Monwabisi Park Informal Settlement: Hybrid Governance, and Evolutionary Land Tenure Records Development

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FIG Commission 7 Annual Meeting
On-Line 19 October 2020

FIG 7 ANNUAL MEETING

UNIVERSITY OF
CALGARY

- A community record system that is working
- Open ended evolutionary information system design that side-stepped ISO standards
  - Only working community based digital record system I've encountered
- Participatory planning that is working
- Hybrid governance situation in an informal settlement
- Distinctive mix of Organisational cultures – political, adhocracy, machine
- Research programme – goes back to 1990s and Talking Titler software design options in South Africa
- Options to document shanty town rights go back to late 1970s.

- Research programme – goes back to 1990s and Talking Titler software design options in South Africa

- Hybrid Governance

- Organisational culture

- Monwabisi Park development

- Monwabisi Park Community Records Development

- Where to now?
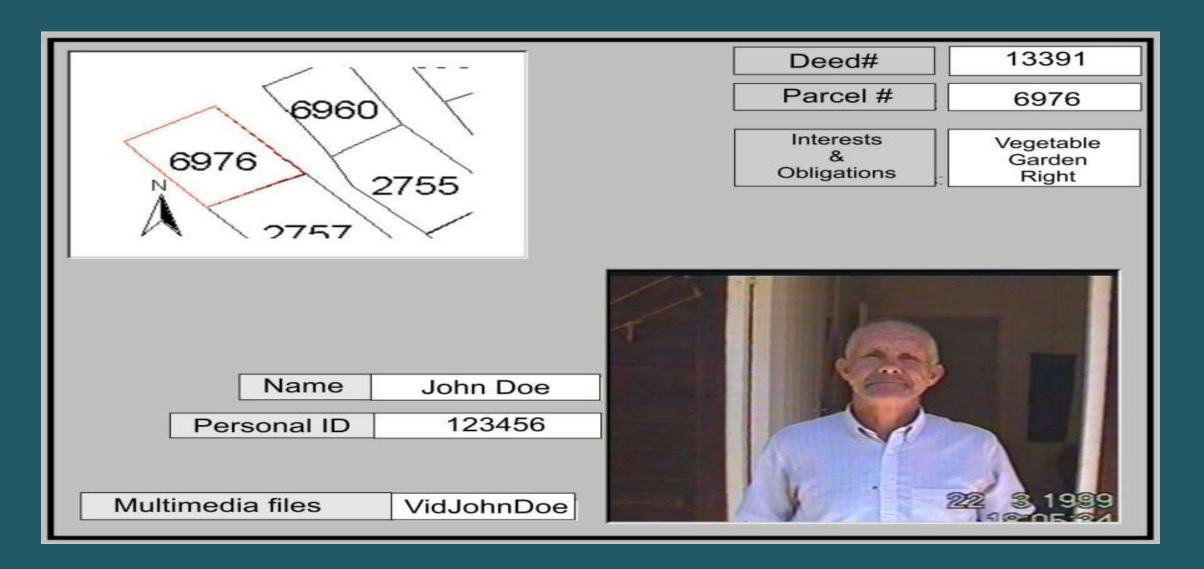
Previous Work & Questions

- Working group on land registration and land surveying options for the "new" South Africa 1995 – 1996
- Land title evangelism! Economic determinism versus the meanings landowners assign to titles!
- Talking Titler software development – designs, prototyping, data mining
- Informal settlement upgrades , land reform and land restitution projects
- What makes a land tenure information system effective?
- How do we make registered titles in a state-subsidized housing project work?
- South Africa has delivered some 4.3 million housing opportunities since 1994
- Most are held in registered ownership – i.e. as land titles
- Meaning of a title to policymakers and beneficiaries may be different – result is cloudy titles if landholders don't register transactions – i.e. they don't use the registry
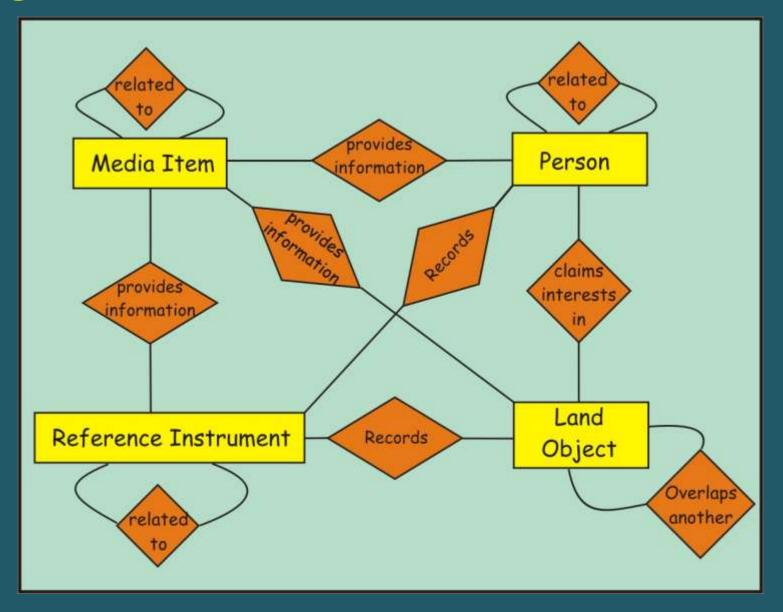
Nana Khese Botoshe bought house № C-302/6 &
the witness was Zwelitsha Majangaza.
Nxuba agreed about house № D-222-6 to give
Vumele Khandlo because their neighbours have get next
numbers to this one. (Nxuba).
Ngqangwa Vizard did not register in 1994
his witnes is (Mabhai)
Twakine Cebisile bought house № D-204-6
of Mlindeli Maondi (Nxuba + Mdlwelu) and
Censile Maqalane agreed this because even him
bought this house used same № but different on
Sites.
David Mentor bought house on C. Section №
C-301-6 (Mamjwasha)
Mamjwasha gave Thembinkosi Sebooo house
№ C-154-6.
Markus Teveyamuyo bought have get house № C-261.6
Sibindi Mzinkhulu bought house № C-307-6
and mamjwasha agreed upon. (Mamjwasha)
Mdlwelu Pholibongo
Mbosinathi Mncazana's house № is wrong his house
№ is. B-240-6 and B-241-6 is the house
of William Buleni but the mistake is in 1994
registration (T. Mdludlu + Nxuba)

Nonyalyambo Qotyipe has used C/311/6 said by William
Mqqangwa Mlint
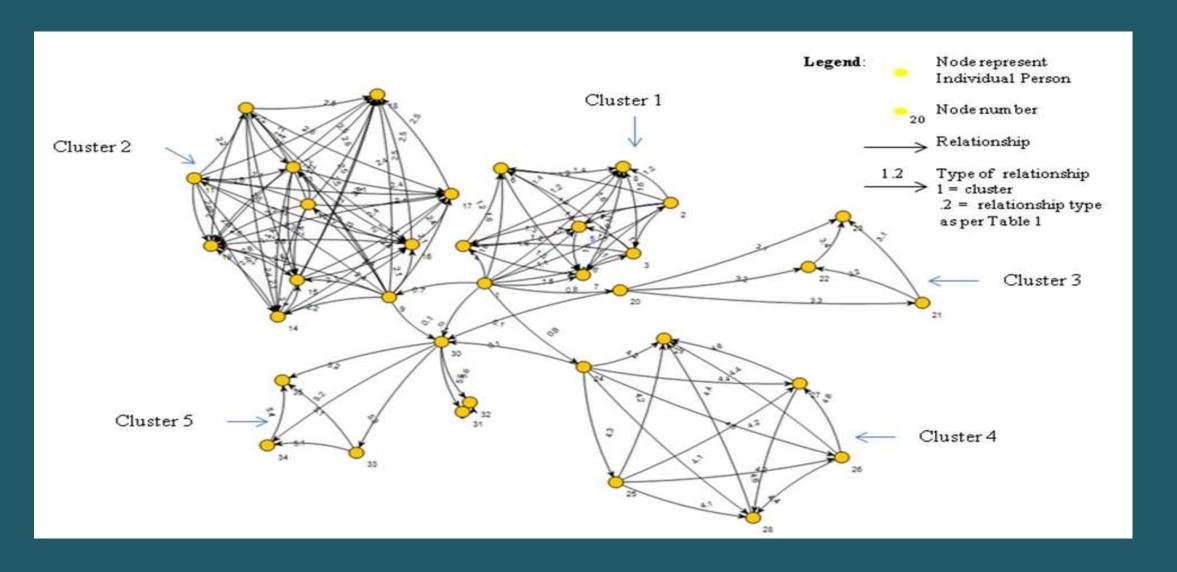Japile Zenzile bought house № 307 this house
was belong to Nkompoin Mbopa (Stozi)

Early Talking Title 1999

Talking Titler Data Model – Nouns and Relationships

Person-to-Person Network

Hybrid Governance & Informal Settlements

- Rational state assumption – very few states fit this model
- Fragile states/informal settlements - state has limited power
- Informal settlements have an intermediary to facilitate, plan, manage resources
- Social change – competition for power and resources, coalition formation, allegiance affiliation
- Risk: recognition and strengthening of unethical behaviour and organisations
- Risk: things fall apart
- Risk: further organised invasion that may render development plans useless
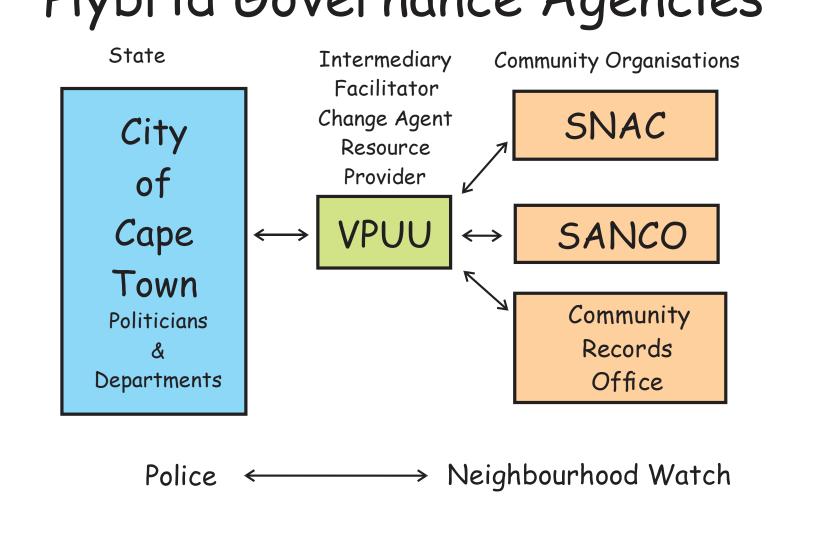
Organisational Culture

- Machine – land title registries. Rules and procedure are of utmost importance

- Political – e.g. Community based organisations in informal settlements –land invasion is political

- Adhocracy – NGOs. Situation is so complex, information system planning is evolutionary and innovative – ad hoc
    - Deal with what is negotiated on an ad hoc basis
    - Managers tend to ignore rules, standards and procedures

Monwabisi Park

- Organised invasion starting in 1997
- 6,900 households
- City of Cape Town provided taps and communal toilets starting 1998
- High violent crime rates
- Violence Prevention through Urban Upgrading (VPUU) – an NGO - became involved in 2009

Hybrid Governance Agencies

State

Intermediary
Facilitator
Change Agent
Resource
Provider

Community Organisations

City
of
Cape
Town

Politicians
&
Departments

VPUU

SNAC

SANCO

Community
Records
Office

Police ⟷ Neighbourhood Watch

VPUU Approach

- Citizen empowerment
  - Community plans
  - experts are catalysers
- Voluntarism – withdraw if residents are not prepared to make it work or CBOs are not ready to develop durable institutions
- Provide resources, ongoing leadership training
- Incremental in situ upgrading
- Move no-one!

Sequence of Events

- Baseline Survey & Workshops 2009
- Create Safe Node Area Committee (SNAC)- 2009
- Create Community Action Plan - 2010
- Training and organisational development - SNAC
- Create information system to handle census / enumeration
- Develop system of blocks and associated numbering system
- Negotiate land tenure and occupation protocols
- Apply for rezoning and development approval
- Development path unclear – blocks not accepted 2013
- Certificates of Tenure issued by City of Cape Town
- Electrification based on block numbering system
- City of Cape Town - Anti-Land Invasion Unit demolishes illegal shacks

Constraints

- Law did not accommodate incremental approach and existing blocks
- City Engineers' in different departments position was move no-one is impractical given the topography
- Re-zoning is only the first step in a challenging development project
- Fairness – Do not perpetuate a slum – "the guy over the road has single house and a plot; I want the same."
- Workshops – officials "You cannot assign so much power to CBOs."
- Officials – "when VPUU leave, we still have to administer Monwabisi and provide services"
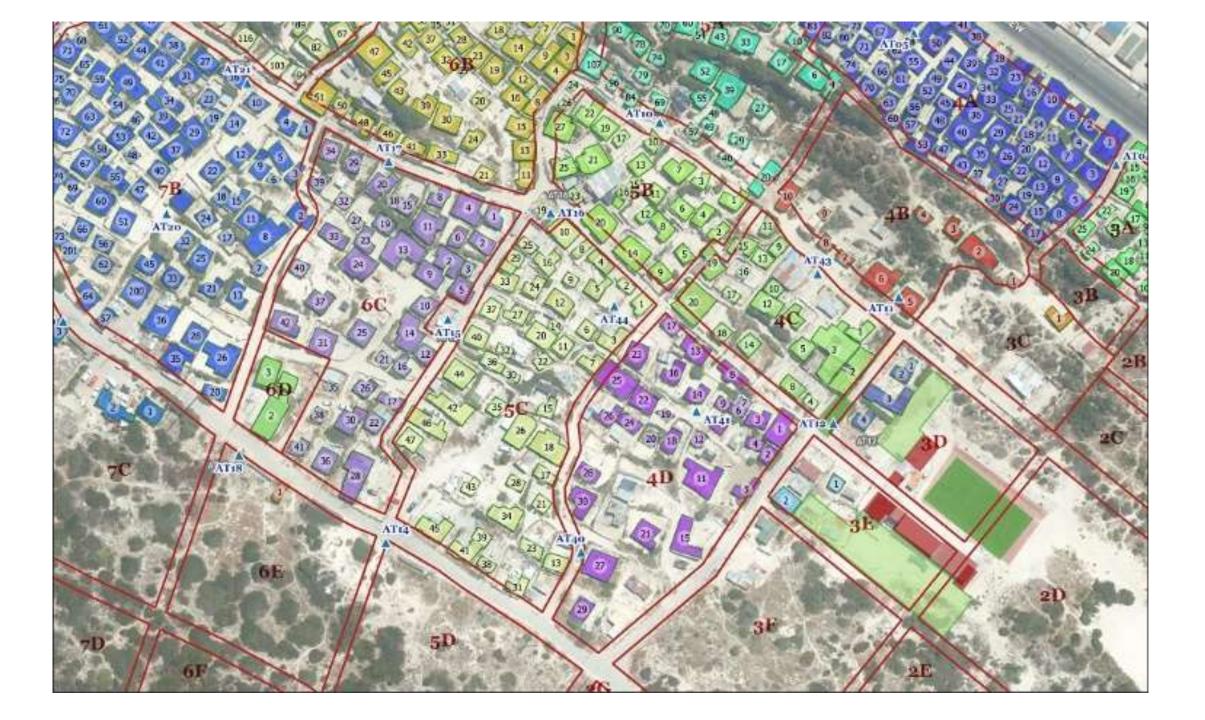
Source VPUU Photographer

Protocols Developed by Community Structures

- No new structures may be erected.
- Residents may own only one structure.
- Structures can be extended following an approval process that involves SANCO and CoCT departments. Similarly they can be moved if they are in unsuitable positions – e.g. areas subject to flooding.
- Shack owners have to live in Monwabisi Park.
- Owners can sell their shack, using procedures that include SANCO area committees.
- Owners cannot rent out their shacks.
- ……
- …….
- Every owner was encouraged to have a will.
- Provision of dispute resolution structures comprising….

- City of Cape Town Anti Land Invasion Unit demolishes "illegal" shacks – essential but controversial

Community Records Office

- Operated by Monwabisi Park volunteers
- Simple system that community members can handle
- Complex tenure issues handled by area committees and dispute resolution committees
- Transactions entered after clearance by SANCO Area committees
- Issue a Letter of Residence to keep records up to date
- Daily back-ups on site
- Weekly back-ups off-site going back to 2015
- One stop shop – Taps and toilets maintenance, Early Childhood Development programmes, Small Business support, IT Training, Leadership and Management training, Health care

Information System Design Process & Criteria

- Simple database – does not conform to good database practice nor ISO land administration or ISO naming standards
- Did not examine VGGT
- Expect this in an adhocracy – address what is negotiated
- GIS must be easy to use for operators – tested what software they could use at start of design process
- Complex tenure relationships left to social processes and CBOs

**Monwabisi Park
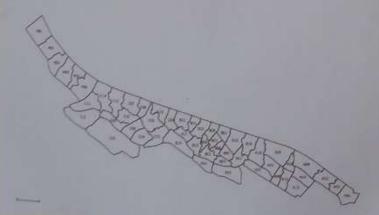Community Register**

Date of issue:
2017-06-06

House number:
ESKOM 7B-49
HOUSE WP7006

Monwabisi Park, Khayelitsha.
The content of this document reflects the current
occupancy of the structure named in the Monwabisi
Park register as maintained by the MP Community
and assisted by VPUU.

012345 m

Residents:

WP_NUMBER	SURNAME	FIRST_NAME	dob_ID	phone	arrived	own_you	own_contact
WP7006	NGOZI	NOMAJHE	9409171590081	0732295678	2017	YES	0732295678

CERTIFICATE OF TENURE

Date: 25 September 2013

Dwelling Unit New Number: _____ 3A-12 _____

Dwelling Unit Number: _____ WP104 _____

MONWABISI PARK SETTLEMENT, Khayelitsha.

The City of Cape Town hereby acknowledges by the present document that:

Lindelwa Portia Bonga   ID: 7508290451082

And Bongani Mbelu   ID: 7105055988083

reside in 3A-12 Dwelling *Unit Number* _____ 3A-12 _____ Monwabisi Park, Khayelitsha.

Please indicate below if the dwelling unit you are currently residing in belongs to someone else.

The dwelling unit number _____ does not belong to me. It belongs to:

_____ ID: _____

Who resides at Dwelling Unit Number: _____ Contact details: _____

Please note that the land remains the sole property of the City of Cape Town.

On receipt of this document, the following conditions will apply.

1. Only residents as reflected in Monwabisi Park community register will be provided with a new structure number and an occupation agreement by the City of Cape Town.
2. Selling, renting or subletting of the land is unlawful and will not be tolerated.
3. The land is not transferrable to relatives, friends or any other person as the City remains the only competent authority to exercise the right to authorize any change of occupancy.
4. The dominant use of the dwelling unit shall remain residential. The dwelling unit has to be compliant with the Single Residential Zone 2: Incremental Housing (SR2) as part of the Cape Town Zoning Scheme (CTZS). Primary uses, additional use rights and consent uses are outlined below:

Database – a simple list in SpatiaLite software

- Joined to QGIS layer – both FLOSS
    - » HNO ; unique house number stencilled onto each structure during ESKOM Electricity infills in 2013. This field is used to JOIN the LIST to the ROOFS layer by referencing the value in a field called 'block'; e.g. 12B-36
        - 12 from Superblock; SBs run from 1 to 31 along Mew Way from east to west or A,B,C,M.
        - B from Block; Blocks proceed alphabetically from north to south starting at Mew Way.
        - "-" hyphen separator
        - 36 for House number, from east to west per Block; i.e. not adjacent owing to the absence of a grid.
    - » Located ; an internal GIS admin field used in the enumeration phase
    - » VPUU ; a unique household identifier used in the enumeration phase
    - » WP_NUMBER ; administrative number issued by SANCO to people as they arrived in the settlement. Not always unique as houses are traded and families are split with their original number.
    - » SURNAME ; surname of resident
    - » FIRST_NAME ; first name of resident
    - » dob_ID ; YYMMDD of birthday of resident with remainder of ID if available
    - » phone ; contact number of resident
    - » GENDER ; M/F of resident
    - » HD_OF_HH ;
    - » HH_TOT
    - » Electrified?
    - » Arrived
    - » ......

Analysis

- Information system is working – people use or intend to use it
- Have to work through Area Committee
- Contingent on SNAC and SANCO stability and continued VPUU involvement
- SANCO tied to governing political party
- Ebb and flow of different personalities in hybrid governance arrangements
  - How much power and decision making do officials feel comfortable letting go? Who is the face of failure when things go wrong?
- Resident interviews indicate that people use the information system as part of tenure transaction and tenure securing strategies
- Appreciated tangible benefits of the VPUU intervention
- BUT ….significant frustration at unfulfilled expectations – 2019 situation in limbo ….. Participatory planning fatigue and frustration

Analysis & Lessons for Good Practice

- Participatory planning approach suggests evolutionary information systems planning appropriate
  - Standards are likely to be sidestepped in an ad hoc, evolutionary situation
  - Analyse and manage the full range of systems at play before embarking on a design
  - Systems of power, trust in agents and agencies, leadership, institution building and management, social norms, dispute resolution, knowledge and understanding, communication, communication……
- VPUU differs in that it recognised the information system as a critical success factor in the development
- Trajectory of such an information system – project life cycle or going concern?
  - Can such a system evolve into or be accommodated by a national or regional registry?
  - What are the organisational cultural shifts that have to be managed for this to succeed?