programme. With the BBP, buildings in Hillbrow (and other neighbourhoods) that were in bad state and or hijacked by illegal residents were refurbished and rented out at 'affordable' prices. The latter being a major problem. Most residents could not afford the new, marked-determined rent rates. The political support for the BBP also was questionable because the arrears of properties were written off, something not in line with the JCC's policy because in earlier years a lot of effort was put in the collecting of these arrears. Also the eviction of residents is a much discussed issue. Evicted residents have no alternative housing and therefore are forced to live on the streets or to hijack other buildings in Hillbrow and other parts of the city.

In three years time, only four building in Hillbrow were redeveloped and the BBP suffered problems that related to staff changes, increasing property values and law issues. In the end, the BBP is no long term success for Hillbrow. It does attract private investment and increases property value but the poor inhabitants are not helped with this. The problem of housing for the poor is displaced to other parts of Hillbrow and Johannesburg. It is obvious that the residents are not involved within the programme and that the solution is not sought with them, but with refurbishing the buildings and renting them at marked-determined prices.

Constitution Hill is one of the ripple pond investments initiated in the 2004 Business Plan. The initiative to redevelop the Constitution Hill area was funded for most part by different tiers of government and private investors. The project should have worked as catalyst for the surround area

but this catalyst function never had the aimed effects. The Business Plan (2004) stated that it was of great importance that the surrounding area of the project was 'well managed' to really have effect. And that, if this is not the case, it would 'negate the value of the initial investment'. The latter being the case for the Constitutional Hill project because as Winkler identifies, there is almost no economic value drawn from the investment by Hillbrow residents.

5.5 Legal framework

Within South Africa the legal framework was the most important tool to steer apartheid. With a comprehensive law system, the spatial separation of races was established. Legal rights were for most privileged for the white residents of SA. The black residents were subjected to obligations instead of rights.

After the abolishment of apartheid, the black residents of South Africa were no longer obligated to the apartheid laws. Therefore they could live in former white areas such as Hillbrow. Already at the time of the weakening of apartheid did the black, Indian, Asian and Coloured people move into Hillbrow. After the abolishment of apartheid, the inflow increased strongly. Rights and obligations for white and black inhabitants now were the same. After apartheid a new Constitution was implemented, over which the ANC and NP argued for three years, but in the end ensured the equal rights for all racial groups in society.

The legal framework of Johannesburg until 2001 remained quite unstable. As mentioned earlier, there occurred a major transition within the political tiers of SA. The period until 2001 can be seen as an extension of the fight for deracialization of the local government in Johannesburg. In the city the battle for a non-racial government was vicious and protracted on all levels of policy.

The result of the chaos in policy making is that a comprehensive amount of policy plans is designed over the years. These plans were initiated by different authorities and many had no decisiveness. Most plans are mid- and long-term strategies and lack implementation tools and mechanisms. Within Hillbrow there are no financial resources to implement regeneration initiatives. The JCC neglects Hillbrow in almost all strategies and plans and does not invest in the neighbourhood, in contrast to other parts of Johannesburg, for example the Joubert Park area. In the years before the FIFA World Cup 2010, the JCC put priority to the development of areas of importance for the World Cup. Hillbrow did not play a role in this.

5.6 Maturity and completeness of the system

From the case of Hillbrow it can be said that the maturity and completeness of the system is far from perfected. This is emphasized by the points raised above. Hillbrow is a neighbourhood that is forgotten and neglected in development plans and implementation of the JCC despite the fact that it suffers a really high density rate of buildings and residents and the bad state many building are in. Poverty and criminality are major issues within the area.

Hillbrow is a unique case in that it is one of the few neighbourhoods that transformed from a almost entirely white neighbourhood towards a predominantly black inhabited neighbourhood. It is therefore hard to draw general conclusions about the planning system and maturity in general, in South Africa. But it can be said, that in Johannesburg, South Africa's most important city, the planning system is not yet performing as it should. Promising plans are designed and a lot of effort is put into the creation of a 'world class city'. Although this world class city should apply to all residents of Johannesburg, also the residents of Hillbrow.

5.7 Distance between expressed objectives and outcomes

As can be seen in the fourth chapter, the list of plans and strategies developed is impressive. All of the plans and strategies have very ambitious goals. To achieve the desirable results, a lot of efforts need to be done.

The Joburg 2030 Vision is predominantly aimed at economical development. There is lack of concern towards developmental issues such as housing for the poor. And the Joburg 2030 plan is a long term strategy. The desired outcomes of the plan are ambitious. For instance the goal to not have a survivalist economy in the informal sector by 2030. Within Hillbrow this 'survivalist' economy is important and many inhabitants make their living with informal trading. To address the issues such as poverty, the JCC introduced the Human Development Strategy. The strategy is aimed at supporting the poor, championing their rights and opportunities and to build relationships between and among city residents. There is no specific plan for Hillbrow but the goals do seem to account for Hillbrow. Nevertheless, the strategy has no instruments or mechanism to implement the plans. It therefore is of little practical value for Hillbrow.

Initiatives such as the Blitz Operations, Better Building Programme and the regeneration of Constitution Hill are promising but do not solve the problems of bad buildings and poverty in Hillbrow as long as the residents are not being involved within the planning process. Ripple pond investments only work if in the surrounding area, economic activities are developed. This is not the case in Hillbrow. The JCC should implement city wide initiatives to address poverty, criminality and the impoverishment of buildings.

The city of Johannesburg is really good in designing and introducing new plans and strategies. But these plans seem to have way to ambitious objectives. These objectives cannot be achieved because in many cases there is a lack of resources. Implementation tools such as up to date decisive laws, financial resources, manpower and knowledge are missing.

Within Hillbrow we have seen that from the many plans introduced there are only few objectives achieved. There is a major gap between expressed objectives and the desired outcomes. The creation of planning is good but it are ultimately the implementations and results that count.

5.8 Changes in policy

During apartheid a strong form of top down planning control was implemented which also reflected on Hillbrow. From higher tiers of government decisions were made and implemented on regional and local level. The NP was the only political party allowed and made all policies. This changed after the abolishment of apartheid. Democracy made its appearance and this of course was of great influence on the spatial planning within South Africa. The aim of planning was no longer the physical separation of races but the uniting of South Africa. But the path towards democratization in Johannesburg, was a fight that lasted until 2001. It was until then that the first local democratic elections took place.

Within Hillbrow there are only few signs of the more bottom up planning approach in South Africa. Characteristics such as flexibility, influence of market forces and public-private partnerships are rarely found. There is also lack of involvement of regional and local actors and the creation of support for planning decisions. Although all various plans promise the creation of a world class city. The fate of Hillbrow so far is that it is a developmental black hole.

6. Conclusion

In this chapter the final remarks and conclusions will be drawn. First of all, a quick review on the theory and research will be given. Secondly, the questions asked within this study and the answers resulted from them will be stated. Then the implications for the theory found within this study will be discussed. Hereafter, the implications and recommendations for policy, will be topic of discussion. Finally, some suggestions for further research will be made based upon the achievements, limitations and approaches of this study and what the contribution of further research can be.

6.1 *Review of the theory*

The goal of this study is to identify the instruments that were used within the South African planning culture and are leading in the transition from top down towards bottom up planning. The underlying motivation for this thesis has been the transition that took place after the abolishment of apartheid. Major changes within the planning system were needed to change planning in South Africa. These changes in the planning culture should be a complete reversal of policy and mindset to achieve democratic planning with a more bottom up planning approach. The thesis is split up in two parts; one part which discusses the theory and one part in which the research has been addressed.

In the theoretical part, five main themes were discussed; planning approaches, planning cultures, historical background of South Africa, planning and governance during apartheid and key apartheid Acts. The themes were discussed in separate sections. The first section addressed planning approaches in general. Differences between the rational, disjointed, advocacy, communicative and institutional planning approaches were enlightened and the perspectives of top down and bottom up planning approaches. The second theme addressed the theory on planning cultures and the characteristics to describe a planning culture. They were used in the analyses of the case chapter. Within the third theme, a short historical overview of South Africa was given. The creation of apartheid was the guideline in this. The last two themes discussed planning and governance during apartheid in South Africa. Key apartheid Acts explained the impact of apartheid. The theory chapter is on the basis of the research because it substantiates the research questions of the thesis.

6.2 *Review of the research*

To answer the research questions, a case was chosen. This was the Hillbrow neighbourhood in Johannesburg. There were several reasons for choosing this case. One of the main reasons is that it has undergone a great physical, demographical and socio-economical transformation. It changed from a predominantly white, middle class neighbourhood towards an almost entirely black inhabited neighbourhood. This is quite unique within South Africa. Also the high population density and the high crime rates made it an interesting subject of study.

To research the case, secondary data is used. It proved that there was quite some literature on apartheid and the relation with planning in South Africa. Data that specifically referred to Hillbrow was published to a lesser extent, therefore lesser references could be used. But it must be said that the research publications used are detailed and comprehensively performed.

The case is logically structured. At first an introduction is given on the neighbourhood. Then the case focuses on the physical change and housing and the following section continues with planning and governance issues. The last part of the case deals with the regeneration of Hillbrow. This last part is of great importance because the changes over time in Hillbrow became obvious.

6.3 Thesis results

It has been found that the relation between environmental planning and apartheid in South Africa was very narrow. During the apartheid regime, environmental planning was used for the physical separation of races and the protection of economic, social and spatial interests of the white inhabitants. The planning system was characterized by a strong form of top down control. The Group Areas Act was leading in plan making. All plans needed to be in line with this Act. Different policy fields were integrated to achieve the physical separation of races. Because this physical separation was the main goal of planning, all external effects were neglected. After the abolishment of apartheid the goal of environmental planning changed. The need to protect the white interests was no longer there. The legacy of apartheid needed to be erased.

Already before the abolishment of apartheid, black, Indian, Coloured and Asian people moved into Hillbrow because of the housing shortage in the fixed areas they were supposed to live. And just few years after the abolishment of apartheid, the neighbourhood was predominantly habituated by former discriminated racial groups. This had great influence on environmental planning in Hillbrow and the mindset within the planning culture. The white elected Johannesburg City Council neglected the neighbourhood in all development and rejuvenation plans. Major issue was that within the JCC there was a high degree of political chaos. The process towards a non racial, democratic local government appeared to be difficult. Not until 2001 the local government boundaries were set and the first democratic elections took place.

In the transitional phase after apartheid (1994-2001), there were few planning initiatives within Hillbrow. This period is characterised by the declining of Hillbrow and the increasing density rates of residents and rising criminality. After 2001 the JCC set ambitious goals for the city of Johannesburg. In 2030 it needs to be a 'world class city'. An impressive list of policy plans is developed with mid- and long-term visions to achieve this goal. In the plans, Hillbrow is very underexposed and just few initiatives for rejuvenating the neighbourhood are mentioned. So called ripple pond investments such as Constitutional Hill should work as catalyst for the surrounding area. In Hillbrow this ripple still needs to be found because the catalyst effects are not there.

Hillbrow can be characterised as 'developmental black hole' because over the years there were almost no developments. There are few signs of a bottom up planning approach in Hillbrow. For most part this can be blamed upon the fact that planning initiatives are scarce, this being the fate of Hillbrow.

6.4 Implications of theory

The theoretical implication of the research is hard to define. The outcomes of this study, probably is no shocking news to people who are familiar with the situation in Hillbrow. Also the residents of Hillbrow would not be shocked with the news that within Hillbrow there is no bottom up planning approach and that it is forgotten within plan making over the last 20 years. But one implication can be that other researchers become interested in the Hillbrow case. Especially on how to implement more bottom up planning approaches. Within this research there is no real focus on the improvement of the bottom up planning processes. This research could lead to a study that is more focused upon the improvement of the bottom up planning processes in Hillbrow.

6.5 Implications and recommendations on policy

The policy that was used over the years by the city of Johannesburg has resulted in the decline of Hillbrow. For many years the neighbourhood was neglected by the JCC for various reasons. There was never given priority to the development of Hillbrow. As we now know, until 2001 this can be blamed for most part upon the political chaos within Johannesburg. But after 2001 there may be another cause. South Africa was the host of the 2010 FIFA World Cup Football and prestige was at stake.

Johannesburg was one of the host cities and therefore the city needed to be in excellent state. Again, Hillbrow was not included in the plans. Therefore a lot of effort was put in the upgrading of other areas. In the end, South Africa presented itself as a reborn country with the traces of apartheid being erased. But Hillbrow still being the legacy of the apartheid era.

The city of Johannesburg has, as mentioned before, ambitious plans for 2030. But Hillbrow is not really of part of this vision. Therefore the plans should be readjusted. A city wide approach towards criminality, impoverishment, poverty and housing for the poor should be embraced. But problems within Johannesburg are deeply rooted. Issues that play a role are the gap between the rich and poor, white and black communities and the distribution of funds over the city. All these issues are of great importance of contemporary Johannesburg and South Africa but are not discussed within this thesis. To make recommendations on the improvement of the bottom up process of Hillbrow that make sense, all of these issues should be considered. One could say easily that the JCC should launch a programme to involve the residents of Hillbrow in plan making, and to give the illegal residents alternative housing, provide jobs, improve buildings and infrastructure, but the case is that over the past 20 years it is tried to transform the neighbourhood and the results are marginal.

Therefore comprehensive research is needed, as was done by Winkler and Morris, to understand the context of the neighbourhood and to do relevant contributions to the development of Hillbrow and the enhancing of the bottom up planning process. Especially on the developments and policies of contemporary Hillbrow, that is quite underexposed in the secondary data used for this research.

6.6 Further research

The gathering of primary data on the situation in contemporary Hillbrow and Johannesburg would be of great interest for further research. As mentioned, within this research only secondary data is used. Therefore it is, in some cases, quite old data. To strengthen this research, the collecting of primary data is of importance. Interviews with managers of planning authorities, the mayor of Johannesburg, nongovernmental organisations and faith based organisations active in Hillbrow, residents and other actors can be of great interest to identify the degree of bottom up planning that is experienced by these actors. In my opinion this research can be a good motive to perform such a research.

Further research can be of more value if it focuses more on factors that can improve the bottom up planning process in South Africa, Johannesburg and especially Hillbrow. Instruments need to be implemented to achieve this. With additional research, the comparison with other neighbourhoods in other cities can be made, that did achieve a more bottom up planning approach.

Nelson Mandela quoted that education is the most powerful weapon which you can use to change the world. Hopefully this thesis, in its modesty, can contribute to change the fate of Hillbrow.

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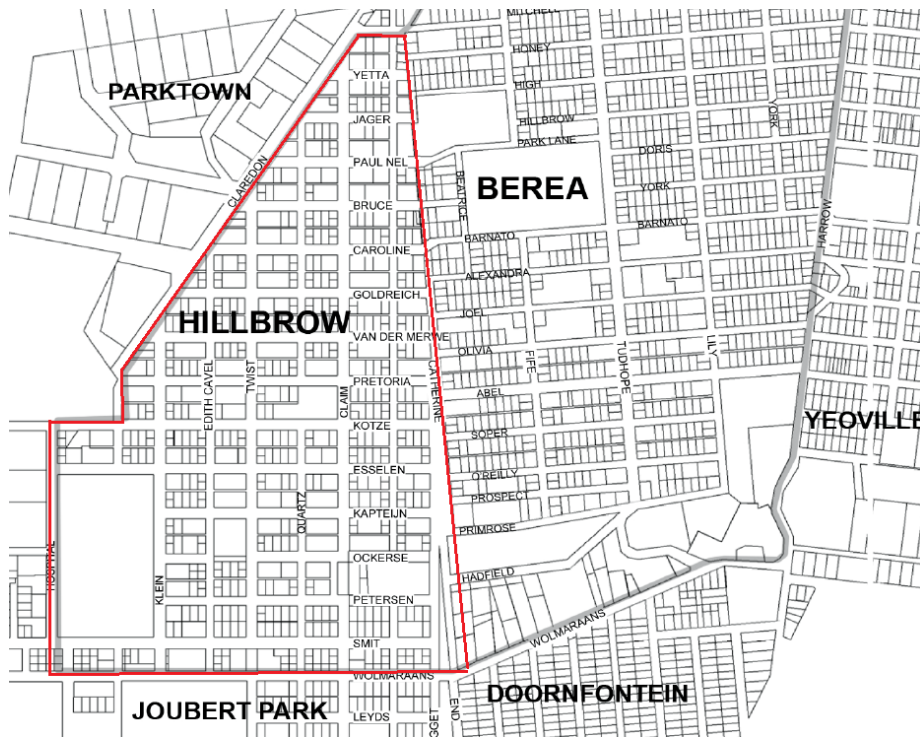
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Annex A

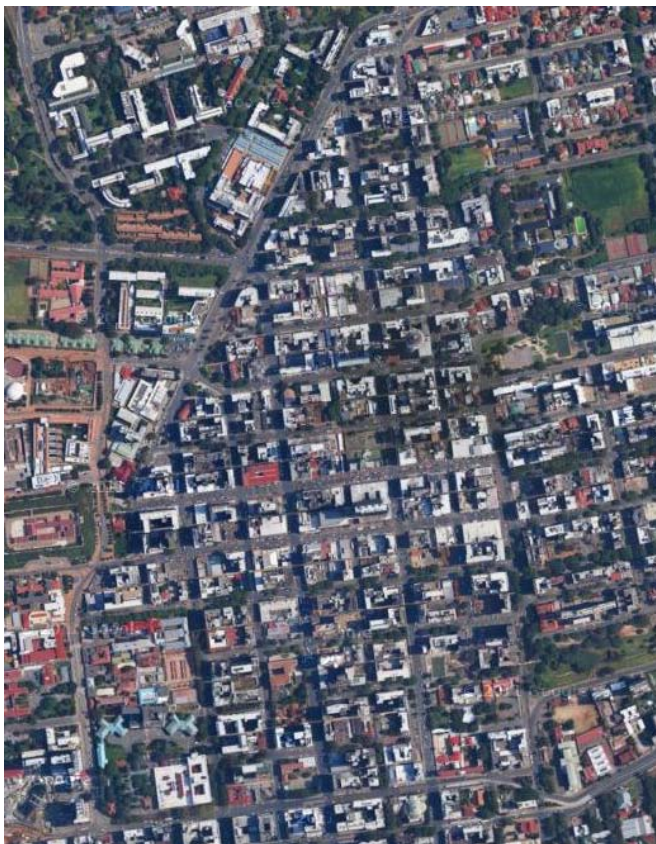
Acts	Main points
Group Areas Act (no. 41 of 1950, amended and consolidated in no. 77 1957)	<ul style="list-style-type: none"> * This had a more substantial effect on racial segregation than any previous legislation; * Its application was mainly in urban areas, given that many of its provisions were already implemented elsewhere; * It imposed restrictions on interracial property transactions and interracial changes in occupation of property; * Its ultimate aim was establishing group areas for the exclusive occupation of each racial group; * Border strips were used to act as barrier between different group areas; Control over occupation could be temporarily withdrawn by special proclamation; * It extended control over private property.
Prevention of Illegal Squatting Act (1951)	<ul style="list-style-type: none"> * It empowered the authorities to evict squatters form public or private land and to relocate them at discretion; * It stipulated that no one could enter any African village or location, nor build anything on such areas without permission.
The Black Authorities Act (1951)	<ul style="list-style-type: none"> * This provided statutory recognition to traditional African political and administrative structures, based on the chief and his councillors. This was to culminate in a territorial authority based on tribal and regional authorities.
The Abolition of Pass Laws and Co-ordination of Documents Act (1952)	<ul style="list-style-type: none"> * The variety of documents which had to be carried by blacks were consolidated into a single document * Contrary to its title, this Act did not abolish the pass book, but rather extended its scope as woman were also required to carry passes (after widespread discontent, women were issued with reference books).
Reservation of Separate Amenities Act (1953)	<ul style="list-style-type: none"> * The separation of public amenities along racial lines (including recreation, health, education and transport).
Group Areas Development Act (1955)	<ul style="list-style-type: none"> * It represented a further extension of control over private property, for example, the expropriation of properties for the purpose of creating group areas.
The Promotion of Black Self-Government Act (1959)	<ul style="list-style-type: none"> * This was a formal recognition of the different black population groups as distinctive national units. It established the constitutional mechanisms for each to attain self-government and independence.
The Black Labour Act (1964) and the Black Labour Regulations (1965)	<ul style="list-style-type: none"> * Blacks required permission to be employed; * Provision was made for labour bureaus that could control the employment of blacks.
Transkei Constitution Act (1967) Constitution of Bophuthatswana Act (1977) Status of Venda Act (1979) Status of Ciskei Act (1981)	<ul style="list-style-type: none"> * These Acts all involved the institutionalization of the homelands as 'independent' states.

→ Examples of apartheids legislation; adopted from Prinsloo et al., 1999.

Annex B



→ Hillbrow and surrounding neighbourhoods (Silverman and Zack, 2007)



→ Aerial view from Hillbrow (Google Maps, 2012)



→ 3D view on the Hillbrow neighbourhood (Silverman and Zack, 2006)

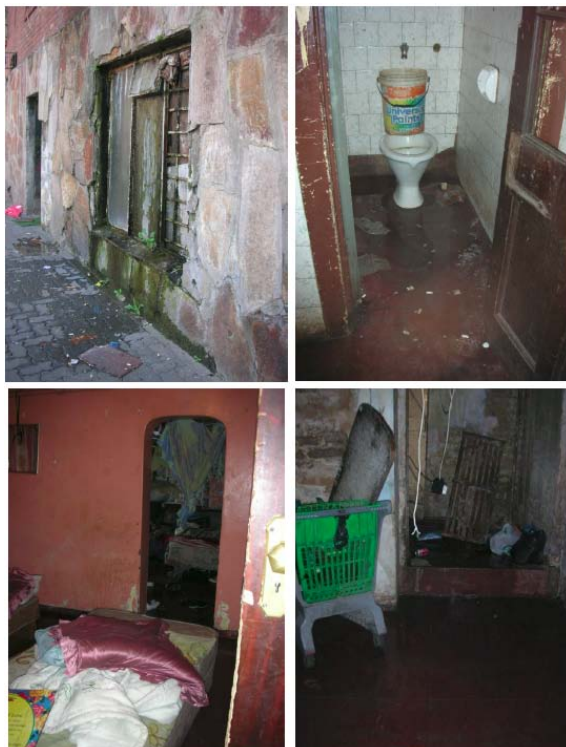


→ Aerial view on Hillbrow, the Central Business Centre and the adjoining neighbourhood Berea in 1978 (Hugh, 1983 in Silverman and Zack, 2007)

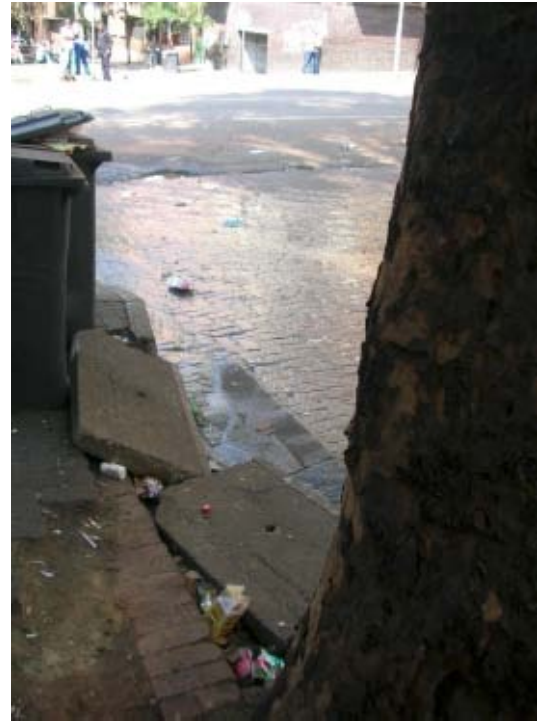
Annex C



→ Impression of the streets in Hillbrow, 1978 (Hugh, 1983 in Silverman and Zack, 2007)



→ Bad condition buildings in Hillbrow, this building taken over by slumlords (Silverman and Zack, 2007).



→ Impression of the Hillbrow Neighbourhood, the upper left photo showing a wall used by residents to advertise for the sharing of dwellings. The photo on the right illustrates the bad maintenance of public space (Silverman and Zack, 2007).

Annex D

Racially demarcated local government bodies	Up to 1994	Rather than merely a period of decentralisation, from a metropolitan perspective this was essentially a period of disintegration as the different races operated under different legal and planning systems, had vastly different resource bases and different service levels.
<i>Negotiation Phase</i> Central Witwatersrand Metropolitan Chamber	1991-1993	The 1990 Soweto Accord led to the formation of the Chamber to resolve outstanding problems that would lead to the resumption of rent and service payments, and essentially to work out how to integrate Metropolitan Johannesburg.
Greater Johannesburg Local Negotiation Forum	1993/94	The Chamber was restructured into the Forum in terms of the Local Government Transition Act of 1993. The Forum was charged with negotiating the appointment of a 'pre-interim' council to govern until local government elections in 1995. All financial, administrative and political authority would be centralised at the metro where the distribution of powers and functions would be negotiated, then drawn down by the substructures. Forum proposal of strong metro with 7 substructures proclaimed in November 1994.
<i>Pre-interim Stage</i> Strong metro with seven substructures	Dec. 1994-Nov. 1995	Strong GJMC established to manage process of transition. This arrangement was never fully implemented as disputes about the boundaries of the substructures led to a reassessment of the earlier agreement and a revised proclamation.
<i>Interim Stage</i> Weaker metro with four metropolitan councils	Nov. 1995-Oct 1997	Greater powers and functions assigned to metropolitan local councils.
Strengthening of metro		Financial difficulties encountered by GJMC and the metropolitan local councils, problems with redistribution, and management difficulties throughout the system prompted increasing re-centralisation.
<i>Final Stage</i> Dominant metro	Expected in 2001	The <i>White Paper</i> on Local Government prescribes a dominant metropolitan government and no metropolitan local councils.

→ Phases in the restructuring of metropolitan local government (adapter from Tomlinson, 1999)

ANNEX E

South Africa: Poor Squatters Make Way for 2010 World Cup

Integrated Regional Information Networks

United Nations

April 16, 2007

Tens of thousands of South Africa's poorest people face eviction from inner-city suburbs across the country ahead of the 2010 World Cup football.

The country's Supreme Court of Appeal recently allowed Johannesburg City, which has two world-cup stadiums, to evict 300 squatters from inner-city buildings classified as unsafe by the Johannesburg municipality.

Johannesburg has evicted thousands of the country's poorest people from 125 buildings since the 2001 launch of its urban renewal plan for 235 buildings on its list of "bad buildings," mainly hotel and apartment block construction and refurbishment.

The eviction process was forced to cease after a High Court decision in favor of the squatters in March 2006, when their legal team successfully argued that eviction would make their clients homeless because there was no clear strategy to provide them with adequate alternate accommodation. However, the city council appealed the High Court decision.

Last month, Appeals Judge Louis Harms ruled that the city's notice for the squatters to vacate the derelict apartment block and residential buildings in the inner-city suburb of Berea, on the grounds of fire and health hazards, to be neither unconstitutional nor otherwise unlawful.

"Moreover, the obligation of the occupiers to comply with that order is not dependent upon their being provided with alternative accommodation, even if the effect of complying with the order will be that they are left without access to adequate housing," the judgment read. The Supreme Court of Appeal also ordered the city to offer those evicted relocation to a temporary settlement area.

Stuart Wilson of the Center for Applied Legal Studies at Johannesburg's Witwatersrand University said there were concerns that the judgment did not go far enough in protecting the occupiers of so-called "bad buildings" in inner city Johannesburg from the arbitrary exercise of state power.

"The court record shows that the inner-city poor are routinely marginalized by the City of Johannesburg and denied an adequate hearing by the city's officials before decisions to evict are taken. The judgment appears to condone this practice, and effectively leaves it to the city to decide if and when the occupiers of bad buildings should be consulted prior to future eviction applications," he commented.

"I do not understand how the S.C.A. [Supreme Court of Appeal] can require alternative shelter to be provided to the most desperate, but not require that residents of all bad buildings be consulted in order to find out whether or not they are desperate," Wilson added.

Evictions have resumed since the ruling: more than 100 refugees and asylum seekers were evicted on March 28 from the Coronia Gardens building in Johannesburg's city center, where they had lived for years, according to the United Nations refugee agency, U.N.H.C.R.

Setting a Precedent

Human rights activists have warned that the ruling, which may be appealed to the constitutional court, paves the way for similar evictions across the country's 10 world-cup cities, where many central business districts have fallen into disrepair since the demise of apartheid.



Nelson Khethani, a street vendor, outside a "bad building" from which he faces eviction. (Photo: Photo: Bill Corcoran / IRIN)

Prior to 1994, South Africa's various population groups lived in segregated areas, with the country's then affluent inner-city suburbs mainly occupied by whites.

After racial segregation was done away with in post-apartheid South Africa, poor blacks migrated to the cities in search of employment, where inner-city landlords overcrowded their properties as white people vacated the inner city and moved to the suburbs. Buildings fell into disrepair and basic facilities like electricity and water were disconnected when the accounts were not paid.

A key component of Johannesburg's ambitious redevelopment program is the clearance of these "bad" buildings, which are often perceived to be hotbeds of crime.

According to the council's Inner City Regeneration Strategy, the elimination of such socioeconomic "sinkholes" will contribute to improved property values, raise private-sector investment, and help to transform Johannesburg into an "African World Class City."

To kick-start inner-city regeneration, the council has introduced projects such as the Better Buildings Program, which allows redevelopers to take over buildings that have run up huge utility bills, in exchange for a rates rebate. However, many of these programs have stagnated since the legal battle began.

The council has argued that it has taken the city's poor into consideration with transitional housing initiatives in its inner-city regeneration strategy. With the help of Metro Evangelical Services and the Johannesburg Trust for the Homeless, the once dilapidated Europa Hotel in the city center was recently refurbished and turned into a low-cost communal housing project.

Human Rights Violations

The efforts to transform Johannesburg have also caught the attention of the Geneva-based nongovernmental organization, the Center on Housing Rights and Evictions (C.O.H.R.E.).

After a survey of the inner city, C.O.H.R.E. estimated that up to 26,000 squatters living in the inner city are suffering widespread human rights violations as a result of the city's redevelopment plan.

"Although some of the buildings in question are indeed 'unhealthy,' and may serve as bases for criminals, our research clearly shows that the majority of those who live in such buildings are ordinary poor people, trying to earn a living on the streets of Johannesburg," said C.O.H.R.E.'s Jean du Plessis.

"These poor people choose to live in urban centers because they are located close to formal job opportunities or points of entry into the informal economy. They are themselves very often the victims of crime, unprotected by an under-resourced police force, rather than the criminals they are often made out to be. In the name of clearing these depressed areas, they are being forcibly evicted without any credible alternative housing or tenure options."

Nelson Khethani, 55, is a sweet and fruit street vendor from the Eastern Cape, one of South Africa's poorest provinces. "The only way I can make a profit is if I live in the city. It costs 8.50 rands [US\$1.18] for transport a day if I were to live outside the city, and I only make between 400 rands [about \$56] and 600 rands [\$83] per month," he said.

"To forcibly remove us from our homes and send us out of the city is like the racial segregation the apartheid regime used against us. We are not criminals—you can walk in here at 12 midnight and nothing will happen to you," he said emphatically. "We have a building committee that controls who moves in and out, and we clean the building from top to bottom very Sunday ourselves."

Khethani is one of 300 squatters facing eviction from the building since the Supreme Court of Appeal decision. "The reason this building fell into disrepair is the fault of the council, who have abandoned it. We do not want a free ride but the council won't even meet us halfway. They could give us an apartment ... and we would pay rent in return." © IRIN