

# SOCIO-ECONOMIC AND SPATIAL INEQUALITIES IN THE PROVISIONING OF SUSTAINABLE HOUSING IN SOUTH AFRICA

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## ABSTRACT

The provision of housing has remained a major challenge in South Africa given the inherited inequalities and injustices of the past. In this democratic dispensation, the goal of the African National Congress (ANC)-led government is to ensure that the dispossessed citizens own properties by land developments and by creating sustainable housing through the promulgation of legislation to redress land ownership of the dispossessed. Since 1994, the government managed to deliver over one million subsidised units and redistributed land to those who qualify according to the set criteria. Despite such positive developments, the disparities between the poor and the affluent in home and land ownership still continue unabated. While the poor, disadvantaged citizens still encounter challenges to access housing and land due to pecuniary difficulties, the previously advantaged communities and the present affluent continue to enjoy the acquisition of houses, land, and monetary assistance from the financial institutions.

**Keywords:** sustainable housing, spatial disparity, land acquisition, ownership, socio-economic status, restitution

## INTRODUCTION

The magnitude of the inequalities in the pre- and post-democratic South Africa has manifested itself in landlessness and noticeable poverty of the previously marginalised African communities. Land ownership is perceived as one of the ways in which to emancipate the majority from poverty to sustainable socio-economic empowerment. As espoused by Wensing and Taylor (2012:5), the right to land and homeownership is a powerful tool for a community's economic development. Owning land or a house gives power to the owner to use these assets as an economic empowerment opportunity to enhance his/her socio-economic status through investment and any other possible way. Whereas the birth of the South African democracy served as a beacon of hope for the landless and the homeless, the right to own land and decent houses is still an intensely contested space. As mentioned by Rumney (2005:403), this contest is exacerbated by the failure of the state to adequately address the issue of "... restitution of property expropriated under apartheid, redistribution and land tenure" as vital elements of empowerment. As long as the government continues to shy away from adequately and boldly addressing the pertinent land reform issue, the strife for land acquisition and lack of sustainable housing will always remain a harsh reality.

The article starts by providing background of land and home ownership and legislation pertaining to the above-mentioned issues during the apartheid era, and continues to discuss the legislation framework on land and housing in the democratic era briefly. The article further deliberates on the literature on housing and land acquisition in relation to socio-economic status of communities, and provides arguments raised by different authors on spatial inequalities and housing. Additionally, the current state of affairs regarding housing and acquisition of land in the post-apartheid South Africa is discussed. The article closes off by raising a question on whether the provision of sustainable housing and restoration of dispossessed land is possible in this democratic era, and provides possible recommendations.

## A BRIEF BACKGROUND

In its quest to address the land and housing imbalances that would improve the socio-economic status of the marginalised citizenries, the South African government promulgated legislation that would make it possible for the landless and those who do not have proper dwellings to have land rights, something they have not had since the inception of the apartheid legislation. According to Parliament of the Republic of South Africa (2014) the apartheid legislation included the Natives' Land Act, 1913 (Act No. 27 of 1913), which prevented black people from purchasing and owning land anywhere in South Africa, except in an area referred to as "the 'native reserves' that constituted only 13 per cent of South African land" (Parliament of the Republic of South Africa, 2014), and the Native Urban Areas Act, 1923 (Act No.

21 of 1923), which prevented freehold property right to black people based on the fact that they were not considered permanent residents in urban areas and “should only be permitted within municipal areas in so far and for so long as their presence is demanded by the wants of the white population” (Worden 1994:43). According to James (2003:3), the Natives Land Act precluded South African blacks from owning land in areas designated for the minority white population. As further stated by South African History Online (2014) the Natives Land Act served as a foundation for the promulgation of other legislation that saw millions of blacks dispossessed of land and relegated to townships and farms where they served as farm labourers. Whites accumulated 93 per cent of the land for themselves. The natives became destitute as they moved from one place to another without land to call their own. James (2003:3) further says that the 1936 Native Trust and Land Act, which was later accompanied by the 1951 Bantu Authorities Act, further alienated thousands of the black populace, especially in the 1950s and 1960s, by forcibly removing them to homelands, the ‘states-in-a-state’ that served as labour repositories. The number of hectares that would be in the hands of blacks in the form of homelands as reflected would be approximately 13 per cent of the 121 973 200 hectares of South African land as depicted (see Table 1). The then regime ensured that the homelands imposed traditional chiefs that would drive the segregation and marginalisation agenda.

**Table 1:** Homelands and their extent in hectares

AREA	EXTENT IN HECTARES
Ciskei	947 960
Gazankulu	746 925
KaNcwane	366 314
KwaNdebele	337 332
KwaZulu	3 938 362
Lebowa	2 249 748
Qwaqwa	114 525
Transkei	5 094 446
Venda	646 993
Bophuthatswana	3 991 519
TOTAL	16 035 593

*Department of Rural Development and Land Reform 2013*

According to Reitzes (2009:6), the housing backlog in South African urban areas was about 1.3 million units in 1990. In order to close the disparity in housing, the

government was to build 200 000 units per year. The housing backlog therefore necessitated the democratic government that came into power in 1994 to put in place legislation that would address the land and housing anomalies of the pre-democratic era.

## POST-1994 LEGISLATIVE FRAMEWORK AND POLICIES ON LAND AND HOUSING

The urban housing backlog in 1990 was estimated conservatively at 1.3 million units. When the ANC-led government took the reign in 1994, it sought ways to address the housing and land anomalies of the past. There was therefore a need to introduce the Bill of Rights, embedded in chapter two of the Constitution of the Republic of South Africa, 1996, which states that every citizen has the right to access adequate housing. In the same year, the White Paper on Housing 1994 was introduced, which sought to stabilise the housing environment by addressing the issue of housing backlogs that was estimated at 1.5 million. The White Paper also sought to provide a framework on the establishment of housing subsidy programmes, and ensuring that commercial banks do not discriminate against those who apply for housing loans based on colour, race and geographical areas. Other issues addressed by the White Paper on Housing 1994 are stabilising the housing environment; seeking ways to enable access to appropriate land for housing, and establishment of the roles of local, rural and metropolitan governments in the facilitation and promotion of housing to all sections of the populace that fall within their jurisdiction.

For the purpose of restitution, the ANC-led government introduced the Restitution of Land Rights Act, 1994, which was supposed to provide a framework that guides on the returning of land to the dispossessed individuals and communities since the passing of discriminatory laws in 1913. To facilitate and accelerate the process, the government established institutions such as the Commission on Restitution of Land Rights and the Land Claims Court. In 1996, the Communal Property Associations Act (CPA), 1996, was promulgated with an intention to assist “groups to acquire, hold and manage property as agreed by members and using a written constitution”. Other laws introduced were the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996) that emphasise the safeguarding of labour tenants’ rights to use, occupy and own land where they serve as farm workers and other forms of labour. This legislation gives farm workers the right to occupy private land and protect them from illegal eviction. Another piece of legislation is the Interim Protection of Informal Land Rights Act, 1996 (Act No. 31 of 1996) that gives temporary protection to occupants in a land that is not “... otherwise adequately protected by law.” The Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997), which looks into the matter of securing the land tenure on a long-term basis, controls the residence conditions on a particular land, ensures that the termination of the residing rights of a person and

the eviction are done in a legal manner. Later, in 2004, the Communal Land Rights Act 11 of 2004 was enacted to ensure the transfer of communal land from the old apartheid order to communities and to provide the democratic administration of such a land.

The Housing Act, 1997 (Act No. 107 of 1997) provides general principles regarding housing development by prioritising the needs of the poor in an economically, socially and financially sustainable manner. It also creates a framework for the facilitation of a sustainable housing development process and stipulates the roles and functions of the national, provincial and local spheres of government in facilitating and fast-tracking the housing programmes in order for citizens to have adequate and sustainable housing. In 2008, the Social Housing Act, 2008 (Act No. 16 of 2008) came into being for the purpose of creating and fostering a sustainable social housing environment and for the establishment of the Social Housing Regulatory Authority (SHRA) that has the legislative mandate to revamp communities by offering rental homes that are affordable, and to create an environment that would enable the growth, development and sustainability of the social housing sector.

LaHiff (2005:1) states that the introduction of the “willing buyer-willing seller” principle between 1993 and 1996, which emphasised that there should be a voluntary transaction between the seller (owner of the land) and the buyer (in this case government), was another strategy by government to ensure that the disadvantaged black people could acquire land. This document became the cornerstone of the land reform policies of government. As this concept of willing buyer-willing seller dominated the land reform discourse, landowners saw this as a money-making scheme by selling to the highest bidder. De Vos (2013) asserts that the willing buyer-willing seller redistribution policy of government is not yielding the desired fruit as far as land restitution is concerned because the willing sellers (property owners) deliberately escalate the price of land way above the market price “...to block redistribution efforts”. Therefore, this seems to render the redistribution policy ineffective in relocating land to the disadvantaged communities and giving the land back to its rightful owners.

## SOCIAL HOUSING SECTOR

It is of utmost importance for the purpose of this article to establish a nexus between the socio-economic status to housing and land in order to validate the argument that poverty is a stumbling block to housing and land ownership.

### Socio-economic status in relation to housing and land acquisition

The unemployment of individuals and communities and the lack of job opportunities, particularly in a country that has the history of segregation and displacement for a

long period, influence the affordability of housing and land acquisition. The lower the income, the more difficult it is to get decent housing and acquire a good-sized piece of land. The more the people live below the poverty line, the fewer the chances of them acquiring property in the form of land and houses, particularly in urban areas where rates and taxes are often unaffordable. As mentioned by The National Housing Code (2009:18), a number of beneficiaries of housing subsidies can hardly afford the ever-increasing municipal services and taxes. Le Roux (2011:21) asserts that unemployment is a “wicked problem” and one of the causes of the housing challenges in South Africa as it deprives citizens from the opportunity to own land and housing

The question of land and housing becomes a critical socio-economic issue when the majority of the population is being marginalised based on race, gender, class and ethnicity. According to Ul Huda, Burke, Ul Haq and Hamza (2006:3), Maslow’s hierarchy of needs states that safety and shelter are basic requirements for survival. Being houseless and landless is a social evil that the government needs to obliterate as it increases the number of slums and squatter settlements, illegal occupation, drug addiction and possibly prostitution. The obliteration of such a social evil can only take place if government is not slack in effectively implementing such legislation.

The White Paper on Housing 1994 states that there is a relationship between income and housing; the increase in income of the lower-income group can increase the demand for houses and, therefore, can have a positive impact on the economy of the country. This, therefore, implies that housing can contribute positively to the economic activity of a country. On the other hand, a high unemployment rate negatively affects the housing demand and slows down economic growth. If the latter becomes a challenge in a country, there is no way that there can be a provision of sustainable housing. As argued by De Silva and Elmelech (2012:2), over the ages, homeownership has become key to wealth amassing and an investment for the coming generations in different countries, including the developing countries. A related argument by Meen and Nygaard (2010:51) states that land and housing can be used as collateral to jumpstart small businesses. From the above arguments, it becomes evident that reasonable accessibility to housing and land acquisition is a doorway to economic emancipation of citizenry, and that in turn has a ripple effect on the social wellbeing of the population and on a country’s economic growth. For the enhancement of the socio-economic status of the disadvantaged populace to be realised, a government has to play a pivotal role in ensuring that citizens have access to housing and that the spatial inequalities gap is attenuated.

## SPATIAL INEQUALITIES AND HOUSING

Spatial inequality or disparity refers to the stark differences that exist in a specific country or region as far as the availability of a variety of resources and services is concerned. The differences may be as a result of, *inter alia*, race, religion, culture,

economy and availability of land and infrastructure. Spatial inequality can manifest in a socio-economic development or underdevelopment and economic performance of a region as compared to another (Kutscherauer et al. 2010:7). The inference is that spatial disparity might be a result of governments giving more attention the socio-economic development of one area over another in terms of the distribution of resources.

To combat spatial disparity and enable sustainable housing and infrastructure, governments need to ensure that accessible housing, social and economic opportunities are made available to all citizens regardless of race and class, to ensure that there is adequate living space for the population, and to indiscriminately make housing and land opportunities available to all.

Kanbur and Venables (2005:1) maintain that geographical setting contributes to spatial inequalities and disparities, particularly when one group of the population occupies an advantaged expanse while another group or groups inhabit a topographical area that does not have the necessary infrastructure and other necessary resources for economic growth and social development. Furthermore, spatial inequality may be an indication of a country's general inequality that, if left unattended, may lead to social, economic and political instability. It becomes crucial for a government to ensure that the percentage of people below the asset poverty line is decreased significantly year by year. As further espoused by Anderson and Pomfret (2004:6), unattended spatial inequality in a country, particularly where ethnicity, race and class are used to create unfair discrimination, can be seditious.

In addressing spatial inequality for the social and economic benefit of communities that have been dispossessed and stripped of ownership of land, a government needs to strategically and robustly engage such communities in a comprehensive, all-inclusive and sustainable restorative process that will see them thrive socially and economically. The meaningful conjoint restorative process will have a long-lasting ripple effect on the country's socio-economic development.

## THE CURRENT SOUTH AFRICAN STATE OF AFFAIRS

The socio-economic and spatial disparities are a striking feature in modern South Africa as evident in a number of informal settlements where the disadvantaged black communities occupy small and poorly built houses in very small yards. This is prevalent mainly in formerly black townships, as compared to few affluent communities in suburbs that own and occupy big houses in sizable urban yards and massive farms. Because of their proximity to main cities, the well-off suburbs continue to enjoy development opportunities and better services, whereas peripheral informal settlements and former black townships do not enjoy the same economic and infrastructural benefits. As stated by Kanbur and Venables (2005:5), the geographical factor plays an important role in determining development of an

area, as the proximity to cities becomes an advantage and, therefore spatial disparity will continue to be a challenge. The issue of the poor socio-economic status in the majority of black South African communities and the racial disparities in sustainable home and land ownership is a concern that needs to be addressed adequately and expediently by the present government.

## LAND AS A FACTOR IN THE PRESENT SOCIO-ECONOMIC DISPARITIES

When the ANC-led government came into power in 1994, it inherited the longstanding social, economic and spatial inequalities that were not only expressed through racial and geographic constructions, but also through class. As expressed by Avendano (2013), the year 2013 marked the 100 years of land dispossession since the introduction of the Land Natives Act. Whereas hope to millions of dispossessed blacks to regain land ownership was kindled when the ANC-led government initiated the land restitution programme, the progress seems to be at a snail's pace as whites still own a huge percentage of land. South Africa is a country that is about 122 million hectares in total surface area. By 2011, about 25 per cent (31 million hectares) of the land was owned by the state, which leaves 75 per cent (91 million of hectares) in the hands of whites. However, the challenge also includes the fact that these figures do not tell about the value of these hectares since the value is determined, among other things, by the market, the productivity of the land area and the geographic location.

Although the present South African government has been in power for the past 20 years, as mentioned by Reitzes (2009:6) and Smith (The Guardian September), and aimed at redistributing 30 per cent of land to black ownership by 2014 and providing farm workers with 50 per cent ownership, the government seems to be beset by unprecedented challenges of white resistance to transfer land ownership as only eight per cent of land has been transferred to blacks up to date. Table 2, which was extracted from the 2013 land audit, reveals that the privately owned land, the majority of which is owned by whites, is at 79 per cent, and indication that the government is still faced with an enormous task of closing the disparity gap. The worst disparities were recorded in the Northern Cape, Free State and Western Cape Province at 94 per cent, 91 per cent and 89 per cent, respectively.

Reitzes (2009:31) says that the failure of the government to expedite the redistribution of land from private owners who unfairly benefited from the apartheid era to disadvantaged communities serves as a colossal barrier to land transformation.



**Table 2:** Land Audit 2013

Province	Province extent (Hectares)	State-owned and extent (Hectares)	Private-owned land extent (Hectares)	State land per cent	Private Land per cent	Total extent	Unaccounted extent (Hectares)	Unaccounted extent per cent
<b>Eastern Cape</b>	16,891,700	1,510,553	11,370,084	9 per cent	67 per cent	12,880,637	4,011,063	24 per cent
<b>Free State</b>	12,982,600	845,084	11,857,160	7 per cent	91 per cent	12,702,244	280,356	2 per cent
Gauteng	1,817,800	304,137	1,181,518	17 per cent	65 per cent	1,485,655	332,145	18 per cent
<b>KwaZulu-Natal</b>	9,332,800	4,695,245	4,297,235	50 per cent	46 per cent	8,992,480	340,320	4 per cent
<b>Limpopo</b>	12,575,600	2,551,790	8,844,083	20 per cent	70 per cent	11,395,872	1,179,728	9 per cent
<b>Mpumalanga</b>	7,649,500	1,87 5,146	4,805,344	25 per cent	63 per cent	6,680,490	969,010	13 per cent
North West	10,488,100	2,40 9,778	7,481,942	23 per cent	71 per cent	9,891,720	596,380	6 per cent
<b>Northern Cape</b>	37,288,800	1,829,347	35,210,998	5 per cent	94 per cent	37,040,345	248,455	1 per cent
<b>Western Cape</b>	12,946,300	1,040,801	11,502,427	8 per cent	89 per cent	12,543,228	403,072	3 per cent
<b>Totals</b>	<b>121,973,200</b>	<b>17,061,882</b>	<b>96,550,791</b>	<b>14 per cent</b>	<b>79 per cent</b>	<b>113,612,673</b>	<b>8,360,527</b>	<b>7 per cent</b>

Source: Department of Rural Development and Land Reform 2013

## ACCESS TO SUSTAINABLE HOUSING AS A FACTOR TO SOCIO-ECONOMIC DEVELOPMENT

The Census 2011, conducted by Statistics South Africa shows that the number of households has increased from 11 205 706 in 2001 to 12 500 609 in 2007, and further growth was witnessed in 2011 in which 14 450 161 households were recorded (Statistics South Africa 2012). Much of the household growth (about 27,1 per cent), was in Gauteng Province primarily because of rapid urbanisation. Although Census 2011 depicts a steady increase in formal dwellings from 65,1 per cent in 2001 to 77,6 per cent in 2011, it can be argued that the growth is not proportional to the population growth that was estimated at 51 770 560 as compared to the 44 819 778 that was recorded in 2001, an increase of 16 per cent. Again, the growth in the number of individuals who accessed formal dwellings is based on the population that either did not own any form of dwelling or those who moved from informal dwelling or

both (Statistics South Africa 2012:56-58). While Census 2011 shows a decline in informal dwelling from 16,2 per cent in 1996 to 13,6 per cent in 2011, Mahajan (2014:67) refutes the decline by stating that growth in informal dwellings has grown rapidly since 2004. For instance, between 2000 and 2011 the population in urban areas because of migration which gives rise to informal settlements has been growing by three per cent per each year while the rural population dropped by 0,9 per cent.

**Table 3:** Distribution of households by province, Censuses, 2001, 2011 and Community Survey 2007

PROVINCE	Census 2001		Census 2007		Census 2011	
	Household	per cent	Household	per cent	Household	per cent
Western Cape	1 173 304	10,5	1 369 180	11,0	1 634 000	11,3
Eastern Cape	1 481 640	13,2	1 586 739	12,7	1 687 385	11,7
Northern Cape	245 086	2,2	264 653	2,1	301 405	2,1
Free State	733 302	6,5	802 872	6,4	823 316	5,7
KwaZulu-Natal	2 117 274	18,9	2 234 129	17,9	2 539 429	17,6
North West	760 588	6,8	822 964	6,6	1 062 015	7,3
Gauteng	2 791 270	24,9	3 263 712	26,1	3 909 022	27,1
Mpumalanga	785 424	7,0	940 425	7,5	1 075 488	7,4
Limpopo	1 117 818	10,0	1 215 935	9,7	1 418 102	9,8
South Africa	11 205 706	100,0	12 500 609	100,0	14 450 161	100,0

Source: Statistics South Africa 2012

The delivery by government of subsidised houses that was estimated at a cost of R36 000 since 1994, based on the subsidisation of eligible individuals that have an income of R3 500 per month has been at a snail's pace and, according to Rust (2006:5), that slackness created a huge backlog that government was unable to address. Furthermore, the delivery of affordable housing by financial institutions decreased drastically from 63 per cent in 2000 to 30 per cent in 2004 because of rising costs. The drop meant that fewer people, particularly those who did not qualify because they were falling outside the R3 500 per month threshold would not gain access to affordable housing, and at the same time little was done to provide them with an affordable rental alternative. As further captured in the Africa Housing Finance Yearbook (2014) the drop is partly attributed to a lack of the declining banks' credit extension to the household sector from the close of 2012 due to a weak domestic economy. Although financial institutions like Standard Bank have made EUR30 million available for the provisioning of affordable housing, by 2014 the

housing backlog still persists and is still growing. Currently, the housing backlog is at an estimated 2.3 million families.

According to Chin, Hollingshead and Phillips (2011:5) homeownership is closely linked to wealth amassing. This implies that as long as the South African majority does not have access to sustainable housing there is no possibility of their socio-economic status improving for the better. If apposite and decent homeownership is still a privilege of the white minority and a few black elite that have moved to a middle-class category, the spatial and socio-economic disparities will remain a threat to the country's poverty alleviation endeavours and economic growth. Government sees housing in South Africa as one of the services that have to be delivered because of promises made during the election campaign just prior to the 1994 democratic elections. As long as this service is not seen as a means of empowering the recipients, the present socio-economic disparity will not only remain a scourge to the currently impoverished and displaced communities, but also a detriment to the coming generations.

## The role of South African financial institutions in housing and land acquisition

According to Rust (2006:7), various financial institutions, such as commercial banks have an important role to play in ensuring that the government's agenda of providing sustainable housing is realised. It was for this reason that the government saw it fit to introduce the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) (hereafter referred as the BBEEA) that gave rise to the signing of the Financial Sector Charter with an aim of committing the commercial banks and other financial institutions to invest R42 billion in providing low-cost housing, mainly to the marginalised blacks who were in the low-income bracket by making it possible for such individuals to access various forms of credit that will facilitate home ownership. The charter led to the formation of the National Housing Finance Corporation and the Rural Housing Loan Fund that would lend capital to low-income earners for housing purposes. This opened doors to credit access for many and in the end proved to have put some strain on the debtors' profiles, which in turn crippled their housing affordability. Other factors that contributed to the unaffordability of housing are escalating house prices, escalation of building material prices, limited construction capacity, and few economic opportunities in the sector that provided low-income housing, and municipalities with insufficient capacity to play a meaningful administrative and development role in the registration of natural land for human habitation.

However, the BBEEA has been unable to deal with these issues effectively as the majority of blacks still is unable to access funding in the form of loans/mortgages because they were living in areas considered to be a high financial risk. As stated

by Chin, Hollingshead and Phillips (2011:6), another factor that contributes to inaccessibility to housing is the unwillingness of commercial banks to fund low-income individuals, because, often, they do not meet the set criteria with regard to creditworthiness. Bank loan underwriters are privy to information concerning the historical background, including the race of the applicant, and therefore may exercise their discretionary rights to turn down applications. This is further attested to by Okurut (2006:4-10) who states that the poor in South Africa are usually denied access to financing based not only on their credit worthiness, but also on the colour of their skin. This led to the introduction of the “Breaking New Ground” A Comprehensive Plan for the Development of Sustainable Human Settlements in August 2004 by the government as a result of extensive consultation with all relevant stakeholders. The plan envisaged fostering a strong relationship between government and the private sector in the provisioning of sustainable “subsidised rental and bonded housing” and “... to change spatial settlement patterns by building spatially economical and socially integrated human settlements” (Department of Human Settlements 2015). The Plan further seeks to break the “barriers between the first economy residential property boom and the second economy slum” and the idea that property is “accessed by all as an asset for wealth creation and empowerment” (Department of Human Settlements 2004:7).

## IS SUSTAINABLE HOUSING A REALITY IN SOUTH AFRICA?

For housing to be seen as an opportunity to improve the socio-economic status of communities, housing policies that do not only state the importance of integrated development, should be in place, but also stipulate how this development needs to be fostered. The White Paper: A New Housing Policy and Strategy for South Africa (1994 section 4.5.2) emphasises the importance of providing housing in a sustainable manner. However, the government will not be able to deliver sustainable housing without the private sector playing an important role as an investment partner. Nevertheless, there is a challenge in striking a balance between the expectations of business and the end-user affordability; businesses are looking at maximising profit while the majority of the end-users are unable to access finance primarily because of unemployment and/or not meeting the required criteria set by most commercial banks.

Although it is the government’s responsibility to create an environment that will attract business investment, it is also the responsibility of business to support government programmes. Currently, the South African housing market and business in general do not fully support government initiatives. As stated by Berrisford et al (2008, ix), the aspirations of millions of disadvantaged South Africans who wish to be homeowners are not realisable precisely because the land and housing markets

do not support this initiative by the government. This calls upon the business sector not to be only interested in its own investment without taking into consideration its social responsibility.

As a result of unemployment, unaffordability and the escalating urbanisation the affected poverty-stricken communities resort to creating informal settlements. The rapid urbanisation in South Africa has not only created informal settlements, but also communities of slums within informal settlements, which Arimah (2011:1) refers to as “expressions of social exclusion”. With the rapid urbanisation and the slow pace of government in dealing with the housing issue it is unlikely that South Africa will be able to provide sustainable housing. Instead, the mushrooming of informal settlements and the accompanying illegal evictions are likely to be a ‘permanent’ feature in South Africa.

A survey conducted by the National Eviction Survey revealed that between 1960 and 1983 the number of people that have been forcibly removed from their habitation, particularly in informal settlements, was 3.5 million, and 1.1 million people were evicted from white farms (National Evictions Survey 2005). The 2001 census stated that 2.9 million black South Africans were still living on farms owned mainly by whites, and from 1984 to 2004, there were about 1.7 million evictions. Seventy-seven per cent of the evicted were women and children and in terms of education 76 per cent were ranging from no education to grade 7 (Nkuzi Development Association 2005:4-10). Forced eviction is a violation of and a threat to an assortment of human rights such as human dignity, and a person’s security and privacy. Forced eviction is also a violation of health and access to housing rights, including the right to freedom of movement, life and education. Such evictions have undesired effects on the social, economic, physical and psychological well-being of the evicted (Chenwi 2008:2).

Although the idea of the South African government providing housing to the marginalised communities was a noble one, the process, according to Rust (2006:33), cannot yield the desired goals because of the government’s failure to create a link between the low-cost housing and the higher income housing in the sense that the recipients of the government subsidised houses are already financially burdened to an extent that they do not see the low-cost housing as an investment that will enable them to gain access to the better and bigger housing market. To them the low-cost housing has become “... a consumptive good rather than a productive good.”

Again, the process of providing houses cannot be fully realised as long as the government does not ensure that title deeds are delivered to the recipients on time. Having a property title deed is a very important factor as far as house and land ownership is concerned; a title deed gives the owner full ownership rights of the property. As expressed by Gordon, Nell and Di Lollo (2011), handing over a formal title deed to beneficiaries is key to property ownership, and that remains the priority of government to ensure that the title deed is registered in the Deeds Registry as this registration legalises ownership that cannot be challenged in the courts of law.

However, by 2011 one-third of the recipients of subsidised housing beneficiaries did not have their property title deeds.

The rapid urbanisation in South Africa has created slums and strained physical infrastructure, as a result, land and housing supply is extremely slow (du Plessis 2002:27). If these and other factors mentioned above are not taken into consideration in the provisioning of houses, the prospect of South Africa realising the goal of sustainable housing will remain an illusion.

## CONCLUSION

The concern of the South African government to address the spatial and socio-economic anomalies of the past gave rise to the enactment of housing and land policies as an enabling tool to ensure that the disadvantaged majority of the population has access to land and formal housing. The provision of housing is the government's constitutional obligation as stated in section 26 of the Constitution of the Republic of South Africa (1996), which stipulates that every citizen has the right to access adequate housing. The government's endeavour, however, was beset by a number of challenges that included the ever-growing unemployment rate and the rise in property value that made houses and land unaffordable for some communities. Again, the commercial banks also made it almost impossible for the low-income communities to access funding that will enable them to purchase land and formal houses.

Furthermore, the government failed to ensure that there is a nexus between the low-cost housing and the higher income housing in a manner that will make the recipients of low-cost housing see home ownership as an investment, which would enable them to realise economic emancipation.

Moreover, for ownership to be formal and legal a title deed must be delivered to recipients of land and houses. However, the government has delayed in this respect, which is a major concern as owners have no legal claim over the properties they claim to own, adversely affecting their creditworthy status.

In addition, it is critical that the government relooks the current legislation and policies such as the Constitution and the willing buyer-willing seller land redistribution policy. Although the clause in the Constitution (section 25) on the protection of property rights benefits all, the previously disadvantaged citizens remained disadvantaged even in the democratic dispensation because they had to be content with the status quo while the advantaged minority whites enjoyed ownership of vast land inherited from the apartheid regime.

Although the Constitution gives powers to the government to expropriate land for land reform purposes, the government has not applied this particular process adequately to address the issue of restitution. The willing buyer-willing seller principle seems not to be an option in the emancipation of the landless, it is rather

an opportunity for landowners to enrich themselves by selling to the highest bidder, and therefore the landless still remain landless as they have no financial muscle to purchase land. This market-oriented approach by government has compromised the restitution process. Furthermore, the realisation of the targeted number of low-cost housing will come to fruition if the credit-lending institutions show willingness and commitment to work with government. It is imperative that these institutions do not want to make a profit at all times, but also play a pivotal role in empowering the disadvantaged majority by opening doors for them to access funds to buy land and houses.

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