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**A CASE OF MISTAKEN
IDENTITY: THE
SQUATTERS OF LESOTHO**

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A CASE OF MISTAKEN IDENTITY :

THE SQUATTERS OF LESOTHO

by

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ABSTRACT: *Urbanisation in Lesotho, whilst of limited scale, has nonetheless been characterised by the rapid growth of unplanned settlements, mostly in peri-urban locations. This paper documents this development and describes conditions in the peri-urban communities. Reasons are then advanced to explain the lack of governmental involvement in peri-urban redevelopment. One of the major reasons is the failure to appreciate the nature of the problem; that these communities are permanent rather than transitory, urban rather than rural in orientation, character and demands and, notwithstanding the existence of allocation procedures, possess no incontestable right to the land they occupy. This is reinforced by the restriction of urban administration to a fraction of the contemporary urban area. In the case of Maseru, this factor, and efforts to extend urban administration to the peri-urban communities, are analysed in some detail. It is suggested at this juncture that the transfer of peri-urban land to Township jurisdiction confronts and is delayed by urban and rural vested interests which profit from the improper distribution of land to rural-urban migrants. The paper then concludes by evaluating the major programmes directed at housing redevelopment, and points out that they benefit only a small percentage of the disadvantaged population primarily because the situation has been allowed to deteriorate for too long a time.*

A CASE OF MISTAKEN IDENTITY :
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INTRODUCTION

Lesotho's urban development, despite its scale, is nonetheless typical of underdeveloped black Africa. The urban population is inflating rapidly; migration, catalysed by proximity to the South African labour market, is proceeding unchecked, and the capital, Maseru, exhibits all the characteristics associated with the primate city - uncontrolled and unplanned expansion, inadequate infra-structural provision, and the development of squatter communities on both urban and peri-urban land.

For the majority of Lesotho's urban dwellers housing conditions are appalling and prospects for permanent employment very poor indeed. Until recently, though, urban redevelopment was afforded low priority in government planning and, despite the publication of several official surveys documenting urban conditions in the early 1970's, the problem was largely ignored until urban administration was restructured and granted adequate legislation. Hence, the rapid urban expansion of the last 8 to 10 years has found the Government without the financial resources or administrative machinery to offer any real solution to the attendant problems. Efforts to redevelop the urban centres are now underway but affect only a fraction of disadvantaged population.

1. A revised version of this paper is to appear in R.A. Obudho (ed.), The squatter settlements in Africa: towards a planning strategy (New York: Praeger, 1983 forthcoming).

This is a common enough observation throughout Africa but where the situation differs in Lesotho is in the failure of the Administration to recognise the specific nature of the problem. Urban redevelopment has been consistently frustrated by delay in and failure to implement suitable legislation. Since 1973, there have been continual attempts to legislate land tenure regulations within both urban and peri-urban areas. But, in the absence of adequate legislation, peri-urban settlements have remained effectively outside urban jurisdiction and vacant land within the Townships has been settled by squatters. Strangely, though, the Government has been reluctant to acknowledge the existence of squatters in either situation. Theoretically, of course, there are established procedures whereby land is occupied and title awarded either by local chiefs in rural areas or by the Ministry of Interior (a function soon to be loaded onto newly formed Town Councils) in urban areas. The reality, however, is far different. The system of land allocation is so imprecise and prone to corruption that large sections of both the urban and peri-urban population have only a tenuous claim on the land they occupy.

Not only has the Government hesitated to accredit squatting as an important feature of the country's urban geography, but it has tended to consider the peri-urban population as a transitory one, therefore excusing itself of the responsibility of planning for it. Recent research, on the other hand, indicates that the level of residential permanence amongst peri-urban settlers is already high and becoming increasingly so. Thus, their resettlement in rural ' growth poles ' is not a valid alternative to effective infrastructural improvement of their communities. Lesotho's squatters, then, have suffered not only from neglect but also from misidentification. In consequence, efforts to improve their lot have come too late and in piecemeal fashion.

In this chapter, we begin by describing the geography, history and the conditions within Lesotho's Townships and their squatter settlements, summarising the findings of several recent unpublished surveys. Throughout the chapter, Maseru will be afforded closest attention not only because the problem is most severe in the capital but also because the majority of surveys have focused upon it. However, similar situations are now developing in other towns and reference is made to Mafeteng in this respect. The paper then moves on to two aspects of the dilemma which are, as yet, imperfectly understood - urban administration and rural-urban migration. Finally, there is a review of measures now in progress coping with urban redevelopment, notably administrative reorganisation and low-cost housing projects.

CONDITIONS IN THE TOWNSHIPS

In comparison with other African countries, the level of urbanisation in Lesotho is relatively insignificant. Defining 'urban' as any settlement over 20,000, only 5% of Lesotho's population qualifies in 1980 compared to 20% for Africa as a whole¹. Even if the definition is widened to include any settlement over 5,000 the level of urbanisation increases to just over 11%². Moreover, the capital, Maseru, cannot be considered as anything more than a small town when cast alongside the major cities of the continent. In 1980, the Township's population was estimated at 66,810³ although the peri-urban population may have been underestimated.

Nevertheless, Lesotho exhibits all the problems commonly associated with urbanisation in underdeveloped countries albeit on a small scale. In the first place, urbanisation is proceeding

rapidly and at far too quick a pace for Government to handle. Between the two census years of 1966 and 1976, the total urban population increased by an average 3.85% p.a compared to an average annual population increase of 2.3% p.a ⁴, and, in the case of settlements over 5,000, the proportion of national population living in 'urban' areas increased from 9.1% to 11.2% ⁵. Second, Maseru's 'primacy' has increased considerably over the years (see Fig 2) and its annual rate of growth is currently twice the urban average; only one other town, Maputsoe, has over 10,000 population (see Fig 1). Third, rural-urban migration, inadequate urban administration and lack of space in most Townships has contributed towards the development of peri-urban settlement. It is estimated that approximately 50% of Maseru's population now reside outside the Township's 'urban' boundaries ⁶. In this respect, Maseru is by far the worst but similar situations are developing around other towns, notably Mafeteng and Maputsoe. Fourth, conditions in the unplanned settlements, both within the Townships and beyond their boundaries, are quite appalling and, given the history of maladministration in local government, will continue to deteriorate for some time to come.

Urbanisation has also been accompanied by social polarisation. In Maseru proper, for example, squatter shelters are located right beside upper income residential areas (see Fig 3) and the differences between them are staggering. Comparisons between different surveys over the years also indicate that social differentiation is increasing. Three reports employing data collected in 1973 demonstrated that besides differences in rural-urban incomes ⁷, income differentials in Maseru were already pronounced ⁸. Metcalf ⁹, referring to 1980 data, goes on to show that the situation has worsened. Excluding a significant proportion

of the peri-urban settled area from his sample, the study nevertheless revealed huge disparities in wealth between sections of the urban population. About 70% of those housing units considered had a monthly household income of less than US\$ 287¹⁰ and 39% with less than US\$115 compared to 5.9% over US\$ 862¹¹. By excluding casual, temporary, in-kind and informal sector earnings and including only regular and recurrent wages from employment, Metcalf underestimated income for all households but his argument is that, had he not done so, the income distribution would have been even more skewed in favour of the higher earners where important incomes from investments, property and secondary employment (common among top civil servants) were discounted from the analysis.

Metcalf and Marries & van der Wiel¹² both attempted to identify urban populations in need. Marries & van der Wiel focused upon income rather than housing and applied the concept of the poverty datum line (PDL) to a Maseru household sample. The PDL measures the theoretical minimum income flows required to satisfy a household's basic needs. It therefore depends essentially upon three factors; the size and composition of the household, the operational definitions of the necessary flows and the cost of maintaining these flows. In this case, ' flows ' referred to food, clothing, washing and cleaning materials, fuel and lighting, household equipment, accommodation, medical care, education, transport and tax. Bearing in mind that many of the parameters in this kind of exercise are subject to uncertainty, their analysis gave a particularly clear picture of the struggle faced by many urban dwellers. According to their definition, 60% of Maseru's households fell below the PDL.

Subsequent to an investigation of real expenditure pattern, however,

it was decided to include various flows discounted previously (such as entertainment, savings and loans, unexpected medical, wedding and funeral expenses) in the calculations. As a result, the PDL statistic almost doubled, and it was suggested that 70-80% may be a more realistic figure for households subsisting below it. Even allowing for unrecorded earnings through casual and informal sector activities and the production of food on household plots, this is a remarkable figure. A recent analysis of 1980 expenditure/income data produced similar results. In this report¹³, it was suggested that around 50% of Maseru's population and more than 60% of peri-urban residents lived below the urban poverty level ' of US\$ 103 per month per household.

Metcalf's survey of Maseru provides the most comprehensive analysis of housing in the Township to date. Unfortunately, by excluding much of the peripheral settlement, his conclusions as regards ' Maseru ' must be considered somewhat unrepresentative of the area as a whole. His objective was to identify areas of the Township where residents occupied ' substandard housing ' although the concept itself does not afford easy and objective definition. What constitutes unsafe and unsanitary housing to one person may make a satisfactory home for someone else. Moreover, there are wide ranges in the quality of housing, sanitation and environment that cannot be quantified in precise statistical terms. Thus, a very liberal definition will tend to exaggerate housing needs and may lead to inappropriate expectations regarding housing improvements and may frustrate the development of realistic standards and financially feasible shelter programmes. A very tentative and guarded definition, on the other hand, may be so narrow as to preclude or delay any real improvement in housing quality. Metcalf's

solution, therefore, is to apply a 'realistic' interpretation of the concept taking into account cultural and social factors and the resources available to the community to implement a shelter improvement programme. His conclusions, then, may be considered conservative.

Metcalf proceeds to set out a series of 'objective' deficiencies against which he evaluates Maseru's housing stock. They include construction of the dwelling, sanitation, access to water and toilet facilities, overcrowding and the rent to income ratio. For example, 28% of surveyed households had walls built from inferior materials¹⁴. 16% carried water from more than 300 metres, 5% drew water from unsafe springs and rivers¹⁵, only 14% had access to flush toilets and 13% had no toilet facilities at all¹⁶. The differences between adequate and inadequate are of course subjective. Overcrowding, for example, is defined on the basis of more than 1.5 persons to a room, and an unsatisfactory rent to income ratio is considered to be over 25%. Despite these problems, however, Metcalf examined each household for deficiencies in any of the parameters selected and discovered that 15% of all households suffered from three or more deficiencies, 39% from two or more, and 77% from one or more¹⁷. Moreover, as one would expect, substandard housing is significantly related to household income. Thirty one per cent of all households with earnings of less than US\$ 172 had three or more deficiencies compared to 3% in the US\$ 287-574 bracket, and 0% in the over US\$ 574 group¹⁸.

One problem with these broader based surveys, however, is that they fail to adequately convey the situation in the poorer settlements partly because they ignore some of the remoter peri-urban

villages and partly because they focus upon median rather than peripheral data. Zumbika's ¹⁹, Bulane's ²⁰, and Mohapi's ²¹ studies, on the other hand, concentrate upon individual settlements and give a much clearer impression of life within them. Although they document very similar situations, opportunity is afforded for comparison and contrast at certain points.

Zumbika examines Motimposo, originally a village independent of Maseru, but now largely a suburb of the Township in every aspect except administration. It is one of the oldest and nearest settlements to Maseru proper (see Fig 4). Thus, the majority of older generation settlers are found to have been born there. Its growth, however, has been particularly rapid in the past ten years. In 1966, the population was 2,433 but by 1976 it had grown to 5884, a rate of increase 4 times the national average largely accounted for by in-migration ²². In 1961 (see Fig 5), Motimposo covered only a small area, most of it to the north-west of the Maseru- Teyateyaneng road. Villagers used the land on the other side of the road for cultivation and grazing. By 1975 (see Fig 6), however, almost all the vacant and agricultural land had been developed into residential plots. There is therefore very little room for further expansion except to the north-west and even there development is constrained by the airport and heavily eroded land. Overcrowding is thus a major problem. Many houses are now located on the edge of erosion gullies (dongas) which are subject to degradation during summer storms. Houses are built from a variety of inferior materials and afford little protection to the intense cold of June to September. Intense human activity has also accelerated the development of donga systems in the area exacerbating the space problem. The dongas themselves are of little use except as refuse dumps.

Residential development has severely reduced the land available for cultivation and grazing. Zumbika found that only 19% of respondents had access to any land. There is also virtually no ownership of property; by in large the units, one roomed ' flats ' with no facilities, are rented at between US\$ 6 - 10 per month (1979 prices) despite the illegality of the process (see following section). Even if the shelters are self-constructed, ' occupation ' rentals are still levied for the plots. Water and sanitation are the two other major problems. Two standpipes function in the original village so that residents to the south-east sometimes have to walk over 500 metres to collect water. Besides this, residents complain of long queues, low water pressure and the lack of water, and hence rationing, in the dry season. Sanitation is individually rather than communally organised. Most residents use buckets for night-soil which is then disposed of in pits and dongas. Rubbish is commonly collected in piles shared between several households and then shoved into dongas as well.

Bulane's report refers to Lithabaneng, one of the outer ring of Maseru's satellite villages (see Fig 4) 10km from the Township. Up to the 1970's, the area was an entirely agricultural ' reserve settlement ' but as the inner peri-urban villages filled up, migrants began to settle in Lithabaneng which subsequently expanded into a large sprawling suburb. Overcrowding is not yet a problem but by the very nature of its development, access to services in the village is as difficult as in Motimposo. Transport to Maseru is a problem as well. ' Taxis ' are frequent but costly while buses are cheap but chronically overcrowded and irregular. Some shops, however, are now operating in Borokhoaneng a few kilometres away so access to Maseru is becoming a problem only to those employed there.

Mohapi examined an area similar to Lithabaneng, that of Qoaling (see Fig. 4). Here, the housing units are spaciouly set out except near the main access road to Maseru and only 20% of households have no arable or grazing land. But, like Lithabaneng and Motimposo, water and sanitation facilities are very poor; about 60% of households had to draw water from the local spring and, in periods of drought, some people had to take buckets into Maseru and neighbouring villages to beg for water. A little less than 50% of households had to dump refuse and night soil outside the village, and the rest used communal pits.

In all settlements, however, the informal sector has become well established. Beer (jouala) making and retailing is a common and profitable activity. In Lithabaneng and Qoaling, residents raise poultry, graze cows and goats, cultivate vegetables and maize, and hawk the produce on the roadside or through shops and markets. Despite this, most households struggle to survive if regular employment cannot be found in Maseru or South Africa by one or more of its members particularly in situations where recent, as yet non-working, migrants are housed with relatives. In some cases, Bulane notes, relatively well-off households remain in the settlements either because accommodation in Maseru is unobtainable or prohibitively expensive. Such households, where one or more salaries are coming in, live in comfort compared to those around them.

The problem, however, is not confined to Maseru. Mafeteng, a District town of nearly 10, 000 population (see Fig. 1), is now having to cope with recent and considerable in-migration²³ and scattered unplanned residential development around the original village. One of these, directly opposite the shopping centre and in fact

adjacent to the local government buildings, can best be described as a ghetto. Houses are reasonably constructed in rural style but are sited almost on top of one another. Overcrowding is chronic and access to water and sanitation facilities are major problems as well. Communal standpipes are far too infrequently situated but residents are obliged to make use of them because piped water is rateable and the tariffs are beyond their means. Velaphi's survey²⁴ notes that 94% of sampled households in Mafeteng had no piped water on site. Moreover, 24% had no access to toilet facilities at all. The rest use a bucket system and pit latrines which, being poorly constructed, allow seepage into the main water supply. Sanitary buckets and dustbins can be rented from local government and a collection service is available to empty them. In practice, however, few households can afford this expense and do the emptying themselves usually into nearby dongas. Maturure²⁵ also found that the informal sector is an important part of the squatter economy in Mafeteng. Hawking and jouala retailing are common activities but his analysis of income and expenditure amongst the ghetto residents showed that, despite this, the household budget could rarely stretch to cover even basic necessities such as education and medical care.

Thus, the problem of peri-urban development is a severe one. Moreover, the situation has been allowed to deteriorate and spread to Lesotho's smaller towns. Why has Government failed to take action? One reason given above is that urban redevelopment has, until recently, been a concern of low priority and that the rate of urban expansion has surprised both Government and planners. In addition, the classic shanty town situation with saturation housing is evident only in isolated urban pockets. Cosmetically at least, the squatter areas seem better off than they really are. Two other issues, however, deserve

closer attention in this context. One is the effect of urban administration, and the other is the question of rural-urban migration. These are as yet imperfectly understood in the case of Lesotho, and prior to the formulation of a planning strategy for urban redevelopment, they merit further analysis.

THE ADMINISTRATION OF MASERU TOWNSHIP

The administration of the Maseru 'urban' area has become increasingly inadequate in recent years as the peri-urban fringe expanded and the implementation of appropriate legislation was delayed by opposition from the Chiefs in residence outside the Township boundaries. Since soon after its establishment in 1869, Maseru Township has, for the purposes of administration, been enclosed in a 23km² area, formerly the Government reserve²⁶. The Township's expansion beyond the Reserve boundaries has been largely unaccompanied by changes in local administration both before and after independence. Moreover, administration has remained, in large measure, a function of central Government; very little takes place at the local level. Even if the peri-urban settlements were incorporated within the Township, there is little indication that the control currently exercised by the central Government would be relaxed. In addition, the administration of the Township is spread over a large number of central Government agencies and tends, as a result, to be inefficient, dilatory and confused. In the case of Maseru, Alderfer's comments are particularly apposite,

... the present position of municipal and local government in urban areas is minor and secondary

in importance. The national government has controlled it down to the minutest detail, and reduced its natural sources of revenue. Moreover, there is no popular participation in the process of urban government - councils are either non-existent as policy-making bodies, or else their decisions may be ignored and disapproved at the will of the executive or higher level of government. ²⁷

This unsatisfactory situation has been at the root of failure to deal with the problems of Maseru's squatters and the inadequately housed.

The administration of Maseru Township is effected by deconcentrated branches of the ministries of central Government. One of these, Interior, established a Township office in 1970 which besides operating within Interior, functions in the realms of Health, Works and Finance ²⁸. The Office health section deals with sanitation and water supply, but the most important function of land allocation and physical planning operates through the Town Clerk in liaison with the Maseru District Administrator who acts as an agent of the central bureaucracy. The initial planning of the Township is the job of the Department of Lands, Surveys and Physical Planning (DLSPP) within Interior. However, several master plans have been constructed ²⁹ but have either been considered inadequate, shelved through failure to draft and enforce legislation through Parliament, or are still under review. Lack of finance and shortages of staff in DLSPP and Works has also delayed implementation of the planning schedule. As a result, then, the Township office is obliged to administer land allocation in the absence of clearly defined planning guidelines, and the situation on the ground therefore tends to be confused and unsatisfactory.

Theoretically, however, the Land Act of 1973 from which the

Land Allocation Board derives its legislation, precludes the construction of dwellings without legal title in the Township. The Board bases its decision upon the recommendations of DLSP which considers all applications, and once approved, the applicant is required to register his plot under the Deeds Registry Act of 1967 upon which a Certificate of Title is issued. The system therefore guarantees security of tenure and also provides for the transfer of leases. One must however go back to 1928 for a statement upon the legal provisions for preventing unauthorised development. Article 22 of Proclamation No. 32 of 1928 states that, "No person shall commence or construct any building on any Government Reserve until the plans thereof shall have been approved by the District Commissioner, nor shall any person construct any building except in accordance with plans so approved." Articles 23 and 25 furnish the authorities with enforcing legislation. This proclamation, however, was largely repealed by the Local Government Act of 1969 and the Township office therefore has an incomplete legal basis for the implementation of land registration. Besides this, both the Land Allocation Board and the DLSP are chronically overburdened and cannot give detailed consideration to every application and the associated recommendations of other Government bodies³⁰.

Without a master plan and associated legislation to enforce it, land plots within the Township borders cannot be gazetted for particular uses unless a lease already exists upon it or an application for registration is under consideration. Consequently, this loophole enables people to occupy vacant land and they are then secure in their occupations unless an application for registration of their plot is approved and awarded to another party. Several squatter areas therefore do exist in the Township despite claims to the contrary; most

notably in Hoohlos near the border post, in the Industrial Area and towards the airport (see Fig. 3). The situation, however, is somewhat confused by the fact that, in some cases, squatters are paying unofficial rents. Metcalf ³¹, for example, found that only 7.4% of households in his survey occupied rent free housing. In certain instances, a landowner with registered title to a plot constructs one-roomed dwellings without planning permission. Hence, their occupation is illegal and residents therefore have no security of tenure. More commonly, 'occupation' rentals are charged by a 'landowner' who may have no claim to the land in question but is in a position to register it in the future and/or amalgamate it with adjacent land already under registration. This again is strictly illegal but, in practice, it proves very difficult to prevent given that many 'landowners' hold positions of influence in Government.

Outside the Township boundaries, satellite settlements have been growing rapidly particularly in the last 10 years. In the north east, these settlements (Mabote, Sebabeleng and Motimposo) are located in Berea District; in the south and east they (Thamaes, Lithabaneng, Borokhoaneng and Qoaling) stretch into Maseru District. In these localities, land allocation follows rural patterns in that it remains the prerogative of the chieftainship ³². Land tenure is based on the "philosophy that the land is a national asset to be enjoyed by the nation as a whole". ³³ Thus, Section 93(1) of the Lesotho Independence order of 1966 provides that,

...the power to allocate land that is vested in the Basotho nation, to make grants of interests or rights in or over such land, to revoke or derogate from any allocation or grant that has been made or otherwise to terminate or restrict any interest or right that has been granted, is vested in the King in trust for the Basotho nation.

This provision is also contained in Article 4 of the 1973 Land Act. Exercise of the powers of the King in this respect is channelled through the Chieftainship in accordance with the procedures laid down in Article 6 of the Act.

According to Article 6 of the Land Act 1973, the Chief is required to consult a Development Committee appointed by central Government. However, in practice, this is far from the case. Moreover, what exactly constitutes an allocation of land in the rural areas is not legally defined. The DLSP³⁴ argue that, according to traditional practice, an allocation consists of the right to occupy and use land in perpetuity unless that right is revoked by the Chief. According to this report, the cancellation of occupancy rights, "... is confined to the rural areas where capitalisation of land is not significant."³⁵ In contrast, however, van de Geer³⁶ reports that, in the peri-urban settlements, land rights are terminated frequently and it is widespread practice for the Chief to subsequently divide the land into plots for residential purposes. The reason for this is conventionally thought to be overcrowding. The Chief therefore exercises his prerogative to more equitably divide the land under his jurisdiction. In actual fact, the reason is simply corruption. Allocation procedures have become increasingly subject to irregularity and Chiefs have developed the habit of charging for land, even selling the same plot to different people. Hence, the more plots there are, the more income that can be extracted.

The process of corruption has been ably documented by Zumbika³⁷. In terms of land allocation, the correct procedure is for applicants to fill in 'Form A' which is considered by a committee under

the chairmanship of the Chief (2 members appointed by the Chief and 3 elected by the villagers) on the basis of 'first come, first served'. The results of the committee's deliberations are eventually published officially and successful applicants then fill in 'Form C' agreeing to be subject to the chief's jurisdiction and pay the poll tax. However, it is possible to bribe the Chief and the committee members to dispense with the application and proceed directly to Form C. Effectively the land has been purchased and may then be resold at profit, despite the fact that both transactions take place without legal basis. As Bulane³⁸ reports for Lithabaneng settlement, it is also common for land purchasers, usually Maseru based businessmen, to build flats and rent them out to incoming migrants. The rentals are extortionate and of course unofficial and the tenants have no security of tenure at all, but the system perseveres because it helps to solve the accommodation problem and because it lines the pockets of the rich and influential.

One result of this land allocation system is that development is largely unplanned and, given the Basotho preference for spaciouly set out settlement, residential areas spill over onto good agricultural land. Hence, the Third Plan (1980/1985) comments that, "... the rapid expansion of population in the peri-urban areas has taken place with almost no planning or control ... around Maseru in particular the rapid increase in the scale of immigration has let to large incursions onto agricultural land"³⁹. In the inner ring of the peri-urban settlements, the situation is different. Here, overcrowding is more common. The nearer to Maseru, the greater the demand for land. Thus, 'landowners' subdivide their plots while increasing accommodation capacity, and hence rentals, upon them. There are, in addition, no

legal provisions for the surveying of land or the gazetting of individual plots for the construction of public utilities. Thus, the extension of basic services to these settlements requires planning where none exists and possibly extensive reallocation of land and the displacement of settlers.

Since its inception, the 1973 Land Act has been considered inadequate, but it was not until 1978 that a decision was taken to abandon it and prepare new land legislation to allow for a number of land reform measures including the provision of lease titles to land country-wide⁴⁰. The 1978 Land Act was directed towards a more comprehensive definition of 'urban' in Lesotho. Thus, the number of district towns has increased from 9 to 16 and 'Maseru' has expanded from 23 to 145 sq. km.⁴¹ This prepared the ground for the 1979 Land Act which would effectively transfer the administration of, at present, peri-urban land to the townships. But, like its predecessor of 1973 which had similar intentions, the 1979 Act has been violently contested by those Chiefs affected. They see it as an attempt to usurp the powers invested in them by the King and 'annex' land under their jurisdiction. This, however, is little more than rhetoric since the chiefs are basically concerned that their income from land allocations will vanish overnight. Negotiations have therefore focused upon the question of compensation.

It is still a matter for speculation as to the final form of the new Land Act. Nevertheless, the Government does intend to push it through as part of an ambitious package of legislation to impose order upon the administrative anarchy of Maseru and the other townships. The physical planning and the survey bills are intended to

divert more resources and legislative power to the DLSP which will construct master plans and compose and implement regulations gazet-ting urban land for particular uses and ensuring that occupation of and title to land is in accordance with laid-down procedures. The proposed 'Town and Country Planning' law will provide for the assem- blage of development plans and for control of development through 'planning permissions', and the 'Valuation and Rating' bill will empower the Minister of Interior to set aside areas of land to bear rates. This will include the peri-urban fringe of Maseru and some of the District towns, but is necessarily preceded by successful implementa- tion of the Land Act providing a legitimate leasing system of land tenure with easier processes of transfer and other transactions. Fin- ally, under the 'Urban Councils' bill, local authorities will be set up under town councils to administer the district towns and most urban services. Where their full cost is not met by the proposed rates, the town councils will be assisted with Government subventions⁴².

If the new legislation can emerge unscarred from what is likely to be a tortuous and tempestuous passage through Parliament, then there is some glimmer of hope for the peri-urban residents. We are, still however, a long way from a solution, largely because the situation has been allowed to deteriorate as Parliament sat on the legislation while internecine conflict raged. Calls for a 'comprehensive' housing policy have been made regularly since 1971⁴³ and continue to be dis- cussed⁴⁴. At present, efforts to plan for the peri-urban fringe are conducted on an ad hoc and irregular basis. The Senior District Admini- strator for Maseru District (where most of the peri-urban population reside) is, for example attempting to persuade the settlers to adhere to planning advice issued by the DLSP. But since this can only be volun-

tary it has little impact and the DLSPP preliminary draft plans, being constructed in anticipation of the new legislation, are therefore premature and necessarily provisional. In the meantime, the peri-urban residents continue to live in squalor and at the mercy of the chieftainship and land-owning entrepreneurs.

RURAL-URBAN MIGRATION IN LESOTHO

Until recently, very little was known about rural-urban migration in Lesotho except that it must be occurring to a considerable extent given the difference between urban and national population growth rates⁴⁵. The picture is now becoming clearer but remains incomplete. Several aspects of the issue require further and more detailed investigation.

Bulane's⁴⁶ study of Lithabaneng and Zumbika's⁴⁷ survey of Motimposo reveal that the majority of their respective populations are recent migrants. Moreover, Bulane indicates that this migration is of a permanent nature; only 25% of his respondents maintained rural homes, 11% still cultivated rural land and 7% raised cows. Mpobole's⁴⁸ survey of Mafeteng also reveals a high rate of in-migration. He sampled 298 households of 930 people and, for those respondents over 15, 48% were born outside Mafeteng and its district. Migration was also discovered to be largely a recent phenomenon. Fifty-eight percent of the migrants had been resident in Mafeteng 5 years or less. Wilkinson's⁴⁹ research conducted in the Thamaes and Qoaling settlements around Maseru confirms this. Of his sample of 660 household heads, 62% were migrants and 35% of these had been resident in Maseru less than 3 years.

As Wilkinson argues, however, to understand this form of migration one has to consider it as part of the regional labour migration system. He proposed a typology of migration, dividing the system into three sub-sets. The first of these is 'permanent' or 'external' oscillating labour migration to the Republic; the second is 'short-term oscillating' or internal urban migration, and the third is rural-urban migration.

External oscillating migration should be properly considered as 'circulation' but since periods of return are so short it is not invalid to treat the migration as 'permanent'. The pattern of absenteeism in Lesotho indicates a heavy concentration in the peripheral areas of the country and, according to Wilkinson's successive multiple regression analyses of the residuals, this is associated principally with proximity to South Africa's encircling railway network and, in the north, population density. The migrants are mainly male and becoming increasingly so since South African legislation was introduced to restrict the legal access of women to the labour market. The migrants are typically miners, usually older and less well educated than other migrants, and normally rural-based⁵⁰.

Internal urban migration originates chiefly from the central and southern lowlands. This pattern is primarily associated with proximity to Maseru and to urban nodes which have been designated 'primary' and 'secondary' growth centres⁵¹. Wilkinson goes on to suggest that this migration may proceed in spring-board fashion, launching migrants either into the Republic or Maseru. These migrants therefore become permanent urban residents and diminish their associations with the rural economy. They are also generally younger and better educated

than the miners. Wilkinson discovered that 89% of his sample of Maseru migrants had 8 years of full-time education compared to 11% of his rural control group. Thus, if they do migrate they do so as non-miners. Most, however, find work in the immediate vicinity. Only 11% of Mpobole's ⁵² migrants worked in the Republic. Almost 84% had some form of employment in Mafeteng itself.

One of the most interesting findings of Wilkinson's survey was the proportion of women to men. Within the less than 24 age group, the sex ratio for Maseru migrants was 48.8 compared to 83.0 for the group as a whole. This situation also appears to be worsening with time and cannot be entirely explained by the dearth of males through labour migration. Taking this into account there is still a considerable deficiency of males in the lower age-groups. This observation has prompted Wilkinson to separate internal female mobility, which he terms rural-urban migration, from internal urban migration. It is the women, Wilkinson argues, who feel the 'frustration gap' ⁵⁴ most strongly. Given their position as migrant 'widows' without the outlet of employment in South Africa ⁵⁵ and their higher level of education ⁵⁶, women experience intense frustration and, according to Wilkinson, 'optimise' by moving their residence to Maseru which reproduces, albeit imperfectly, the urban conditions of South Africa.

In short, 'permanent oscillating' migration may involve temporary residence in an urban area but is largely exclusive to career migrants who sustain rural residences. It is the better educated and non-mining labour migrants who appear more inclined to reside permanently in an urban area, typically Maseru, and using that as a base for migration into the Republic, or work in the vicinity. Furthermore, the permanently

settled migrant without a labour contract in South Africa is typically young and female.

Wilkinson's thesis is a novel one. There remains a good deal of detail to be filled in, but at the very least, his study dispels the notion that peri-urban settlements, while permanent themselves, serve a transitory population of returnees. It is definitely the case that returnees swell the population of the settlements from time to time but the majority are permanent settlers without a rural base even if some members of the community undertake employment in the Republic. The settlements are becoming increasingly suburban, their populations employed in the townships or in the vicinity, and heavily engaged in informal sector activities.

One can see from this research that peri-urban settlement is not a phenomenon which will disappear as labour is gradually internalised. Nor can the Government propose re-settling what it used to consider transient populations. They are urban residents and frequently have no rural base to return to. It is now a permanent feature of the geography of Lesotho's townships and must be treated as such.

HOUSING POLICY AND REDEVELOPMENT

Recommendations for the designation and implementation of a national housing policy have been made regularly since the early 1970's⁵⁷. Progress has been hindered not only by the inadequate legislation referred to above but also by a lack of co-ordination between the various housing institutions which tended to operate autonomously. Moreover, since housing redevelopment cannot be fully subsidised from public

revenue⁵⁸, both the Building Finance Corporation (est. 1977) and the Lesotho Housing Corporation (est. 1971) have tended in practice, and contrary to intentions, to service the upper and middle income groups. Government has also experienced difficulty in recovering the costs of urban redevelopment through rates and tariffs and is consequently hesitant to increase its list of debtors. Finally, a considerable portion of Maseru's housing stock is tied up in government ' pool ' housing and efforts to release these into the open market and transfer costs to buyers has met with little success.

Nevertheless, the Housing Division of the Ministry of Interior, working on the basis of new legislation relating to town planning and land tenure, has recently put forward a new outline for national housing policy⁵⁹. An aspect of considerable importance here is the reorganisation of housing administration. The Housing Division, for example, will become the Department of Housing and a National Housing Board will be set up within it. The work of various Ministerial and parastatal bodies will be coordinated and reviewed by this new Department and this should contribute towards the formulation of clearer planning objectives. Also vital to the strategy is the expansion of LEHCO-op (the Low-income Housing Company) and its field of operations. This was established in 1975 as a private company but has, in practice, the status of a parastatal responsible to the Ministry of Commerce.

The activities of LEHCO-op were, until recently, severely circumscribed by lack of capital. By 1980, after 5 years of operation, LEHCO-op had completed only 271 housing units on serviced sites in Maseru⁶⁰. However, a considerable expansion is now underway. In

1979 LEHCO-op secured funding for the construction of 648 low income housing units (for leaseholds living on monthly incomes of US \$57 to US \$172), the preparation of 396 serviced plots, the erection of 90 low-income rental units and the upgrading of 65 existing low-income units in Maseru, Maputsoe and Roma (35 km east of Maseru)⁶¹. The Government contribution to the project is US \$390 000 over three years but the bulk of the capital is being provided by CIDA which is disbursing US \$2 683 000⁶². The low-cost housing units are being built on an assisted mutual help basis. Participants retain individual title to their plots but work together to construct their dwellings consisting of one or two rooms and sanitary core, and subsequently maintain the community services. Participants provide labour and LEHCO-op secures the plots, constructs the services and then provides technical and organising skills and the building materials. The serviced plots are being prepared using LEHCO-op's own labour, plant and equipment, and self-help labour where appropriate. Plot allottees subsequently construct their own dwellings using an approved plan and an optional building materials loan. LEHCO-op oversees the construction and provides technical assistance and the administration required for the building materials loan programme. The upgrading component, located only in Maputsoe, is providing small building material loans to low income families already located on or adjacent to CIDA sites.

Originally, it was intended that LEHCO-op would be self-supporting by recovering capital costs and loans from project participants and recycling their funds to finance further development. However, it is now recognised that the scale of redevelopment needed is such that further external backing is required. Such backing is now coming from the World Bank which has recently committed US \$6.0 million over 5 years (1981 - 1985) with the Lesotho Government contributing US \$1.07 million.

The project, originally tabled in 1978,⁶³ includes technical assistance, site preparation and servicing, home construction and improvement loans, primary infrastructure, the provision of community facilities, and maintenance and refuse equipment. Development is focused upon two 'target' settlements in Greater Maseru: Thamaes and Khubetsoana (north of Mabote, see Fig. 4).

In Thamaes, 1 300 plots are to be upgraded and another 1 200 (created through subdivision of existing plots) serviced and developed including about 25 for small businesses. In Khubetsoana, 500 residential and 25 small business plots are to be improved. Loans, ranging from US \$298 to US \$954 are being made available to about 1 700 households and 50 workshops.⁶⁴ In the upgrading area, 63% of beneficiaries would be below the urban poverty threshold and in the site and services area 60% of sites would be reserved for people below the threshold.⁶⁵

One of the most important aspects of the project is that, unlike previous low cost housing developments where Government recovered only 60% of the costs,⁶⁶ all allocable costs are to be recovered directly from beneficiaries. This, it is argued, should afford replicability of the project. Those costs normally met by user tariffs such as water and electricity will be recovered by the respective public authorities. All development costs for on-site infrastructure, home improvement loans, design, engineering and supervision would be borne directly by recipients in respect of private plots. Repayment would be affected by standard mortgage type agreements. Urban services to be provided by the Ministry of Interior would initially be recovered by a monthly service charge but with the creation of the Maseru Municipal Council, these services would be financed by municipal rates. Only those costs

relating to public areas such as roads and community facilities would be borne directly by local government.⁶⁷

As yet, there have been no comprehensive feasibility studies of these redevelopment projects. Without doubt though, there are many problems to be faced. One of these is that since services will be costed on a square metre basis, it is in the interests of both Government and residents to subdivide plots. As a result, it is expected that the Municipal Council will acquire a large percentage of freed and vacant land and reallocate it to householders. Hence, population density, already high in both target settlements, will increase substantially. Another worry is the practicality of recovering costs through rates, tariffs and interest charges from residents who subsist near the poverty level. In the first place, collection is severely hampered by shortage of staff and administrative inefficiency. Thus property rates arrears in Maseru Township represented nearly 1½ years of charges at the end of the 1978/1979 financial year and only 38% of outstanding arrears were recovered.⁶⁸ Moreover, only a fraction of the urban population have permanent jobs and have no option but to default on payments in periods of unemployment. For this reason it is also questionable whether peri-urban settlers have the resources, security and interest to mortgage themselves to a particular residence for a long period.

An interesting, albeit small scale study of a LEHCO-op project area was made by Leike van de Geer in 1980.⁶⁹ A total of 214 beneficiaries of low cost housing development in the White City area of Maseru Township were selected for interview. Their present homes were compared to their previous residences on the basis of several variables; overcrowding, access to and quality of sanitation and water

facilities, street lighting and communications, and scored with reference to a points system. Surprisingly, she discovered that 67% of respondents had improved their accommodation, in most cases not very significantly, and the remaining 33% had experienced a decline in comfort. The point which can be drawn from this is that LEHCO-op housing does not provide vastly improved facilities. Overcrowding, sanitation and the availability of treated and regularly supplied water are still severe problems. The most common reason for moving was therefore the improved security of tenure on the new estates.

It must not be expected, then, that LEHCO-op's operations provide anything more than the first stage of infrastructural redevelopment in Lesotho. More elaborate development is prohibitively expensive. And even with this low level of expenditure per dwelling the World Bank project is expected to meet only 25% of Maseru's upgrading requirements and 15% of the shelter demand by 1985.⁷⁰

CONCLUSION

After years of delay and neglect, there are now signs that substantial redevelopment of Lesotho's urban and peri-urban settlements will be underway shortly. With the formation of a Department of Housing, the administration of housing policy will undergo considerable reconstruction and should bring together the previously disparate Government and parastatal bodies under one administrative umbrella. New legislation, particularly the Land Act, will pave the way for the reconstruction of Township boundaries, the establishment of Town Councils, and the provision of leasehold under the auspices of DLSP. Moreover, LEHCO-op's initial progress is encouraging and has evinced favourable reports from various authorities.⁷¹ With substantial financial

backing and efficient administrative support it should continue to operate smoothly.

The problem, however, can only be expected to deteriorate for some time to come. The World Bank project, which affects only a fraction of Maseru's population anyway, is essentially an experiment and if it proves to be a misconceived one then further funding may be considered inappropriate. At the same time, the peri-urban settlements are having to accommodate a growing stream of migrants. One report⁷² estimates that Maseru's population may reach 100 000 by 1986. If this is so, then it may be that the Government is fighting a losing battle.

In conclusion, then, it is apparent that the problem has been tackled far too late. Failure to recognise the nature of the situation, failure to give housing policy some priority in development planning and the delay in the implementation of legislation has created a backlog in development needs which is becoming increasingly difficult to shift. And, in a country with such pressing problems in so many sectors - in agriculture, in rural development and in industry - urban redevelopment cannot command the share of resources it needs. What can be spared, even with external capital, is simply inadequate.

NOTES

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58. Allegedly so, despite the fact that domestic revenue has been poured liberally into projects of dubious developmental value such as the Lesotho Hilton, the Maseru Centre shopping complex, and the international airport.

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FIG 1 THE MAJOR TOWNSHIPS OF LESOTHO

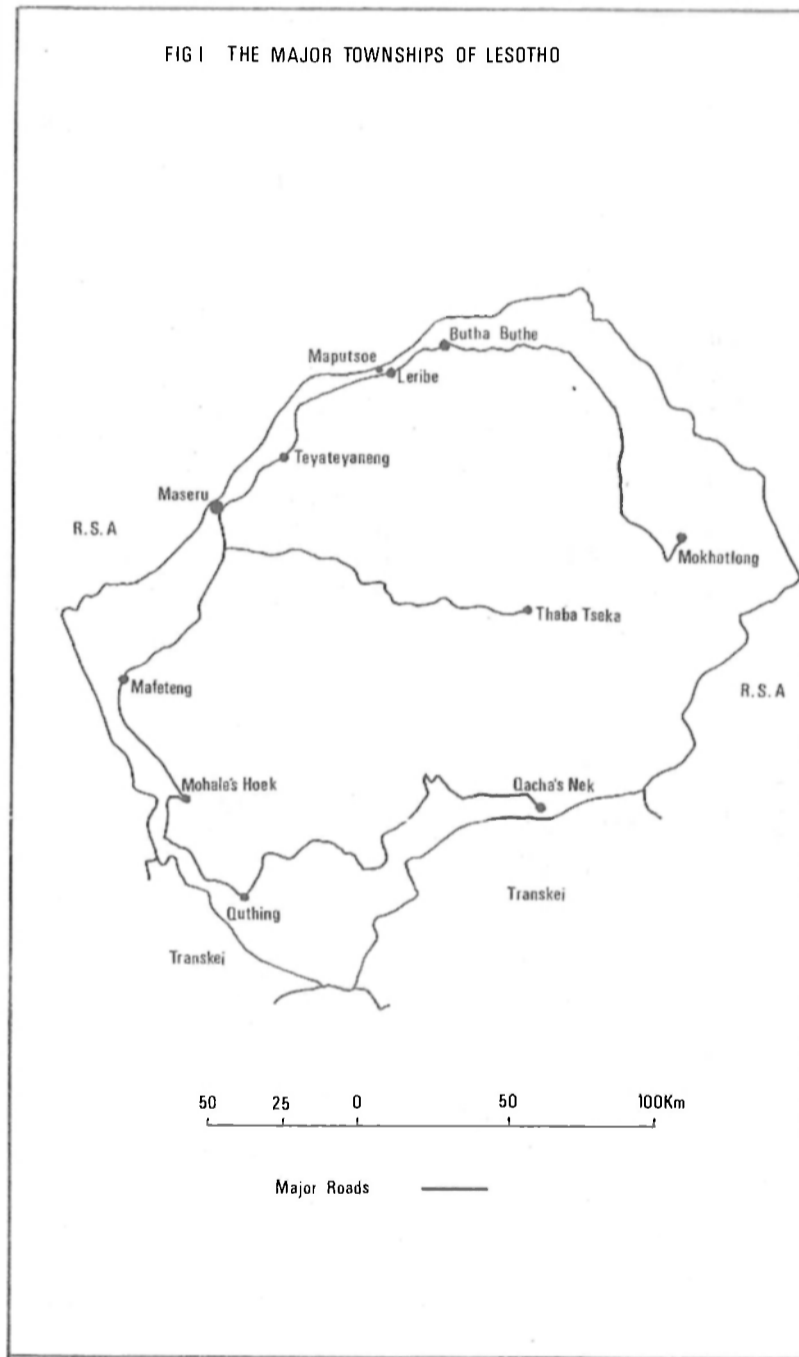


FIG 2 LESOTHO- URBAN HIERARCHY, 1966-1980

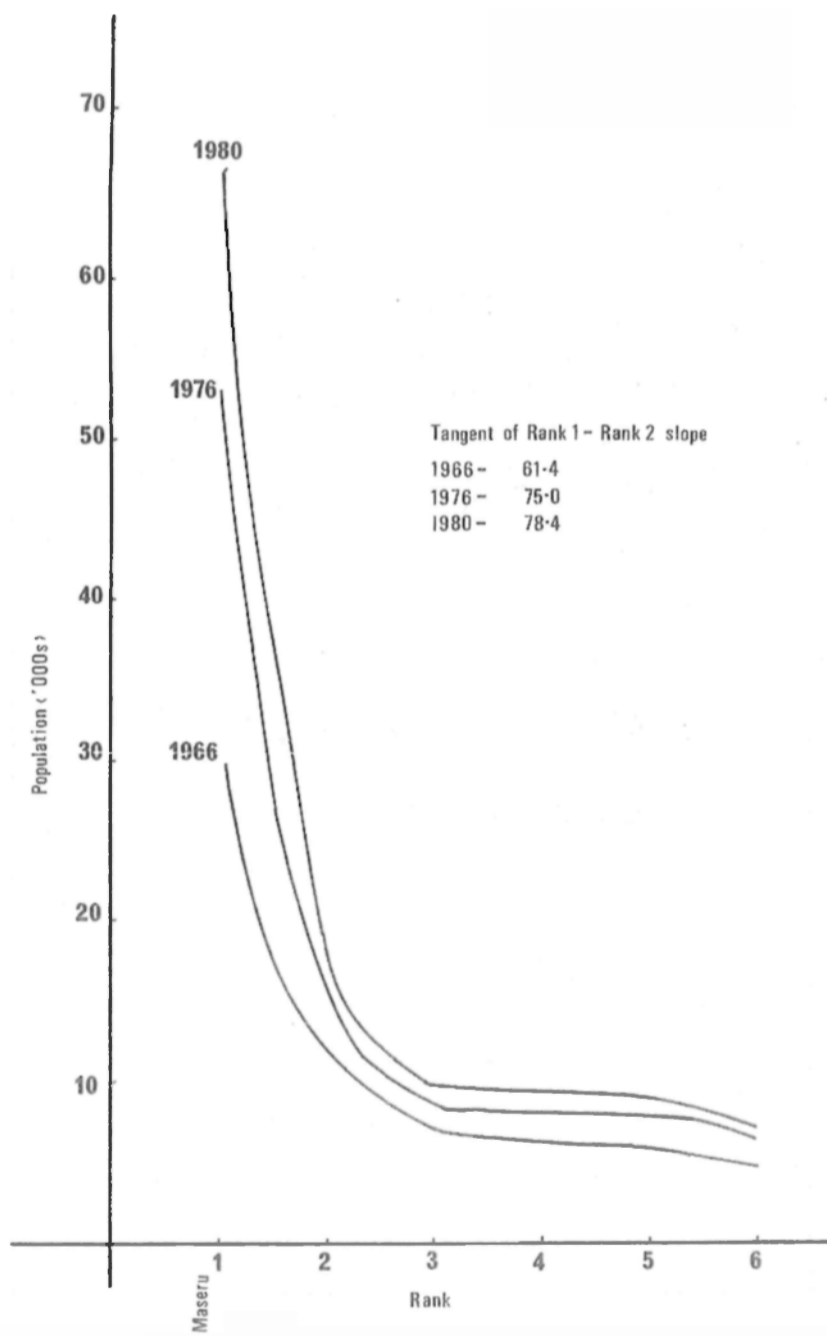
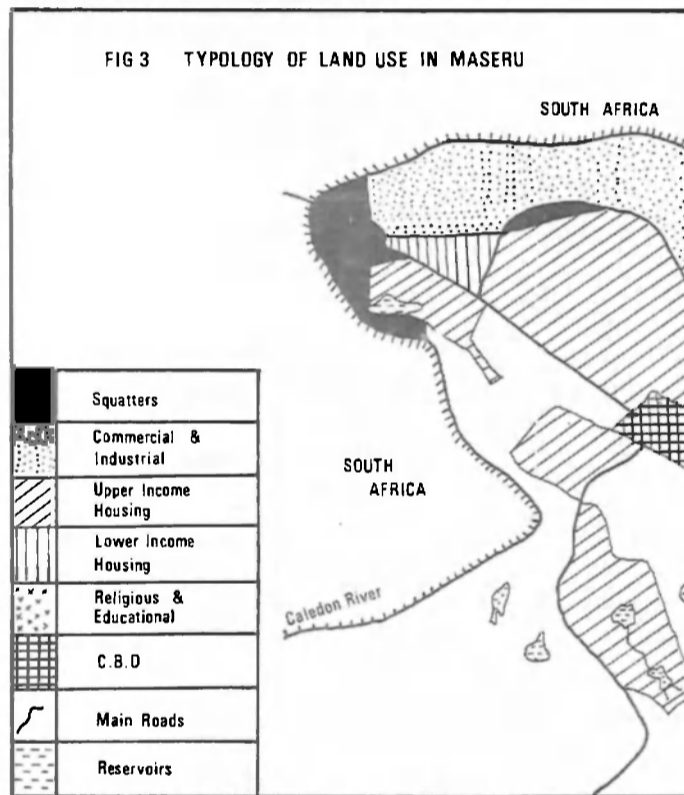
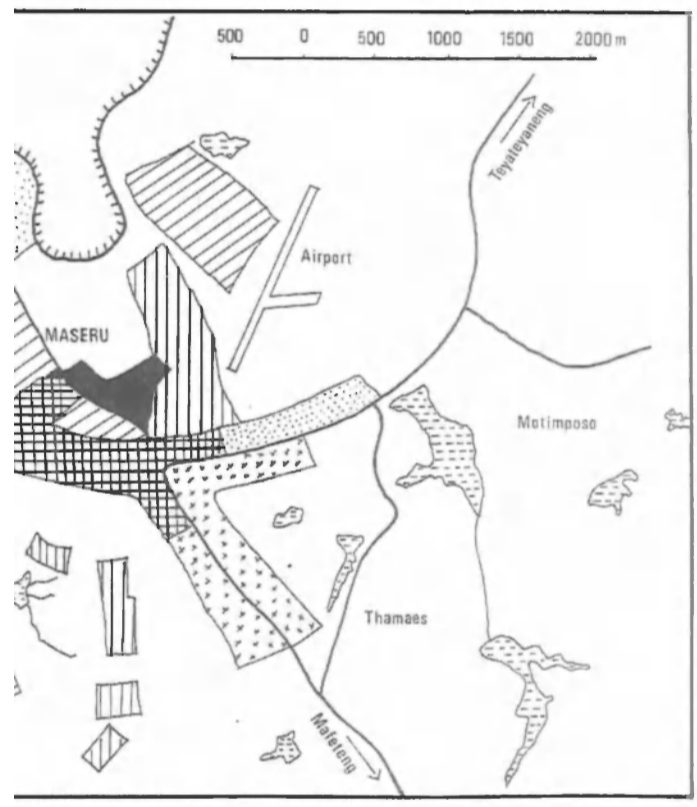


FIG 3 TYPOLOGY OF LAND USE IN MASERU





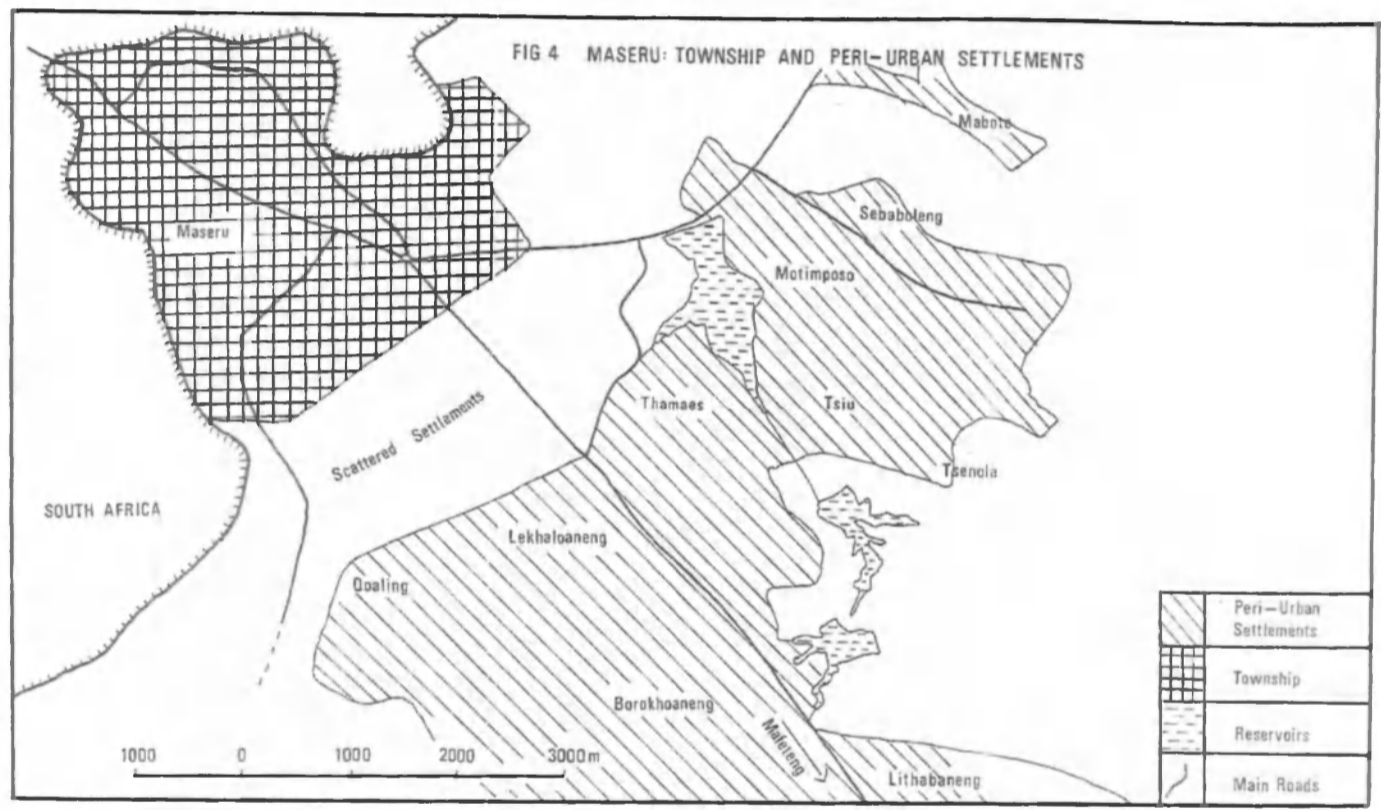


FIG 5 MOTIMPOSO 1961 'after Zumbika, 1979'

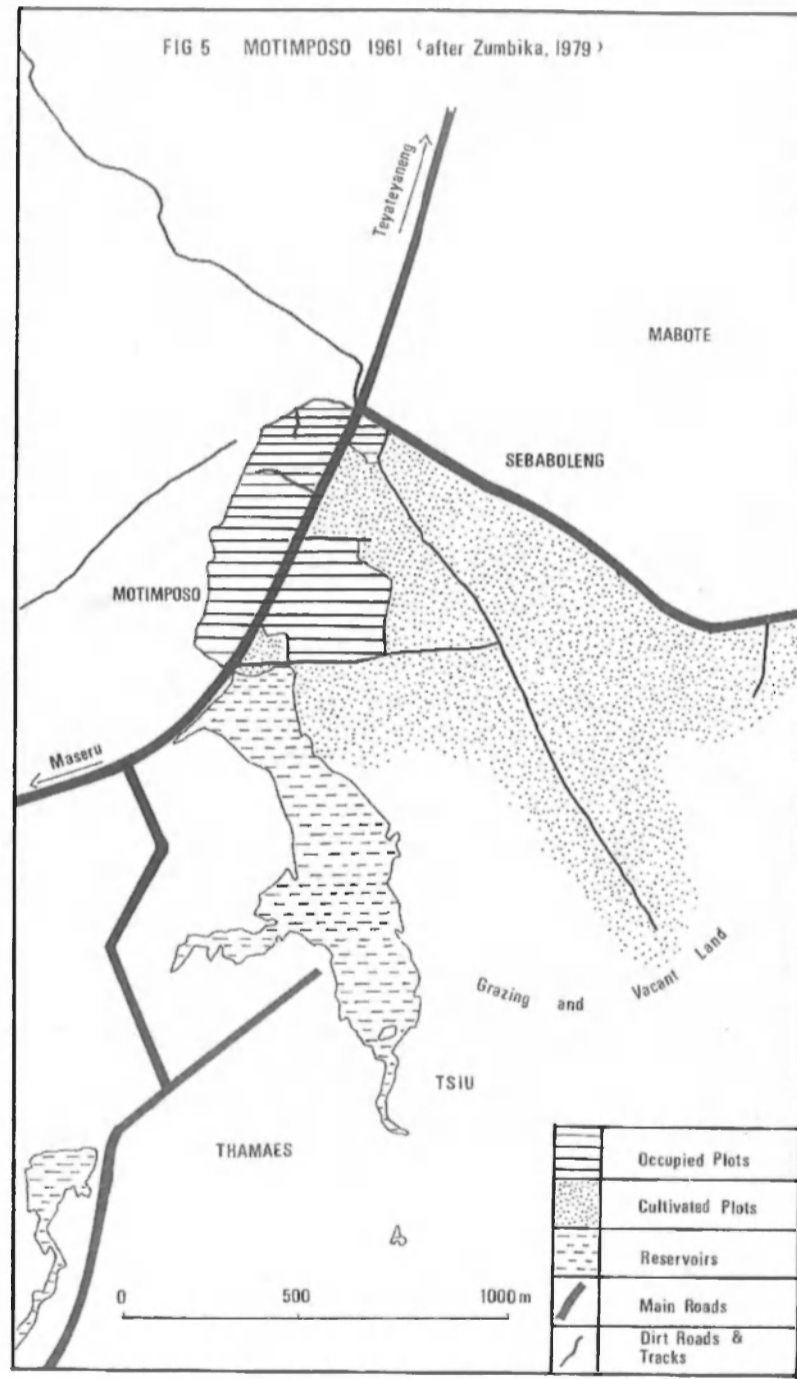
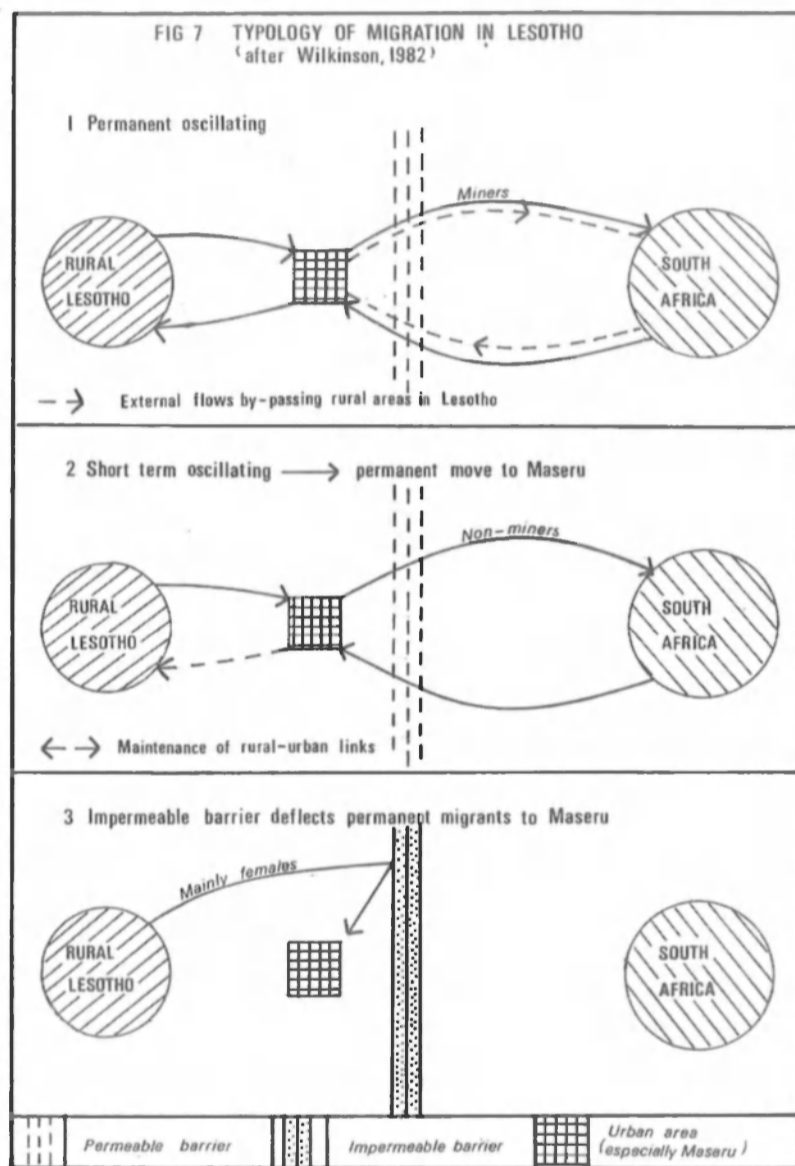




FIG 7 TYPOLOGY OF MIGRATION IN LESOTHO
(after Wilkinson, 1982)



DEVELOPMENT STUDIES UNIT

The Development Studies Unit is a multi-disciplinary unit within the Centre for Applied Social Sciences at the University of Natal in Durban. The Development Studies Unit was established at the beginning of 1982 with the purpose of providing a focus for research into the problems of developing areas, with a view to assisting the University to play a meaningful role in the upgrading of the quality of life in the poorer areas surrounding it.

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