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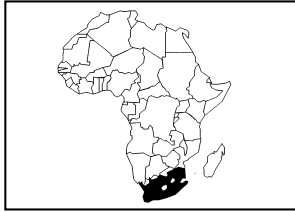
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# Negotiating for land: the construction and demolition of Ruo Emoh's show house in Cape Town in August 1999

## *People's Dialogue on Land and Shelter*

People's Dialogue on Land and Shelter is a support NGO for the South African Homeless People's Federation. The Federation is a network of autonomous housing savings schemes with over 80,000 members throughout South Africa. Since 1996, savings schemes have constructed over 5,000 houses using loan finance and government subsidies. The Federation is affiliated to Shack Dwellers International and works with other grassroots organizations in Namibia, Zimbabwe, Kenya, Senegal, Cambodia, India, Nepal, Thailand, the Philippines, Indonesia and Colombia.

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*SUMMARY: This paper tells the story of how a small savings group formed by low-income women in Cape Town invaded a land site and built a house over the period of a weekend to demonstrate that they could build their own homes better and more cheaply than any government programme. It tells of their long negotiation for land on which to build, the various promises from government agencies that were broken and, finally, of the weekend invasion and construction. It also tells the story of the confrontation, first with the police and then with the local government, and how then the house had to be dismantled.*

### I. THE DEVELOPMENT OF RUO EMOH

IT TAKES A lot to live in a shack in Cape Town and struggle to keep your children warm, safe and dry. It takes a lot to live in the backyard of your landlady, who wants your money but no other aspect of your presence, with a husband who gets drunk most nights and children screaming just when they should be quiet. It takes a lot to take on a local government that seeks to blind you with fancy pictures, confuse you with easy words and divide you with promises that offer you your dreams, and then slip through your fingers each time you try to grasp them. It takes a lot to build a house, from the first spade of earth dug for the foundations to the final nail on the roof. And it takes a lot to take that same house down, when the local government council refuses you permission to stay, and the police stand by with their army reinforcements waiting to break up the home you so carefully constructed; to take it down brick by brick, carefully stacking them side by side in a promise to present and future generations.

*This is the story of how a savings group formed by low-income women in Cape Town, frustrated after three years of broken promises, invaded land next to some government "show houses" and built their own show house over a week end. They could not afford to take part in the government housing programme of which the show house was part but they could build a better house and do so at a price that they could afford.*

Mitchells Plain lies to the south of Cape Town. You can approach the district through the wealthy white suburbs lying adjacent to Table Mountain, which hug the slopes and reach down to the golden beaches; pockets of protected wealth still holding true to their coloniser history. Or you can take the quick route through the black areas and drive

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through the shack lands on the Cape Flats with their narrow or non-existent pavements, their crumbling roads and the densely built network of paths weaving between the shacks built mainly of planks and plastic.

After 15 or 30 minutes, you will find yourself in the coloured areas; neat concrete houses built close together, fences hiding backyard shacks and rooms to rent. There are more shops here and more cars parked in front of the houses. Children play on tarred roads rather than on sandy tracks. But wait and watch a while and you see the poverty just the same.

For six years, the coloured communities in Mitchells Plain hoped that Habitat for Humanity would meet their housing needs. Thousands joined a movement led by a local councillor and Janap Oosthuizen, a woman living in Mitchells Plain, heard about the project. Curious, she tried to find out a little bit more. She contacted Habitat for Humanity in their Johannesburg office only to discover that the plan was unknown to them. In 1996, the director of Habitat for Humanity came down from Johannesburg and explained that there was no project planned for this area or any other in the Western Cape and that no-one was authorized to speak on behalf of this proposed development.

Although this proved a false lead, Habitat for Humanity brought together Janap and Lee-Ann Fredericks. Both women lived in the community, anxious to work with other women to help meet their own needs and those of others. After the promises of the Habitat for Humanity project proved illusory, Lee-Ann began to look for other options and this was when she first heard about the South African Homeless People's Federation.<sup>(1)</sup> She read an article in the newspaper about its work and went to visit Victoria Mxenge, the residential neighbourhood that a group of women from the Federation had designed and built for themselves. Lee-Ann had come to know Janap through the investigation of Habitat for Humanity and, together, they went to talk to the Federation. They met Shawn Cuff, an architect working with the People's Dialogue on Land and Shelter, an NGO supporting the South African Homeless People's Federation. He explained more about the Federation, and the way in which it worked through savings, to bring together women into housing savings schemes. From the Federation they discovered how women organized themselves, how they learned to manage finance and to build their own homes.

Janap and Lee-Ann decided to start a savings scheme. It was named Ruo Emoh, after Lee-Ann's own dream name for her house; Ruo Emoh is "Our Home" spelled backwards. Many people rushed to join the scheme. In the beginning, they met in Janap's house, crowding into the small living room and sitting on chairs, chair arms and then the floor. As numbers continued to rise, Janap asked the local school if they could meet in the school building. Now, every Saturday, they meet in the school building to discuss how they can address their housing needs. From the beginning, members of the saving scheme recognized that getting land was the critical issue. Everything else they could manage for themselves. To obtain land, they needed the help of the local authorities but when they contacted the council, they were told that there was no land.

The Ruo Emoh housing savings scheme continued to grow. Membership was (and is) based in the coloured communities and among those renting houses and shacks. Some of the members pay hundreds of rand each month to rent a home, others can afford little and they live instead in flimsy wooden shelters. Members do not save daily as it is too diffi-

1. The South African Homeless People's Federation is a network of over 1,200 autonomous housing savings schemes that have built over 5,000 houses since 1995.

cult for many backyard dwellers and wage earners to do so. Landlords are sometimes hostile and many give limited access to the premises to ensure that they are not disturbed by their tenants. Their members are at work all day, only returning late at night to a long schedule of cooking, cleaning and washing. Instead, they organize their savings weekly and people bring the money they have managed to save to the meeting. The people saved quickly and by August 1999, they had R 34,600.

Ruo Emoh now has 300 members. There are three black families and one white family; the rest are coloured. It is the legacy of apartheid that those who need solidarity with each other are divided, compartmentalized across the city. From the start, the leadership in Ruo Emoh has sought to address this issue. From day one, the word is spread. "Are you prepared to live next to a black or white family? Can you feel safe and secure in this situation? Do you mind your children growing up with a black or white family next door?" Right from the beginning, people have to be prepared to travel to the black areas as most of the Federation meetings are held there. The savings scheme takes an uncompromising stance. This is what we offer. If you don't like it, leave now.

The housing savings schemes of the Homeless People's Federation reflect the national geographical divide. There are coloured groups and there are black groups. But within the Federation, coloured and black members find solidarity. Savings, land invasion, housing construction, lending systems: through shared learning and common cause they find themselves as one.

In February 1997, the Ruo Emoh savings scheme had its first meeting with the then-director of housing for Cape Town, Billy Cobbett. They walked into the civic centre and up to the 21st floor, more than a little overawed and with little inkling of the frustration that was to follow. He encouraged them to look for land, to bring their proposals to the council, to start negotiating. Their exchange went on for months. Then Billy left, his replacement promised more and then he too was replaced. The meetings went on with purpose but with no product.

Over the next two years, they were promised land twice. Billy Cobbett had made a verbal commitment to 50 plots on site 341 on 2nd February 1998, but this was never followed through when he left the country following death threats. A further meeting with Natalie Fortuin invited the community to look at four pieces of available land, and a subsequent meeting concentrated on the community's preference with an agreement that this should be further explored. Subsequent staff changes within the council meant that when a different group of council officers sat down to consider the land allocation with community leaders, the community was told that the infrastructure would be too expensive. No further commitment was made.

At the meeting to discuss infrastructure, Ruo Emoh members brought commercial engineers who had worked with the Federation, but they saw the engineers agreeing with the council about the high cost of construction and the need to find alternative land. The Federation felt their isolation. Planning and construction was, they saw, a professional closed shop. The chair of the meeting carried on a conversation on his cell phone, ensuring that his damaged car was repaired on time. The engineers from the city and from the private sector arranged their round of golf for the following week. The members of Ruo Emoh sat there looking at these people who were paid to help them, and knew more than ever that they would have to help themselves.

## II. FROM NEGOTIATION TO ACTION

THE FRUSTRATION OF the community reached boiling point in June 1999. They had been negotiating for land for more than two years. Papers to the housing committee in March 1999 made it clear that land was available although it was not being offered to them. To add to the frustration, the council were allocating sites to their own newly devised show programme, the Special Purpose Vehicle (SPV) while ignoring the needs of the Federation members who had been waiting much longer.<sup>(2)</sup>

The SPV and the Federation should not be in conflict. They share a recognition that the state housing subsidy currently available to the poor in South Africa is inadequate. They both recognize that the financial resources of the poor are critical for development, that savings should be encouraged, and that the poor need to be linked to the formal financial sector. Billy Cobbett was happy to acknowledge the contribution that the Federation had made to the council's thinking during the development stage of the SPV.

But when the SPV was unveiled, it was seen to be incompatible with the Federation model in three critical ways. First, the minimum savings requirement excludes Federation members. R 350 a month must be saved if you are to join the programme. The Federation has many members earning R 600 or less and their average income is R 800. This high level of saving is impossible. For the Federation, the Special Purpose Vehicle is simply another mechanism to give more to those who have already. If you can save R 350 a month, you can get an additional grant of R 5,000. If you are too poor to save this amount each month, forget it!

Second, savings in the SPV are seen as a mechanism to teach financial responsibility, not as a means to bring together women to address their own needs collectively. SPV savings are a means to guarantee rates payments (the savings are held for four years), not a means to mobilize communities and so bring their energy and initiative into development efforts. Moreover, if you miss one payment, you are out. The Homeless People's Federation recognizes that the opportunities offered to the poor in the informal and formal economy do not allow them to make regular payments. They know that domestic crises are continuous and that people must be supported through them if any development effort is to work for the poorest. Hence the Federation offers families flexibility in their loan repayments.

Finally, improved SPV housing is obtained through spending more on construction. The show houses for the SPV off the Eislbeen Road are about 50 square metres and will cost the families their full subsidy of R 18,250 (for housing and infrastructure), the additional council grant of R 5,000 plus four years repayments at R 350 a month. The Federation, on the other hand, knows that the formal economy does not work to the advantage of the poor, and it secures housing improvements through self-help efforts of the poor. Families have to control the building process and bring formal money together with their own strategies for saving cents. This is how R 10,000 can bring you more than 50 square metres of real home.

Ruo Emoh saw the council's land and the enthusiasm being directed at a programme which could never reach their poorest members, and in which even their richest would have difficulties participating. Moreover, they did not want to take part in such a programme. What did they want? They wanted land. They needed this land to demonstrate that Ruo Emoh could do what hundreds of other Federation groups had already shown.

2. The "Special Purpose Vehicle" is a new city council programme that offers an additional housing subsidy to residents who save for housing. These savings have to be kept for a number of years to guarantee council tax repayments.

They wanted to show that they could build cheaply and well, creating over 50 square metres of good quality housing for little over R 10,000. And they wanted to demonstrate that through saving and through building, they can secure and develop their communities.

Feeling ignored by the council, they wanted to protest. But they did not want their protest to be negative pressure. Rather, they wanted to demonstrate their capacities and their strengths. They were determined to demonstrate their worth and earn their right to be treated as equal partners.

### III. RUO EMOH'S OWN DEMONSTRATION HOME

THROUGH JUNE AND July 1999, Ruo Emoh planned its action: on the weekend before women's day, they would build a Federation show house alongside the SPV show houses. Then, on women's day, they would have a rally and opening.

"We built the house to be a practical statement. Of course we knew that it was illegal. We knew that we would have to suffer the consequences. We did not try to break negotiations, at every time we were ready to talk. All we wanted was to make a statement. To ask them to come and look at the house on national women's day. To see that the people's process is better than the SPV." Janap, 9th August.

Janap prepared for the house-building using all the skills that she had. The building materials suppliers for the Federation were called to a meeting at Victoria Mxenge. She explained what they wanted to do and asked for donations of materials. Within days, they had what they needed to construct the house.

The site was chosen, a patch of open ground small enough to give a sense of being enclosed. It measured around 100 by 200 metres and was bordered on three sides by houses and on the fourth by a highway. The area is one of lower-middle income housing, small cramped quarters with houses side by side, short driveways offering spaces for a car, few garages and narrow roads with kids playing ball. Many houses show evidence of recent improvements; a few have second stories and there are more brick fascias, some extensions and more additional rooms.

The plan was to build the Federation show house at one end of the land. At the opposite end are the SPV houses. These are some 50 square metres in size. The largest room has a sink in one corner, and forms the kitchen and living area. There is a toilet in a small area that is potentially a tiny bathroom and three bedrooms, the third reached by going through the second. The houses are painted a warm orange outside. Inside, one can see the damp seeping through the bricks at ground level and also at roof height. There are odd patches of darkness on the grey breeze-block walls.

Ruo Emoh requested help from other savings schemes in the South African Homeless People's Federation. A national exchange programme was planned with builders from the North West, Eastern Cape and KwaZulu Natal.<sup>(3)</sup>

The foundations for the house were started on Thursday night, with Federation exchange programme participants joining the women of Ruo Emoh. They worked in the dark, using lights when necessary, helped by the moonlight and street lights from the nearby road. The trenches were finished that night. On Friday, the exchange participants and Ruo Emoh waited during the working day, too excited to sleep, too cautious to return

3. The Federation brings its membership together primarily through exchange programmes that link two or more savings schemes. In any week, there are many local, national and even international exchanges taking place.

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to the site. That night they returned, shifting the sand, mixing the concrete, pouring the foundations. On Saturday it rained all day. Everyone sat around, biting their fingers nervously, wondering if the action would be stopped by the weather. The rain stopped early in the evening. The group prepared for a night of building. Swiftly, the walls rose, backs bending and lifting to the rhythm of the work...

By Sunday the house was taking shape. With the council on holiday, the Federation worked openly. Members chatted to people passing by. The police came to take a look, asked a few questions, shrugged their shoulders and moved on. Building continued throughout the night. Lee-Ann's husband drove by on his way home, Lee-Ann herself carrying on despite an aching back. Janup concentrated on making sure that the materials were ready when they were needed. The builders worked on. Some finished the walls whilst others started on the roof. The work rate had subsided somewhat by now but, as night turned to Monday's dawn, they knew that the house was so close to being finished that it didn't matter.

"On Sunday night I stopped by on my way from work. I was so proud standing there. There were lights and all that stuff. You could see the people building, all those others watching." Lee-Ann's husband, 11th August.

At first, the local residents had watched from a distance; then they had drawn closer. They had been uncertain about the SPV houses: the plots were small and the houses cramped. But this new house? The residents walked around it, went inside and out, and chatted to the builders. This house was amazing. It was finished in just three days. And it can be built for R 11,000? Everyone knew someone who needed a home. They sympathized with this struggle and they smiled at the excitement. With an eye on the value of their houses, they knew that it made sense. Add some plaster and another room and you had something similar to their own accommodation. Here was an alternative that would work for them and for their new neighbours.

"People from the SPV scheme, they are already coming to us to ask about the Federation house," Janup told the others. "Now they realize that this is a better option."

## IV. WOMEN'S DAY

BY MONDAY LUNCHTIME, the house was finished on the outside. The builders continued from sheer enjoyment. Four of them stood at the top of the scaffolding, finishing the bricks up to the roof. Nonqangalani and Veliswa, both uFunde Zufe members from Victoria Mxenge, were two of the four.<sup>(4)</sup> A second group was on the roof, swiftly nailing down the asbestos sheets. The largest group was inside the house. The interior walls and doors were going up. Bricks were being passed in and cemented together.

At the back of the house, away from the main road, a tent had been put up. During the building, it had been a haven for hot tea and a shelter from the rain. Now, women were selling crisps, drinks and hot dogs. In front of the house, towards the road, the crowd was gathering. A sound system had been installed. Now it was the time for speeches and celebration.

Even as this was going on, there was nervousness in the Federation. Members phoned one another over the weekend worrying about the potential for trouble. Nothing had happened so far but they all knew that

4. The *uFunde Zufe* ("Learn until you die") is one of seven regional Federation centres. Victoria Mxenge housing savings scheme is the *uFunde Zufe* for the Western Cape province.

the council would be likely to see this house as a threat and not as an opportunity.

The speakers came and went. The food was finished and eventually evening fell. The completion of the house (except for the interior walls) was a time of great joy. The builders fell about laughing, the Federation members who were there to learn building skills and to help were delighted to examine their work. For three and a half years Ruo Emoh had been struggling to meet the housing needs of their members and now they had built their first house. The night team carried on slowly with the inside walls. Everyone was tired now but they were determined that the house would be looking its best the following day. They wanted it to be finished. When, late in the night and tired of building, they stopped for a rest, Janap started a discussion about what furniture they might buy and where it should go.

## V. DEMOLITION

AT AROUND MIDDAY on Tuesday, the bulldozer appeared. The driver moved close to the house and paused. The people, Federation members who had gathered there, moved around the house, their voices rising in song. The bulldozer driver watched and then retreated. Police cars arrived.

For an hour, the police stood and watched. People sang and formed a circle around the house but when nothing happened the circle began to break up. Then the bulldozer moved slightly, a signal for movement rather than for action. A policeman came forward, wearing a green T-shirt with the word "thug" embroidered in the centre and explained that he had a court order to demolish the house. The Federation members said forget it then, as an after-thought, began to explain why they were there. Rose Molokoane, a national Federation member from Gauteng, and Thamie Maqulana, from People's Dialogue, came forward to hear what the policeman had to say. A Federation member who was nearby filming the events came closer to listen.

Then the "thug" snatched the video camera, to a chorus of objection. He hesitated as people moved closer, then removed the film and handed the camera back. "You can't do that," argued Thamie, "give them back their film." He and the policeman stood within inches of each other and glared. "Don't get aggressive with me," they both said aggressively.

Rose called Matthew Walton, a sympathetic lawyer, on a cell phone and he told her to get the man's name, station and number. Captain Laing from Mitchell's Plain, 4701. She found a pen and wrote it on the back of a cigarette packet. "We will get a court order to get it back," she said. "Do it!" he retorted. "We have a court order to demolish this house and the people must disperse."

Rose and the captain stood inches apart, Thamie alongside, Patricia nearby. The captain was closed in and conscious of it. He fingered the leather holding his gun almost compulsively and his voice betrayed his nervousness. South African history rushed in to fill the gap between them.

"Who is the leader?" asked the captain. Janap came forward, relaxed, clear and confident. He asked to speak to her alone. She insisted that he speak in front of everyone. He walked away in frustration, claiming that she was refusing to negotiate.

Matthew, meanwhile, had been on the phone and explained that now there were grounds for holding the film only if it contained evidence of



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criminal action. The captain then cited the legislation that let him take the film. The community watched the standoff curiously. Cell phones rang occasionally. The bulldozer stood. There was an almost simultaneous recognition that this stalemate was not in anyone's interest. Thamie and Rose chatted to a coloured police officer, also in plain clothes. "It's not us," he said, "we just take orders. Talk to that guy, he is from the council." He pointed to a tall white man, standing to one side.

Thamie and Rose talked to him and he said he had his orders too. He'd like to help; he thought the house was great. Rose, Patricia and Thamie then re-approached the captain and the four of them moved to one side. "What about the film?" asked Rose. "It is not illegal." "It is the film of police cars and men," he explained. "We are not interested in the house and the *toi toi*<sup>(5)</sup> but I cannot let my men be filmed in their work."

Something had shifted. There was no longer the rhetoric of confrontation, merely a request to be understood. The man with the camera and the police went off together to edit the tape.

For the next two hours, the phone calls continued. The Federation called the council, the council called the police; occasionally, the other way round. In between, the Federation and the police talked to each other. At the height of discussions, cell phones rang constantly. Someone went off to buy more phone cards.

After two hours, everything hinged on the city council. The director of new projects said he would talk about land availability at city hall but not negotiate about the house. Patricia tried to get a letter promising discussions on land and he said he would talk to the chief executive and phone back. Instead, a phone call came from the chief executive's office telling the police to demolish the house.

While Federation leaders updated the members, a *casper* – a white armoured van used for crowd control – advanced and more plain clothes men joined the police. Discussions continued. A couple of coloured officers chatted to Federation members, with growing sympathy for their point of view. Captain Laing called Thamie over and explained that he had been ordered to demolish. He offered to let the group dismantle the house on their own, to save the building materials. Police and community were brought together by the intransigence of the council.

Among the crowd, however, tension was rising, the lines of confrontation thickening. The army had arrived. The circle reformed and people sang their defiance. Patricia and Rose talked to the Federation members. It was agreed that one group would stay and demolish the house while another hired taxis to go to the city council for negotiations.<sup>(6)</sup>

There was an angry exchange among the crowd. The group that had built their dream home wanted to defend it to the end. Rose argued until she was hoarse. Archie, a leading member of the group, sobbed with rage and frustration. "But," Rose explained, "what will you gain by being arrested? Show them you can do this. Come to the city and negotiate. What you want is land. At the end of the day, you do not want this show house. You have shown what you can do. The foot is in the door."

After a long and intense exchange, Rose told the captain that they would demolish the house themselves.

While the *casper* moved forward, its angular front dominating the space, Captain Laing announced over the megaphone that he had orders to demolish and that the Federation would do it themselves, starting in ten minutes. The police established a bright red and white cordon around the site and most of the Federation members moved back behind it. Inside

5. *Toi toi* is a word to describe a protest meeting.

6. Private minibuses that provide transport between the low-income areas and the city centre.

and on the house people refused to move. Janap argued, tears in her eyes. "We will not give up. This is a step towards our houses. Come now."

At the end of the ten minutes, about 20 people were still determined to defend their house. The captain agreed to more time. As the arguments inside the house intensified, the police became even more discrete, hoping that the community could resolve the issue. The feeling of rage of those who had built the house reached outside to the waiting crowd.

Janap raised her voice. "We have shown what we can do. We must now negotiate for land. What will you do if you are arrested? What will you prove? We have demonstrated what we can do to get the minister, the province and local authorities together. Now we have to negotiate so that they grant us the right for people to purchase land."

Some of the group moved slowly across to join the waiting taxis. Slowly, even as the protests continued, a group of men started pushing out bricks from the still-wet concrete, taking them outside and stacking them. Resistance crumbled with the falling concrete. A chain of about 20 people formed itself, bricks moved from hand to hand and were deposited on the ground. A council truck backed up slowly and the captain explained that it would take the materials to wherever they wanted.

While Rose and Patricia organized the taxis, Janap persuaded Lee-Ann and some of the other leaders to leave with them. She said she had to stay. "Some people will find it hard. I must be here if there are other problems. Lee-Ann now, her spirit is broken. She has worked so hard. The nights she has locked her child in the house so that she can go to meetings." She stood inside, watching the builders dismantle the walls, her face resolute, her pain held within.

The meeting at the civic centre, the others explained later, degenerated into a slanging match. Twenty five members of Ruo Emoh were present, the director of new projects and two councillors. Each side called the other names. No-one discussed land. The director told them that whatever happened they would have to go through 97 bureaucratic steps and the process could fail at any stage. The Federation walked out at 8.30 p.m. with a parting shot: "You may be African but you want to live a white man's life. The trouble is, it doesn't work that way." Racial politics collapsed before a class divide.

Meanwhile the house was slowly coming down. Many people passed through that night. Some members of Ruo Emoh regretted going to work that day. Members of other savings schemes came to join them. As the night deepened, angry words and insults flew. Captain Laing asked Janap to stop the crowd, and she tried, but told him these were not her members.

The demolition was complete around 11:30 p.m. Some of the bricks, left in a pile, still lay there several weeks later, a memento of the house that Ruo Emoh built in three days and took down in one.

## VI. POSTSCRIPT

TWO DAYS AFTER the demolition, the Federation met with the provincial minister of housing, and officials and councillors from Cape Town city council. It was agreed that an area of provincial land might potentially be suitable for Ruo Emoh members and that a joint working party should be established to look further into this possibility. More than six weeks later, the group had still not met.

The council has now recognized that the SVP programme can only be

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a part of the housing solution. It is seeking to identify the criteria through which land can be released to a range of other groups who are seeking to address the needs of the homeless. The Federation is one of the groups being consulted about the suitability of the proposed criteria.

Meanwhile, Ruo Emoh savings scheme is investigating the possibility of purchasing land for housing development from a private land owner. Such a purchase would be financed through the Federation's own loan facility, the *uTshani* Fund. This fund has loan capital for land purchase, infrastructure installation, house construction and income-generating activities.

The building materials from the show house are stored away, waiting for the day when they will be used again.

The land on which the show house was constructed remains empty.