



**EXPLORING THE EFFECTS OF LAND INVASION ON GOVERNMENT IN THE  
UPGRADING OF INFORMAL SETTLEMENTS IN CATO MANOR, DURBAN**

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DECEMBER 2022

A dissertation submitted in partial fulfilment of the requirements for admittance to the degree of Master of Housing in the School of Built Environment and Development Studies: University of KwaZulu-Natal, Howard College Campus.

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## ABSTRACT

This study aimed to explore the effects of land invasion on informal dwellers before and during the *in-situ* upgrading of the informal settlements in Cato Manor, in Durban. The mushrooming of informal settlements, and the increasing cases of land invasion in metropolitan cities can be attributed to the struggle over the use and control of the urban spaces, as well as a shortage of houses. Informal dwellers and land invaders occupy the urban space to reproduce themselves, even though they are excluded from the formal wage labour, and the formal housing markets. This move has seen individuals collectively acting to defend their access to the urban space, thus countering state-led dispossessions. These dispossessions are some of the crucial aspects of the increasing incidents of land invasion and informal settlements that sparked collective action by individuals to defend their access to the urban spaces from state-led dispossession.

This study was guided by three theoretical frameworks – (i) the theory of Quiet Encroachment of the ordinary life, (ii) the Marxist theory, and (iii) the Structuralism theory. These theories pull together the various separate paradigms and perspectives into an integrated theoretical framework to guide the study.

This study adopted social constructivism as a central research paradigm. How land invasion is perceived is largely dependent on local and social interpretations and perceptions. As a theory, social constructivism offers a counter-argument to a common perception that social problems arise as undesirable disorders that threaten social and cultural harmony. Social constructionism is based on the fundamentals of knowledge as a central influence in the construction of perceptions on an individual and their position and status in society. Thus, this study was empirical in nature, where the data were collected and analysed. However, it also integrated conceptual research – as the literature reviewed was referred to throughout the study. The study also employed thematic data analysis, which involves organising the data in relative themes and having it coded.

The selected study area is occupied by informal settlers where land invasion appears to be common. The researcher had anticipated that informal settlements protests would hinder the collection of the data. The findings of this study suggest that land invaders perceive land invasions as a way of securing shelter and accessing land. However, government is strongly opposed to this. It was also evident that acts of land invasion are carried out largely by the people from the same settlement, owing to general population growth and settlements expansion. Thus, one would be justified to conclude that the effects of land invasion on informal settlements upgrading is a perspective of Governments, whereas beneficiaries of land invasions also note the effects of the Upgrading Projects as a stimulant. This study proposes three recommendations which are: Collaborative Response, Inclusive Housing Settlements, and Planning for Settlements Growth.

## Declaration

I, Sthembiso Mthembu (student number 202522570) declare hereby that this study is my own original work. I also confirm that this work has not been submitted previously to any institution for the same purpose. All the works that have been taken or adopted from other sources have been duly acknowledged.

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## ACKNOWLEDGEMENTS

I would like to express, first and foremost, my appreciation to my supervisor, Dr Sithembiso Lindelihle Myeni for his supervision and support, which saw me through to the completion of this study. Your wisdom, guidance and support have been largely instrumental in my effort to complete this work. My heartfelt gratitude also goes to my fiancé, Ms Nonkululeko Amanda Dlamini, for motivating and supporting me. You have been my pillar throughout this journey. Thank you for affording me time away from our family to concentrate on my study.

A special “thank you” goes to the following people:

- my team, for helping me with the data collection;
- the eThekweni Metro officials from the Anti-Land Invasion Unit;
- officials from the KwaZulu-Natal Human settlements who participated in the study;
- Mr Edgar Ndlovu, a member of Abahlali Basemjondolo;
- my mother, Mrs Vamisile Emely Mthembu and my siblings, for their encouragement and motivation; and
- lastly my lovely boys, Fanele and Milani – thank you for being my source of inspiration and giving me the reason to work beyond my physical limits.

## ACRONYMS

ANC	African National Congress
BNG	Breaking New Ground
CBD	Central Business District
CS	Community Survey
KZN	KwaZulu-Natal
KZNDohS	KwaZulu-Natal Department of Human Settlements
IRDP	Integrated Residential Development Project
ISU	Informal Settlement Upgrade
ISN	Informal Settlement Network
GIS	Geomatics Information Systems
HDA	Housing Development Agency
NGO	Non-Governmental Organisation
NHC	National Housing Code
NHFC	National Housing Finance Corporation
NHF	National Housing Forum
PFMA	Public Finance Management
SA	South Africa
SAPS	South African Police Services
SDI	Slum/Shack Dwellers International
UISP	Upgrading of Informal Settlements Programme
WB	World Bank

## **CHAPTER ONE: STUDY CONTEXT AND INTRODUCTION**

### **1.1. INTRODUCTION**

This chapter provides an overview of the entire dissertation and its organisation. The first section of the dissertation provides the research background by presenting an extensive review of the literature on land invasion and informal settlement upgrading in South Africa. This chapter justifies the need to explore the impact of land invasion on informal settlements upgrading with a specific focus on Cato Manor. In this regard, this case study (of Cato Manor) documents the experiences of those that are behind acts of land invasion and informal settlements upgrading. The study sought to unpack land invasion beyond the borders of Cato Manor to examine the trends in land invasion in the Global South. This research, therefore, argues that land invasion is an indication that the urban poor are in dire need of housing. This high demand is attributed to complex socio-economic issues that concern livelihood strategies and urban land contestations. The chapter also discusses the significance of the study, presents the research aim and objectives, the main research question, and subsidiary questions.

### **1.2. BACKGROUND AND MOTIVATION FOR THE STUDY**

The main aim of this study was to explore the impact of land invasion on informal settlements upgrading. Thus, this case study of Cato Manor documents the experiences of those behind acts of land invasion and informal settlements upgrading. A vast amount of literature reveals that the socio-political landscape of South Africa is characterised by a cruel past, a tribute to apartheid history, and the racial exclusions of the non-European population. The mid-1990s marked an end to minority rule and the beginning of a new struggle to redress the injustices of the past, while also trying to bring about unity in diversity. This has been achieved through the 1994 national elections, which were the first democratic elections, where all races were allowed to cast votes.

According to Holder (2012: 2), it seemed like the situation would change, after decades of suppression and disadvantage. Many had hoped that the new “Rainbow Nation” would afford growth opportunities to every individual regardless of skin colour, religion, cultural background, and gender. The transition to democracy brought hope to the poor people that land would be returned, and that they would have access to it. However, time has proven that this was rather, a myth, and that the struggle for land

and housing would be a reality, especially in the urban areas where it is highly contested.

Moreover, the study was premised on the fact that Cato Manor is among the early cities that were subjected to forceful relocations during the apartheid era. These relocations became more pronounced in 1952 during the implementation of the Group Areas Act of the 1950s. According to Thompson (1999), “First, the Indian landowners whose land was dispossessed by the Durban City Council as of 1952 to make way for the Cato Manor Emergency Camp. Second the Umkhumbane African residents who were forcibly removed out of Cato Manor, some of which received rental housing allocations in KwaMashu or Umlazi. Third, those landowners who were dispossessed by the Community Development Board in the 1960s as a result of Group Areas legislation”. Thus, Cato Manor is a study site with a history of the land question, as it has experienced several land invasions as reported in the media. To this end, official records suggest that projects have been rolled out to upgrade the informal settlements in the area. Therefore, land invasion cases and the upgrading of informal settlements in Cato Manor provided the motivation for this study.

Even though land was invaded in Cato Manor, the informal settlements upgrading project has made significant progress. To date, a vast body of literature on Cato Manor has been produced, which has either, focused on informal settlements upgrading or land invasion in isolation. However, a gap that concerns the interaction of the two variables was identified that needed to be closed. Thus, this study has closed that gap. Furthermore, land invasion in Cato manor, and its socio-political contestations and upgrading provided a strong motivation for the selection of Cato Manor as the study area or site. The effects of urbanisation in the post-industrialisation era precipitated an acceleration of urban decay, and the mushrooming of informal settlements and slums. On the other hand, industrialisation had created an appealing image of the city as a place of hope and prosperity – hence a motive for urban migration. However, the rise of capitalism has created an urban environment where the means of production are efficiency orientated, thus making human capital expandable (Gilbert & Gulger, 1992).

Capitalist influence over housing accessibility in urban areas pushed affordability out of the reach of the marginalised and poor people in the cities. The difficulties in accessing housing due to high costs and unemployment prompted the poor people to explore other housing alternatives, which included the establishment of slums and informal settlements. Informal settlements, as the name suggests, are dwellings often

built on land that has been accessed illegally and/or in an unplanned manner – however, organised, and often influenced by local politics.

In their work, Rowe and Souththern (2016) identified radical politics as a factor that has contributed to challenges that community movements are faced with in their quest to fight private capital and the state to secure land for shelter. Therefore, one must be conversant with politics as one of the dynamics when exploring the phenomena of land invasion and informal settlements upgrading projects. According to Dupont *et al.* (2016), understanding the politics of slums from the perspective of those who reside in these substandard settlements reveals much about the power struggles and tensions around urbanism in the South. According to De (2017), a lack of access to housing in the cities is attributed to the population surge, which has seen the poor migrating to informal settlements – hence, making the ground fertile for the mushrooming of slums, with no basic services like water and sanitation.

Moreover, the urban areas have witnessed a rise in informal land markets. Informal land markets can be considered the main contributing factor to land invasion. The concept of informal land markets must be defined to shed light on the context of this study. This study identified and explored some of the common meanings of informal land market delivery systems. This research further identified and engages the main issues on informal land markets in general, and in the context of informal settlements upgrades. These issues are discussed in light of the challenges that professionals in the built environment contend with in their attempt to upgrade the informal settlements.

According to Dupont *et al.* (2016: 155), the increasing social unrest, associated with land invasions, and the demolition of shacks under court order at Cato Manor in 2013 revealed that there is mounting pressure to deliver housing in the eThekweni Municipality. This court verdict has, in recent years, attracted wider media coverage on land invasions and public protests as an outcry for the provision of basic services and infrastructure, including housing. The increasing rural-urban migrations is not helping the situation either – given the already existing urban housing backlogs. Depending on the government for the provision of housing and land invokes feelings of hopelessness for some of the informal settlements dwellers who have taken it upon themselves to pro-actively allocate land to themselves illegally and/or unlawfully. These proactive but illegal acts often lead to conflicts between informal settlements dwellers and the government development initiatives, planning by-laws, and property laws.

According to Massey (2013), some acts of land invasion are closely associated with “Breaking New Ground: A Comprehensive Plan for the creation of Sustainable Human Settlements” (BNG), which supported the formation of the Upgrading of Informal Settlements Programme (UISP). This view assumes that individuals residing in shacks in informal settlements would automatically qualify as beneficiaries of the BNG housing scheme – hence land invasion is justified as an attempt by individuals to position themselves in the queue for housing subsidy. Most, recently, the eThekweni Municipality Housing Allocation policy (2016) pointed out that informal settlements dwellers consider land invasion the only strategy to secure a house (eThekweni Metro, 2016).

Research conducted in the past has focused on the responsibility of the state to provide housing to the poor, the legislative context, as well as policies and strategies that were in place to formalise and upgrade informal settlements. Thus, minimal literature has been produced to engender an understanding of the relationship between land invasion and informal settlements upgrading. Therefore, there are gaps in knowledge production concerning this phenomenon in a metropolitan context, specifically in relation to local experiences and dynamics. Overall, the recent developments on land invasion have heightened the need for a better understanding and examination of the origins and influences of phenomenon in a local context. It is against this backdrop that this study set out to explore the effects of land invasion orchestrated by informal dwellers on the ability of the government to upgrade informal settlements in metropolitan cities. The study also sought to explore these effects and delivery mechanisms on the residents. This study also set out to assess the effects of land invasion in redirecting the budget for housing delivery. It was motivated by the recent increases in public protests and land invasions in response to the backlog in the provision of housing and the related services.

Many scholars have argued that freedom for black South Africans meant that they would migrate freely to urban areas, where there are opportunities. Many perceived this as a golden opportunity for them to migrate freely than it was during apartheid (Gigaba & Maharaj, 1996). The scholars claim further that the new democratic era opened influx gates for everyone, including the unemployed people, who migrated to cities and other urban areas in search of a better living.

Many who were not fortunate to secure employment found themselves homeless in the cities – hence, they sought shelter and earned a living in informal ways. Like many

other cities globally, South Africa is experiencing rapid urbanisation. This study, therefore, sought to assess international urbanisation trends and land invasions associated with it, and examine the local experiences of the people in eThekweni, South Africa, specifically, Cato Manor.

Some critical urban geographers and activists observed that historically, the Indian population were the major property owners in the Cato Manor area. However, squatter settlements began to mushroom in the area during the 1930s (Gigaba & Maharaj, 1996). To this end, many Indian farmers realised that they could make extra money if they allowed Africans to build shacks on their properties. However, some Black people took advantage of the generosity of their Indian counterparts and started invading the land and the houses. As a result, "Cato Manor became one of the most densely populated settlements because of its location, size and accessibility to homeless people. The vibrant community of Cato Manor was destroyed when the area was zoned a white group area in 1958" (Gigaba & Maharaj, 1996: 223).

The contestations for land in Cato Manor can be traced to a time before the apartheid legislation was enacted. The enactment of the 1913 Land Act gave justification for land dispossession for the benefit of the white minority groups. The urban property was, therefore, off limits to non-Europeans, specifically Africans. Efforts to secure living accommodation were seen as an illegal undertaking by the government of the past – hence, an invasion of the land “owned” by whites was not tolerated (Massey, 2013). However, the new democratic government, which came to power in 1994, had to tolerate land invasion as it was no longer considered illegal for an African to be in an urban area without the permission of a white man (Shange, 2018). The democratic government did not consider land invasion an intrusion of an African into a space of a white man any more. However, the unplanned nature of land invasions would later prove to be an obstacle to the upgrading of informal settlements, especially those that were established through acts of invasions.

### **1.3. RATIONALE FOR LAND INVASION**

Land invasion in South Africa is attributed to many factors. The task of delivering houses to all individuals in need of adequate housing remains a huge challenge in the country, which the government cannot undervalue in any way. In 2016 the demand for housing in KwaZulu-Natal was estimated to be around 742 019 houses, even though

the government continues to deliver on housing opportunities<sup>1</sup> (sites, funding, building vouchers, houses and etc). This demand, however, seems to be increasing daily (KZNDoS, 2017). It manifests as land invasions, which according to the KZNDoS (2017), have been increasing. According to Lehohla (2011), there are 635 informal settlements in the KwaZulu-Natal province – 494 of these are in the eThekweni Municipality.

Table 1.1: Statistics South Africa, Community Survey (2016) Household indicators

	<b>2001</b>	<b>2011</b>	<b>2016</b>
KZN Province	177 190	211 546	245 167
eThekweni Metro	123 098	149 289	149 634

Source: Statistics South Africa (2016)

Significant progress has been made in general in the provision of housing. In this regard, around 150 850 units were seemingly, delivered between 2009 and March 2015 (KZNDoS, 2017). However, the current housing backlog and the growing number of informal settlements suggest that there is growing demand for housing and the need for more housing opportunities in KwaZulu-Natal.

According to Olufemi (2010), land invasions are a consequence of the desperate poor to secure a space to put up a shelter – owing to the fact that they lack the resources to construct a shelter formally and legally. Therefore, people resort to non-formal and illegal means to gain access to land to erect their shacks or informal dwellings.

According to Cele (2016), there are approximately, 345 362 households in the informal settlements of KwaZulu-Natal. It is, however, estimated that 75 per cent of these households live in the eThekweni metropolitan. The Department of Human Settlements in KwaZulu-Natal, and the eThekweni Municipality have observed increasing incidents of land invasion within municipal borders. These incidents are of great concern for the eThekweni metropolitan and the provincial Department of Human Settlements since they occur mostly on the land reserved for human settlements developments

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<sup>1</sup> Housing opportunity refers to government assistance towards the attainment of housing units – these can be either houses, serviced sites, finance for buying houses/flats/land or rental schemes.

(KZNDoHS, 2017). To this end, the Constitution mandates the state to deliver adequate housing and quality shelter. Therefore, the act of land invasions shakes the foundation and role of the state, especially the role of the Department of Human Settlements.

The main concern on land invasions is that often, the land that gets invaded has tenure issues, whereas the security of tenure is critical in realising sustainable human settlements. It should be noted that housing developments are attached to the land. Issues with security of tenure, therefore, ought to be addressed. One of the Egyptian architects, Soliman (2012) highlights that housing delivery can only be realised provided there is available land on which to build houses. The KZNDoHS (2017) has noted that land invasions occur on private land, which makes it difficult for the government to provide incremental services, which should be accessible, available and affordable to the poor. In other instances, the department has also witnessed numerous instances of land invasions on state registered land, and has since implemented several measures to mitigate this challenge. According to the KwaZulu-Natal Department of Human Settlements, these measures included the appointment of security companies since 2014 for several contracts to provide security services and safeguard vacant land parcels or properties, following the provisions of section 38(1) (d) of the PFMA (KZNDoHS, 2017).

#### **1.4. PROBLEM STATEMENT**

The mushrooming of informal settlements and the increasing incidents of land invasion in metropolitan cities can be attributed to the struggle over the use and control of the urban space, as well as the shortage of houses. According to Bayat (2000), informal dwellers and land invaders occupy the urban space to reproduce themselves, despite their exclusion from the formal wage labour and the formal housing markets. One of the crucial aspects of the increasing incidents of land invasion and informal settlements has prompted collective action by individuals to defend their access to urban spaces from state-led dispossession (Gillespie, 2016).

In her work, Li (2011), using Marxism as an analytical framework to shed light on contemporary challenges in the Global South, found that the “surplus population” is that which is dispossessed and proletarianised, but not absorbed into the capitalist production process to reflect the daily reality of the masses. According to Massey

(2013), nearly 70 per cent of the urban population in sub-Saharan Africa lives in informal settlements. This percentage is expected to double by 2030. De (2017) confirms in this regard that a lack of access to housing in the cities is attributed to the population surge, which, in turn, is attributed to the migration of the poor to cities.

## **1.5. AIM, OBJECTIVES AND RESEARCH QUESTIONS**

### **1.5.1. The objectives**

The study's objectives were:

- to explore the effects of land invasion on the upgrading of informal settlements in the eThekweni Municipal projects;
- to understand the socio-economic profile of informal settlements, which were established through land invasions in Cato Manor;
- to analyse government policies that contribute to the shaping of land invasion, and the upgrading of Informal settlements in Cato Manor; and
- to assess the dynamics of land invasion that affect the upgrading of informal settlements in Cato Manor.

### **1.5.2. Research Question**

To achieve the main aim and specific objectives of the study, the following main research question was asked: *How does land invasion affect informal settlements upgrading in Cato Manor in the eThekweni Municipality?*

### **1.5.3. Minor Research questions**

The main research question was further expanded into four subsidiary research questions, which the study sought to answer:

- What are the effects of land invasion on the upgrading of informal settlements in Cato Manor?
- What are the demographics and socio-economic characteristics of the invading informal settlements dwellers?
- What is the role of the state in the acts of Land invasion in Cato Manor?
- What are challenges faced by the government concerning land invasions and Informal Settlements Upgrading in Cato Manor, and what institutional arrangements should be made in this regard?

## **1.6. STRUCTURE OF THE DISSERTATION**

This dissertation comprises six chapters, outlined as follows:

Chapter One introduces the study, provides the contextual background, and presents the objectives of the study – and locates the study area.

Chapter Two discusses the conceptual framework and the concepts used in this study, as well as their meanings and definitions. The chapter describes the concepts “land grabbing”, “land invasion”, “informal settlements upgrading”, and “government”. Furthermore, it outlines the theoretical framework, which has facilitated an understanding of the arguments in this study. Theories that were essential for this work are the theory of Quiet Encroachment of the ordinary, Marxist theory, and the Structuralism theory.

Chapter Three describes the strategy adopted during the process of data collection, methodology and the research design adopted for this study. The chapter also explains ethical consideration, and the study delimitations – including the validity, reliability of the study. Lastly, the chapter provides a summary and draws conclusions.

Chapter Four provides a context of the eThekweni metro and a background of the case study area. This chapter gives us understanding of Cato Manor as a selected study area. Chapter four further outlines and explores the socio-economic profile of participants, institutional arrangements, housing allocation policy, the extent of land invasion in the eThekweni metro, as well as the informal settlements earmarked for upgrading.

Chapter Five presents and analyses the results of the quantitative data and the qualitative data. The chapter also presents the findings, based on the secondary sources, which is the grey literature in researcher’s possession, from organisational reports on land invasion activities around Cato Manor.

Chapter Six draws conclusions and makes recommendations, based on the analysis of the data presented in Chapter Five. This research study aimed at exploring the impact of land invasion on informal settlements upgrading by using a case study of Cato Manor and also documenting the experiences of both those involved in the acts of land invasion and also informal settlements upgrading projects.

## **1.7. CONCLUSION**

This chapter provided the rationale for the selection of the topic as presented in the sections on the study background, motivation and the study's problem statement. This chapter also outlined the aim and objectives of the study, where the researcher sought to answer the main research question and subsidiary questions. Chapter Two discusses the conceptual framework, theoretical framework, and the relevant literature reviewed in relation to this study.

## **CHAPTER TWO: CONCEPTUAL, THEORETICAL FRAMEWORKS AND LITERATURE REVIEW**

### **2.1. INTRODUCTION**

Chapter One provided an overview and organisation of the study. It also provided the motivation, research objectives, and questions of the study. This chapter presents the literature reviewed in relation to the study topic. Literature review helps the researcher to establish linkages between the proposed research and other work of the precursors and to delineate the research topic accordingly, while ensuring a broader perspective of their selected topic. It also ensures that the researcher does not embark on a study that has been conducted already, as this would constitute a repetition of the existing work. Literature review also guides the researcher in choosing the appropriate research methods and techniques suitable for the study.

For this research, literature was reviewed to provide information on similar studies and pre-existing knowledge on the topic of enquiry within a broader framework. This information covers historic events around land invasions, informal settlements upgrading, and land in the context of urban housing across the globe.

This chapter is divided into three main sections. The first section outlines the conceptual framework of the study, while the second section outlines the theoretical framework of the study. The last section reviews the literature in relation to the study topic. The next section outlines the conceptual framework of the study.

### **2.2. CONCEPTUAL FRAMEWORKS**

This section explains the different concepts used in this study. These concepts are land grabbing, land invasion, informal settlements upgrading, and government as a concept. The proper definition of these concepts is crucial in this study as it is framed around these concepts. The first two concepts - land grabbing and land invasion are part of the conceptual framework and are discussed in the section that follows.

#### **2.2.1. Land Grabbing and Land Invasion**

The definitions of the two concepts (land grabbing and land invasion) are contested. There is, to this end, a widespread misconception that the terms “land invasion” and “land grabbing” are synonymous – and that other scholars use them interchangeably. This research considers the two concepts different – hence, the meaning attached to

each concept is different. On the one hand, land grabbing refers mostly to large-scale private investment on land outside urban areas (Borras Jr & Franco, 2013). This is often done by big corporate companies or international elite investors. An argument has ensued on whether these transactions are necessary, or are in fact, threatening local socio-economic sustainability. The term “land grabbing” would, therefore, only apply “to those big land deals that fail to uphold criteria of responsible investment and good governance” (Borras Jr & Franco, 2013: 1723)

The relationship between property rights and investment has long occupied a prominent position in the economics of government, especially the developing countries with ambitions to grow their economies. The investments are, in turn, based on the independent decisions, which depend on the appropriate returns over time. According Orellano *et al.* (2014: 661), “property rights are an important – if not the main – instrument for ensuring the appropriation of investment in a capitalist economy”. The work of Turner on the security of tenure and property rights assumed that it would encourage people to invest in securing houses. Turner’s work has, therefore, prompted international funding agencies to endorse property titling to inspire investment in housing development (Varley, 2002). This has influenced the housing development trajectory, especially in the developing countries, where private capital funding is linked to property titling. Banks often require property titling prior to granting funding for housing development.

On the other hand, the definition of land invasion may vary, depending on the country’s legislations and interpretation of issues around land rights and governance practice. However, the universal common definition of land grabbing mainly includes the unlawful occupation of land with an intent to establish a dwelling. In their work, Lemanski and Oldfield (2009) argue that land invasion should be seen as an illegal method of land occupation that is enabled through individual and community participation to establish households and a settlement. For developers, professionals, and government officials, land invasion may not necessarily hold the same meaning like it is the case for social activists. To technocrats the act of land invasion has negative attributes, and is seen as a problem to formality. This is largely because land invasion seems to violate government by-laws on town planning, as well as property laws. Therefore, technocrats often respond in a manner that seeks to enforce the law, as opposed to seeking humanitarian solutions, aimed at addressing the primary challenge of inadequate shelter in urban areas, while on the side of social activists

and those involved in the invasion of land this is an opportunity to secure shelter and be considered for subsidy by the government. This is a positive attribute in that it is seen as an immediate solution to homelessness.

### **2.2.2. Informal Settlements Upgrading**

The concept of Informal Settlements Upgrading (ISU) probably dates to the writings of an English architect, John Turner, and other writers such as De Soto during the late 1960s to the early 1990s. Central to the conceptualisation of the concept is what was referred to as incremental housing processes (Abbott, 2002). The incremental housing process was, therefore, seen as the primary instrument that can be used to improve the living conditions of the people living in informal settlements and other less desirable settlements or dwellings (Abbott, 2002).

There are different approaches to informal settlements upgrading. These include the incremental housing processes (*in-situ* upgrading approach, greenfield/relocation approach, and the mixed approach). In the context of this study, the approach followed is the *in-situ* upgrading of informal settlements. The focus was on formalising the informal settlements by providing titles to individuals occupying the land, even though they may have gained access to the land illegally.

The idea of regularising the title for the people who invaded the land and established the informal settlements was proposed by Turner, and later adopted by the international funding agencies such as the World Bank (WB) (Varley, 2002). This approach to informal settlements upgrading assumed that people who have title deeds to the land they occupy would be motivated to consolidate their dwellings. This would ensure capitalists and the market play a role in property construction and markets. This means that the land on which the shacks are built can be traded and banks can offer funding and earn interest out of the informal settlements. Turner's work can, therefore, be considered a catalyst for the capitalist approach adopted by the WB.

Some scholars have argued that the challenges of regularising titles are attributed to the introduction of the capitalist markets with unfavourable outcomes to the original occupants of the informal settlements (Varley, 2002). Others perceive that the introduction of the markets through security of title has resulted in the displacement of the poor, who have been forced out by the corporate capitalist and the markets, where the value of the land has increased.

The early form of informal settlements upgrading through self-help and sites-and-services approach was widely criticised, and have been deemed ineffective. However, the WB was applauded for pioneering the development initiative, which would have lasting impact on the upgrading of informal settlements, and would set the trend for future development approaches (Durand-Lasserve, 2006). The original work of Turner (1976) on the Latin America is often cited to illuminate the universal increase of self-help housing approaches in the 1960s and the 1970s (Parnell & Hart, 2010). The later debate, in this regard, would be based more on the cost of servicing the sites and government's role in enabling the markets for them to play an active role in informal upgrading. The assumptions were, therefore, that the state would bear the cost of setting up the required supporting infrastructure, while each individual settler would be responsible for acquiring loans for consolidating their houses/structures (Dupont *et al.*, 2016). This bred fertile ground for capitalism to thrive. However, this approach was criticised for its failure to reduce the backlog in the upgrading of informal settlement because not every dweller has access to loans and other market related means to consolidate their housing needs.

The other early approach to informal settlement upgrading was based on demolishing and building formal housing, often by the state. This method proved to be successful in the first world countries during the post-war era, but not in the developing countries – owing to urban growth and overcrowding and densities in the informal settlements (Abbot, 2002). Criticism of this approach prompted the WB to make development loans available for setting up the infrastructure after the developing countries had lobbied for such loans. This would give banks the powers to impose some conditions for these loans. Some of these conditions required that the governments of these countries limit state housing and promote self-help housing and sites-and-services programmes (Abbot, 2002). This would, therefore, see the state providing major services infrastructure and supporting basic services – leaving the markets and private developments to occupy the space that would have otherwise, been played by the state. Some of the good example of the support-based informal settlements upgrading can be found in Madras, India.

### **2.2.3. Government**

The concept of government has evolved through time, and how it is perceived varies across time and societies. This variation includes how government is perceived by an individual, family, neighbourhood, town, province, or state and country (Graham,

2006). On other instances the concept “government” has also been perceived as the management of institutions and organisations such as schools and firms. According to Graham (2006), drawing from the Foucauldian point, the term “government” may also refer to how power is exercised over individuals. This meaning can be considered a softer alternative to the reference of “power”, which bares the historic reference to those in leadership. Foucault’s earlier reference to government was that of “the way of acting to affect the way in which individuals conduct themselves” (Graham, 2006: 268).

The Foucauldian notion of government suggests that the authorities are at power to prescribe how those that they govern should conduct and live their lives. Many government functions are based on policies, laws and the enforcement of such laws or by-laws. However, the implementation and enforcement are not always simple – hence, there is a need for most governments to have a dedicated law enforcement division. Where individuals or groups act in contravention of the set laws, these enforcement divisions are mandated to deal with such actions and put an end to them. The act of land invasion can be viewed as some sort of contestations of power between citizens and the government. How the citizens are governed, and how they perceive power is crucial – hence, it determines what Foucault refers to as governmentality (Rose, 2006).

#### **2.2.4. Liberalism**

There is a general perception among proponents of liberalism that liberty is a crucial and eccentric value that everyone should enjoy (Rawls, 1972). Freedom is an important component of liberalism, which strives for equality of opportunities, individualism, property rights, a free market economy, and a restricted Government role, which is of importance (Gerber, 1983).

Thus, for liberalism to prosper, the state must not be directly involved or concerned with the people’s welfare, however; it must seek to establish a workable society founded on values of justice. The main obligation of a liberal State is to afford and guarantee freedom to all its inhabitants (Yengo, 2006). Thus, liberalism has given birth to the Bill of Human Rights, which was adopted by the democratic countries.

The role of government in a liberal state is to establish housing programmes through policies that promote the founding principles of freedom and justice (Rawls, 1972). Housing activities include the obligation to provide housing finance options to all

citizens, especially the poor. Therefore, the role of government in a liberal state is to facilitate the “planning” of housing activities as an enabler and not the primary actor (Yengo, 2006).

### **2.3. THEORETICAL FRAMEWORKS**

This section discusses the different theoretical frameworks applied in the analysis and interpretation of the study findings. The section discusses the following theoretical frameworks: (1) the Theory of Quiet Encroachment of the ordinary, (2) the Marxism theory, and (3) the Structuralism theory. The first theory is relevant in bringing an understanding of the actions of the poor in contestation of their place in urban spaces; and how the land invaders organise and mobilise towards a common objective of contesting for their place in the city and for shelter. The second theory enhanced the researcher’s understanding of variables like class struggles, the relationship between the rich and the poor, and the role of these classes in production and the economy. The last theory employed is the Structuralism Theory, which advances the argument that people are rather, organised and function as structures as opposed to their individual capacities.

#### **2.3.1. The Theory of Quiet Encroachment of the ordinary**

The theory of Quiet Encroachment of the ordinary was developed by Middle Eastern sociologist, Asef Bayat in the year 2001. This theory has been applied since then as a valuable research perspective in several disciplines (development studies, sociology and political sciences). One of the distinctive characteristics of this theory is that it refers to how the ‘ordinary people’ as urban poor have come to express themselves as a response to being marginalised and excluded in the cities. In this theory the ‘ordinary’ therefore refers to the proletariat including the urban poor. Bayat (2012) makes a double criticism: a critique of the Eurocentric vision that looks at the Arab world as exceptional, and a critique of approaches that are incapable of reading the historicity of Middle Eastern societies and the political actions of their actors. The scholar provides an in-depth analysis of examples from Egypt about illegal shelters and street workers. He shows that the police and the government cannot stop such illegal activities, though by sending mixed signals about quiet encroachment they are obliged to extend living amenities or collective consumption to the neighbourhoods (where there is illegal construction). In this research the theory of Quiet Encroachment of the ordinary enhanced the researcher’s understanding of the actions of land

invaders as contestations of their place in the urban space. The theory also facilitated the researcher's understanding of government's obligations to provide living amenities and/or interim services.

Bayat's (2012) major insight is that protests in the Middle East come with the concept of "Quiet Encroachment". The theory of Quiet Encroachment refers to the "silent, protracted, but pervasive advancement of the ordinary people on the propertied, powerful, or the public, in order to survive and improve their lives" (Bayat, 2013: 46). Bayat (2000) draws from the actions of what he labels "non-movement" to explain how destitute communities work as a collective to solve housing and land questions. These groupings are, thus, considered non-movements who seem to "represent the collective action of non-collective actors, who are oriented more towards action than being ideologically driven; concerned more with practice than protest" (Bayat, 2012: 124). This is indeed, different from survival strategies – it is everyday resistance – because grassroots struggles have immediate consequences with regards to the redistribution of social goods in the form of the acquisition of collective consumption (e.g., land, shelter, water, and electricity), public spaces, and opportunities. For him, this form of social non-movement can have far-reaching implications for social change.

This theory was applied in this study because it facilitated the researcher's understanding, and therefore, the ability to analyse the collective actions of the land invaders as the non-movement and non-collective actors facing the collective challenge of housing backlogs and landlessness. According to Smith (2012), "social non-movement refers to the collective actions of the non-collective actors who represent common practices of large numbers of ordinary people whose disjointed but similar activities produce much social change". One recognises that quiet often, these events are seldom guided by neither the ideology, nor a presence of recognisable leaderships and/or organisations.

The end of the 20th century has witnessed an increase of what Karl Marx refers to as surplus population. These are the people who have, over time, been excluded in the formal economy (in terms of access to formal employment and formal housing) in the urban space. According to Gillespie (2016), the exclusions of the urban poor are evidently, a deliberate move to expel proletarians in the economy and the city and, therefore, represent the forces of capitalism that are at play. The attempts by the urban poor to secure income and shelter prompted them to establish informal dwellings, which are used as shelter, or to generate income. Therefore, these urban proletarians

seem to be seeking refuge in the informal economy to generate income and secure shelter.

However, urban authorities and the elites are not open to having the poor seeking refuge in the informal sector. Many of the establishments in the informal settlements are often erected in violation of the urban planning norms – hence, those responsible are met with resistance and law enforcement actions. Those responsible for establishing settlements unlawfully, therefore embark on a journey that Asef Bayat refers to as the Quiet Encroachment of the ordinary. The next subsection discusses another theoretical framework, which is relevant to addressing the objectives and research questions of the study – the Marxism theory.

### **2.3.2. Marxism theory**

This theory was developed by Karl Marx and later modified by western Marxists and several other scholars who were inspired by him, such as Gramsci and Lukács. Marxism is a theory that views the world in terms of the class struggle between the rich and the poor in the struggle for survival (Taruvunga & Mooya, 2016). This theory maintains that the relationship between the rich and the poor is biased toward those who own the means of production, who are known as the “bourgeoisie”. This relationship is manifested in the capitalist system, where the bourgeoisies are accumulating wealth at the expense of the poor working class or proletariat. According to Marxists, this constitutes an exploitation of the poor by the rich in the capitalist system.

Other writers such as Ritzer (2005) refers to Marxism as a system of economic and political thought, developed by Karl Marx along with Friedrich Engels, which argues that the state, throughout history, has been an organ that the dominant rich class uses to exploit the masses. The class struggle has been the main agency of historical change, and while the capitalist system, brought the first seeds of its own decay, it will, inevitably, after a period of the oppression of the working class, be superseded by a socialist order and a classless society.

Marxism theory offers a good theoretical base for understanding class relations within the parameters of the land invasion agents. Land invasions can, thus, be seen as an expression of dissatisfaction by the poor class or proletariat working class, who cannot afford decent housing opportunities. Taruvunga and Mooya (2016) provide an in-depth articulation of the Marxist theory in the context of housing, where they refer to

developers and landlords as the exploitative capitalist class, whose interests are in discrepancy with the poor and the potential beneficiaries of low-income housing. Indeed, landlords constitute a social class that retain some wealth and power.

Marxism as a critique of the capitalist system suggests that the involvement of private developers in the provision of housing for the poor will have negative outcomes. According to Taruvinga and Mooya (2016), a substantial number of scholars in the low-income housing environment proclaim that the involvement of the private sector in low-income housing delivery will probably lead to the marginalisation of the poor class and perpetuate the persistence of land dispossession. The role of the state in the provision of housing can, therefore, be seen as a mechanism to achieve fairness in housing delivery to the poor to prevent their exploitation by developers and the rich.

However, the Marxist theory has fallen short in its attempt to illuminate and analyse land invasion and its dynamics, as this theory lacks the economic essence of service delivery because of its anti-capitalist nature. Given that land invasion is driven by multiple forces – with capitalism as one of the driving forces, the Marxist approach can, therefore, only offer incomplete perception on the nature of informal settlement businesses. For example, selling or renting out shacks to the working-class poor is tantamount to driving capitalism, where shack lords act as “informal real estate agents”<sup>2</sup> in the establishment of slums or informal settlements. Therefore, it would be a great error to overlook the contestations of social classes and their existence when undertaking a study on the upgrading of informal settlements. Taruvinga and Mooya’s (2016) work highlights the importance of the market forces in relation to the provision of housing to those who can afford decent housing and rentals, and consider profit an incentive that motivates the private sector to participate in housing delivery.

Marx envisaged that over a period of time, the proletariat working class will eventually, find ways of riding themselves of all the exploitation by those who have, and own the means of production (Ritzer, 2005). According to him, this revolution will entail the conflict between the working class and the middle class. The revolution by the poor against capitalism birthed communism. Marxism is, therefore, a system that can be viewed as anti-capitalist in nature. The nature of capitalism divides the society into social classes – the bourgeoisie, middle class and the working class-proletariat. Those

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<sup>2</sup> Informal real estate agent: Those that are informally in charge of the sales and rentals of the shacks and other dwelling units within the informal settlements.

who are opposed to capitalism see the role of the state as being primarily to protect the interests of the bourgeoisie.

Studies conducted previously have demonstrated that land invasion should not always be considered in negative terms, as it may present an opportunity that is often not realised, which is associated with the provision of affordable housing for the urban poor. According to Dietz (1977), land invasion may as well be a clear indication of a highly desired good – thus, an experience that may offer, to some extent, at least, some relief to the community – rather than compounding the problem. It is argued that staying in the same slum may not always afford residents the means to improve to their situation. They must, therefore, move out and try to improve their circumstances (Dietz, 1977). This is true, especially in instances where people are employed in projects that are temporal, like construction projects, where they would relocate once the project is completed. The next subsection discusses another theoretical framework, which is relevant in addressing the objectives and research questions of this study – the Structuralism theory.

### **2.3.3. Structuralism Theory**

The Structuralism theory was developed in France and gained popularity in the post-World War II period. This theory articulates the functioning of the structures of society, rather than focus on individuals within society (Ritzer, 2005). The scholar, Ritzer (2005) puts emphasis on structures as centres that provide an alternative to self-rule. Thus, structuralism is not inclined towards the sociological orientation of individuals, but focus, rather, on the underlying structural formations.

According to Ritzer (2005), structuralism is the founding principle of Structuralist Marxism theories. Structuralist Marxism is informed by the work of Karl Marx, who sought to understand and analyse the underlying economic structures of society. This theory, therefore, to shed light on the implicit structure of the relations of production in the political economy.

Structuralism, in the context of this study, enhances our understanding of government as a structure involved in curbing land invasions. The theory further illuminates the functions and approaches adopted by government to respond to acts of land invasions. Land invasion may be understood as the work of individuals with common frustrations as stipulated in the theory of “Quiet Encroachment”. However, the Quiet Encroachment theory limits our understanding of government’s approaches in terms

of its functioning as a structure that aims to curb land invasion before and during the upgrading of informal settlements in Cato Manor, Durban. The next section presents a review of the literature to achieve the objectives of the study and answer the research questions.

## **2.4. LITERATURE REVIEW**

This section presents the literature reviewed on land invasion, informal settlements, and the urban land question. The section draws from a broader literature on land invasion and the land question. Government's failure to formally and promptly deliver land often leaves the poor with no choice but to explore alternative ways of accessing land for housing and accommodation. Therefore, often the obvious choice is the informal land market, which is rather, cheaper and easily accessible to the poor. These alternative means such as customary land delivery systems and the neo-customary land delivery systems offer reasonable means and solutions to the immediate needs of the poor. However, these alternative means also pose challenges to professionals in built environment, formal institutions such as banks, and governments, whose attitudes do not accommodate and appreciate informal land delivery such as land invasions. In the South African context, the challenges of informal land markets are largely viewed as the after effects of the apartheid urban exclusionary planning. The first critical part of the literature reviewed is land invasion.

### **2.4.1. Land invasion**

Vast literature on land invasion has been generated inside and outside South Africa. In this regard, Dietz (1977) advances reasons for land invasion in Peru. According to him, land invasion and the establishment of squatter settlements provide evidence of the existence of self-help initiatives of informal dwellers. The scholar's (Dietz, 1977) work has provided evidence that the urban poor in Latin America can organise themselves and engage in self-help activities through the creation of autonomous squatter settlements. The urban poor in South Africa has shown themselves to be remarkably efficient when they formed grass roots associations that were able to organise large numbers of people to invade the unoccupied land – thus, establishing viable neighbourhoods capable of sustained internal improvement. Overall, Dietz produced a vast body of knowledge on the experiences of the Latin American countries that in the past, have had to deal with land invasions (Dietz, 1977).

Land invasion in South Africa must be understood within the context of a race-based control of land and infrastructure. According to Massey (2013), the Group Areas Act (No.41 of 1950) ensured that infrastructure, assets, and opportunities were placed on prime land reserved for those categorised racially as whites. Cousins (2000) argues in this regard that land invasions in South Africa are often, fuelled by desperation, which have been a feature of urban populations in the major cities and towns over the past decades. The scholar further notes that most land invasions have been averted when government found alternative accommodation for the poor. Although scholars such as Cousins (2000) have attempted to conduct studies on urban land invasions, the study focused more on the invasion of agricultural land and land reform in South Africa. In brief, Cousins provided limited insights into land invasions for the establishment of informal settlements in these urban areas. Therefore, there is a gap in the literature produced locally in respect of land invasions and its link with informal settlements upgrading in Durban.

Land invasion can also be understood better in the context of informal land delivery systems that exist in the African space, especially those implemented as part of the informal land market systems (Durand-Lasserve, 2006). This is often the case with the customary land delivery system and the neo-customary land delivery system. While both these terms are informed by the traditional or indigenous ways of allocating land, the latter has a slight western orientation as it considers trade and economic aspects. The customary land delivery system is based on the communal owned land, where the rights of allocation and use belong to a group of people with common geographic and social backgrounds.

According to Durand-Lasserve (2006), the term “customary land ownership” is about the collective possession of rights for the usage and allocation of land by a group of people with a common cultural identity. The traditional areas’ way of administering and allocating land bares a critical resemblance to the informal practice followed during land invasions. This is based largely on communal land ownerships. Traditional areas in most rural areas in South Africa are characterised by this type of land ownership. What is common about this is the fact that often, the land ownership title does not belong to an individual but a collective cultural group. These areas are often, within the jurisdiction of kings, chiefs and headmen, who serve as custodians of the communal land. It should be noted that these authorities not owners of the land, but assume the roles of guardians to their tribal communities. It is, therefore, important to

view land invasion and informal settlements through the lens of informal settlements dwellers, who reason out from a traditional perspective. This, in turn, influences their practices in urban areas. Such a background draws communality between land invasion and traditional land delivery systems.

Unlike land markets in traditional and informal settlements in urban areas, land allocations are often done informally. These are, however, highly regulated by traditional authorities, which are often, chiefs or headmen. Contrary to the mainstream formal land attainment methods, Durand-Lasserve (2006) argues that in customary system decisions related to land allocations are often, made on a consensual basis and in line with the cultural traditions of the community at hand. Therefore, the land use agreements between parties are mostly, based on trust. On the one hand, the individual who has been allocated the land is expected to conform to the cultural values of the community and abide by the defined allocated land use and extents. On the other hand, the community is expected to protect and foster a sense of security in terms of the rights to use the land and against any claims.

Challenges associated with this type of land allocation are often encountered when professionals or the state intervene to provide housing to the people occupying the communal land. This is because often, housing delivery approaches are linked to the formal land platforms – hence they fail to recognise the informal security of tenure as perceived by the people residing in such areas. This is one of the significant challenges in relation to customary land market, because it is linked to the security of tenure as understood in the formal land markets. However, this does not suggest that customary land markets have no security of tenure. Durand-Lasserve (2006) however, suggests that professionals in built environment – especially those with interventions that are western or formally crafted, do not often recognise the existing tenure arrangements.

Often, land invasions happen in open public spaces, or in the path of future urban expansion, subsequently making the need to formalise such areas inevitable. In the context where the informal settlements need upgrading, such invasions present more challenges to professionals in the built environment, especially in respect of undertaking an *in-situ* development.

#### **2.4.2. Informal Settlements Upgrading and Housing Provision**

According to Keare and Jimenez (1983), informal settlements upgrading refers to the act of making improvements to existing informal settlements. This may include the

relocation of some families to serviced neighbouring sites to make room for the construction of essential infrastructure. This programme was initially based on the World Bank's Progressive Development Model, which was developed in the early 1970s. The model was initially developed for Third World countries. Keare and Jimenez (1983) posit further that the World Bank's Landing Programme proposed sites and services and squatter area upgrading projects. These programmes were aimed at enhancing tenure security and the appropriate applicable basic services to encourage low-income households to make improvements to their housing through self-help financing and/or construction.

#### **2.4.3. Legislative and Policy Framework in South Africa**

The National Housing Act (No.107 of 1997) and the South African Housing Code of 2009 do not make a distinction between slums and informal settlements. They refer to all households living in informal structures or dwellings (an in deprivation) as living in informal settlements. These dwellings are often, very dense informal settlements, usually found in the inner cities as in-fills within existing settlements, commercial, or industrial zones. The type of structures that are often found in such areas are usually shacks. The BNG of 2004 is, in this regard, the most critical policy and legislative mandate that supports the clearance and upgrading of slums to improve the living conditions of the poor, including the provision of good quality houses.

According to BNG (2004), informal settlements must be integrated into the broader urban fabric to overcome spatial, social, and economic exclusion. To enable this integration, the National Department of Human Settlements (NDoHS) introduced the UISP programme, which supports a phased *in-situ* upgrading (Including interim services) approach to informal settlements, in line with international best practice (Massey, 2013).

Furthermore, the upgrading process is not prescriptive, but rather, supports a range of tenure options and housing typologies, considering that the provision of affordable housing for the urban population in the low-income bracket remains a global challenge that many developing countries are contending with (Taruvunga & Mooya, 2016). A significant amount of research was done to address this challenge. However, most of these empirical studies seem not to have an explicit theoretical foundation – thus, making their “generalisability” to diverse settings problematic.

#### **2.4.4. Land invasions and Informal Land Markets**

Land invasion in South Africa is largely based on empirical studies that investigate how the poor obtain access to urban land. The research findings suggest that the failure of the state to provide formal land and housing to the poor prompted the later to seek solutions in the form of informal land markets. Gilbert and Gulger (1992) argue in this regard that parallel to increasing urban migration, there is an increasing demand for land in the urban areas, where people migrate to increasingly inaccessible land markets. This often leaves the poor, who cannot access the formal markets for the provision of land and housing delivery with no choice but to access these through some form of informal land markets (Gilbert & Gulger, 1992).

It is imperative to make a distinction between land invasion as an illegal act and informal land supply – as the two cannot be used transposable. Informal land markets largely refer to the provision of land without using mainstream formal means of accessing the land as prescribed by the applicable land or property law prescripts and institutions (Gilbert & Gulger, 1992). This means that people who want to acquire land are given access to it without going through the legal processes as often required in formal tenure arrangements. However, the fact that these means of accessing land are deemed informal does not necessarily mean that they are categorically illegal – although they may, at times, also entail activities that are illegal in nature (Cousins, 2000). Gilbert and Gulger (1992) refer to the act of acquiring land or housing in informal ways as spontaneous housing acquisition, where people attain land and housing by means of self-help and without the involvement of the formal regulatory authority. The findings of this study, presented in Chapter Five, identify those perceived to be involved in the illegal trading of land as active agents of land invasions.

Durand-Lasserve (2006) makes a critical analysis of the African context concerning the various countries that practice and exhibit the dominant usage of the informal land delivery systems. On the one hand are countries that accept customary land delivery system as a formal means of tenure, while others regard such a system as informal. Some scholars argue in this regard that often, land invasions violate town planning regulations (Gigaba & Maharaj, 2008). A lack of formal procedures in place to ensure that the land intended for housing construction complies with urban planning regulations often puts land invaders in direct conflict with urban planning authorities. However, such cannot always be attributed to the poor's ignorance – but can, at times, be attributed to inappropriate planning standards and construction regulations, which

in turn, impact the urban poor's affordability for such services (CIB, 1998). Therefore, the ability of the urban poor to secure tenure becomes extremely difficult as the land is accessible to those of higher economic status.

#### **2.4.5. The Informal Land Markets**

Some of the informal land markets systems can be dynamic in nature, depending on the geographical context and government of the area. This is often the case with the customary land delivery system, and the neo-customary land delivery system. While both of these terms talk to the traditional or indigenous ways of allocating land, the latter has a slight western orientation, as it considers trade and economic aspects.

##### *2.4.5.1 The Customary Land Delivery System*

This type of system governs the communal owned land, where the rights of allocation and use belong to a group of people with both common geographic and social background. According to Durand-Lasserve (2006), the term "customary land ownership" is about the collective control of rights for usage and allocation of land by a group of people with mutual social identity. Traditional tribal areas in most rural areas in South Africa are characterised by this type of land ownership. What is common about this is that often, the land ownership title does not belong to an individual, but a collective cultural group. These areas are often within the jurisdiction of kings, chiefs and headmen, who serve as custodians of the communal land. It should be noted that these authorities do not serve as owners of the land, but as guardians on behalf of their tribal communities.

In terms of the land markets in these areas, allocation is often done informally, but is regulated by traditional authorities, which are often chiefs or headmen. Contrary to the formal, mainstream land attainment methods, Durand-Lasserve (2006) argues, to this end, that in a customary set up decisions on land allocations are often made on a consensual basis, where parties to the agreement are required to adhere to the cultural traditions of the community at hand. Therefore, the land use agreements are mostly, based on trust in both parties. On the one hand, the individual allocated the land is expected to conform to the cultural values of the community, and to abide by the defined allocated land use and extents. The community, on the other hand, is also expected to protect and foster a sense of security concerning the rights to use the land and against any claims.

Challenges associated with this type of land allocation are often encountered when professionals or the state intervene to provide housing to the people occupying the communal land. This is because much of the housing delivery approaches are geared towards formal land platforms – hence, they fail to recognise the informal security of tenure as perceived by the people residing in such areas. Therefore, one of the significant challenges regarding the customary land market is linked to the security of tenure as understood in the formal land markets. This does not suggest an absence of security of tenure in customary land markets, but that the existing tenure arrangements are often, not recognised by professionals in build environment – especially those with interventions that are western or formally crafted.

The scenario above is often experienced widely in rural areas, where the standards of living of the rural dwellers is almost influenced by the standard of living of urban dwellers, and land is still available and accessible outside the urban areas (Durand-Lasserve, 2006). Due to increasing urbanisation, which has resulted in a shortage of land inside urban areas, and where urban areas are surrounded by the rural or communal owned land, the customary land delivery system prevails – however, it has changed in its form due to emerging influences such as trade values, economics, and markets. This alteration to the customary land delivery system resulted in the emergence of what Durand-Lasserve (2006) refers to as a neo-customary land delivery system.

#### *2.4.5.2 The Neo-Customary Land Delivery System*

According to Durand-Lasserve (2006), the nature of the neo-customary land delivery system is more like the new form of customary land delivery system, as this type, therefore, includes a combination of old traditional practices, pre-colonial land management procedures, as well as informal and formal land delivery practices. This type of land delivery system is mainly prevalent in the outskirts of formalised urban areas as a bridge between rural and urban areas. Often, the land is under the old customary ownership. However, a land trade practice has emerged, especially to low-income markets. Individuals involved in these markets – especially those who participate in informal land trade enjoy the relaxed land trade environment, which does not have all the tedious legal requirements like in the formal markets.

The practices in the neo-customary land delivery system are often, according to Durand-Lasserve (2006), rooted in their communal customs. This system, at times, is

enabled by individuals who sell their land, and eventually, groups of people seeking land taking advantage of the system. Just like it is the case with the customary practice, trust is still a significant aspect. The land rights here are seen as commodities – hence, they are of economic value to those participating in this market. Therefore, one of the distinctive characteristics of the neo-customary land delivery system is the monetary value attached to land allocations and land rights, yet there are no formalised private titles to that land. The literature reviewed has shown that in many parts of Africa a large proportion of the urban population resides in areas where land was attained through the neo-liberal tenure system. Growing urbanisation has also contributed greatly to the transformation of the customary land delivery system into the neo-customary land delivery system. In this context, the notion of urbanisation is instrumental in its form, not only in terms of people migrating to urban areas. In this instance, this study refers to urbanisation in the context of the rural areas around the cities, which are evolving into urban areas, which makes migration unnecessary. Therefore, the neo-customary practice can be considered customary practice.

Accessing land through the informal markets is often the easy route for the poor to secure housing that meets their immediate needs – whether economic, proximity, or perceived security. However, this also comes with various challenges, especially where professionals in the built environment are involved that seek to address the housing challenges from the formal perspective. The next sections look at issues that these professionals contend with in the context of housing delivery. It should be noted that some of these challenges are, in fact, inter-related, in the same way that solutions to other issues are inter-related.

#### *2.4.5.3 Challenges Linked to a Lack of Formal Security of Tenure*

The issue of security and insecurity of tenure is, arguably, a relative subject because of variations in terms of what individuals perceive as security of tenure and what is formally accepted as proof of security of tenure. This means that the absence of formal titles is not always an issue of concern to residents of the less formalised areas as it is to the formal sectors seeking to develop these areas. One of the challenges faced by the people residing in areas with no formal titles is the lack of basic services. Durand-Lasserve and Royston argue in this regard that people who reside in areas with no formal titling contend with challenges relating to a lack of basic services, owing to a lack security of tenure. In their account of informal sector challenges, Gilbert and Gulger (1992) argue that the lack of basic services in informal areas can further be

attributed to government and the private sector's lack of will to invest in such areas. Therefore, one can argue that the lack of formal tenure has implications in the provision of infrastructure, as governments are much reluctant to provide infrastructure on the land acquired informally.

It must be noted that financial institutions do not often offer loans for building properties in land secured through informal land delivery systems. This may be largely attributed to the fact that the private sector perceives this move risky – because land acquired informally has no tenure of security – which renders the evaluation of the land difficult, as well as the properties attached to it.

According to Mooya and Cloete (2008), security of tenure regarding individual rights to land forms part of the essential requirements for land development and economic growth. Therefore, security of tenure enables the provision of basic services and infrastructure, which, in turn, plays a significant role in the delivery of adequate housing in the global and local context. In the urban context, one would argue that the prospects of adequate basic services is one of the factors that draws people to work and live in the city. Security of tenure, therefore, enables the provision of basic services and infrastructure.

On the one hand, informal land markets often do not offer tangible formal tenure with deed of title – even though it provides, to some extent, a personal sense of tenure security. On the other hand, the formal land markets often offer tangible forms of tenure security – hence, making the provision of basic services possible. Therefore, while it is easy to access land through the informal markets, formal tenure security and the provision of basic services are often the most critical areas of development that promote the marketing of urban areas and cities in a global context – when considering potential developers and investors.

## **2.5. CONCLUSION**

This chapter discussed the three critical aspects in this study – the conceptual framework, theoretical frameworks, and a review of the literature. The first section unpacked the conceptual framework. The chapter also described the concepts “land grabbing”, “land invasion”, “informal settlements upgrading”, and “government”. It is vital that the concept of land invasion be understood, not as an act of land invasion, but as a distinct separate process of land occupation without the permission of the relevant authorities. The government has a duty, in this regard, to intervene where

human lives are at risk, due to poor shelter or lack thereof. The need for adequate housing makes informal settlement upgrading necessary. It is, therefore, crucial to understand the concepts of informal settlements upgrading and government to understand how they have been used in this dissertation.

The second part outlined the theoretical framework, which has facilitated an understanding of the arguments in this study. Theories that were essential for this work are the theory of Quiet Encroachment of the ordinary, Marxist theory, and the Structuralism theory. The application of these theories broadened the researcher's perspective of the contestations and struggles of the poor in the urban space. Thus, the struggle for a place to stay in the urban area is better understood as theorised in the theory of Quiet Encroachment of the ordinary relating to the contestations of the urban space. The Marxist theory shed some light on the class struggles as they translate to housing access and exclusions. Arguments have been advanced to the effect that these frustrations often drive the poor to mobilise and act within social structures as suggested by the Structuralism theory.

The literature reviewed also broadened the researcher's understanding of the relevant works by other scholars in relation to the subject of this study. This chapter reviewed the literature on land invasions, informal land markets, and informal settlements upgrading in the context of housing provision. The trajectory of land invasion and land allocation seems to be similar to that of customary land management and allocation. It was, therefore, imperative that the researcher review the literature on informal land markets and customary land delivery systems. Chapter Three outlines the research design and the methodology.

## **CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY**

### **3.1. INTRODUCTION**

This chapter discusses the methodology and the research design adopted for this study, which were informed by the literature that was reviewed in detail in Chapter Two. This chapter is organised as follows: (i) the introduction, (ii) the research approach (which, in terms of this study, is the qualitative approach), (iii) the research paradigm, deriving on the constructivism paradigm, (iv) the research design, (v) the sampling technique, which is discussed in detail and includes the sampling theory, sampling methods, and the sample size. The chapter also discusses the data collection methods, explain the ethical consideration, and the study delimitations – including the validity, reliability of the study, and the data analysed. Last, the chapter summarises the methodology of the study and draws conclusions, based on the findings of the study.

The chapter also reviews applicable subject books, journal articles, research reports, government publications, legislations, and other media publications on land invasion and informal settlements upgrading. The review of these documents helped the researcher to set the tone for the study and explore what is known already about land invasion in the local and global contexts.

### **3.2. RESEARCH APPROACH – MIXED METHODS**

This study adopted a mixed-method approach. To this end, Kothari (2004) argues that such a methodology produces results that are either, in quantitative form, or in a way that enables detailed quantitative analysis.

Creswell concurs in this regard that

“mixed methods research is an approach to inquiry involving collecting both quantitative and qualitative data, integrating the two forms of data, and using distinct designs that may involve philosophical assumptions and theoretical frameworks. The core assumption of this form of inquiry is that the combination of qualitative and quantitative approaches provides a more complete understanding of a research problem than either approach alone” (2009: 4).

### **3.3. RESEARCH PARADIGM: PRAGMATISM**

According to the Merriam Webster Dictionary (2007), a research paradigm is a philosophical and theoretical outline of a scientific school or discipline, where the theories, laws, generalisations and experiments performed in support of them are

articulated. Moreover, Kuhn (1962) postulates that a research paradigm is a set of common philosophies and agreements shared among scientists on how problems ought to be understood and resolved. Thus, this study adopted a pragmatism research paradigm.

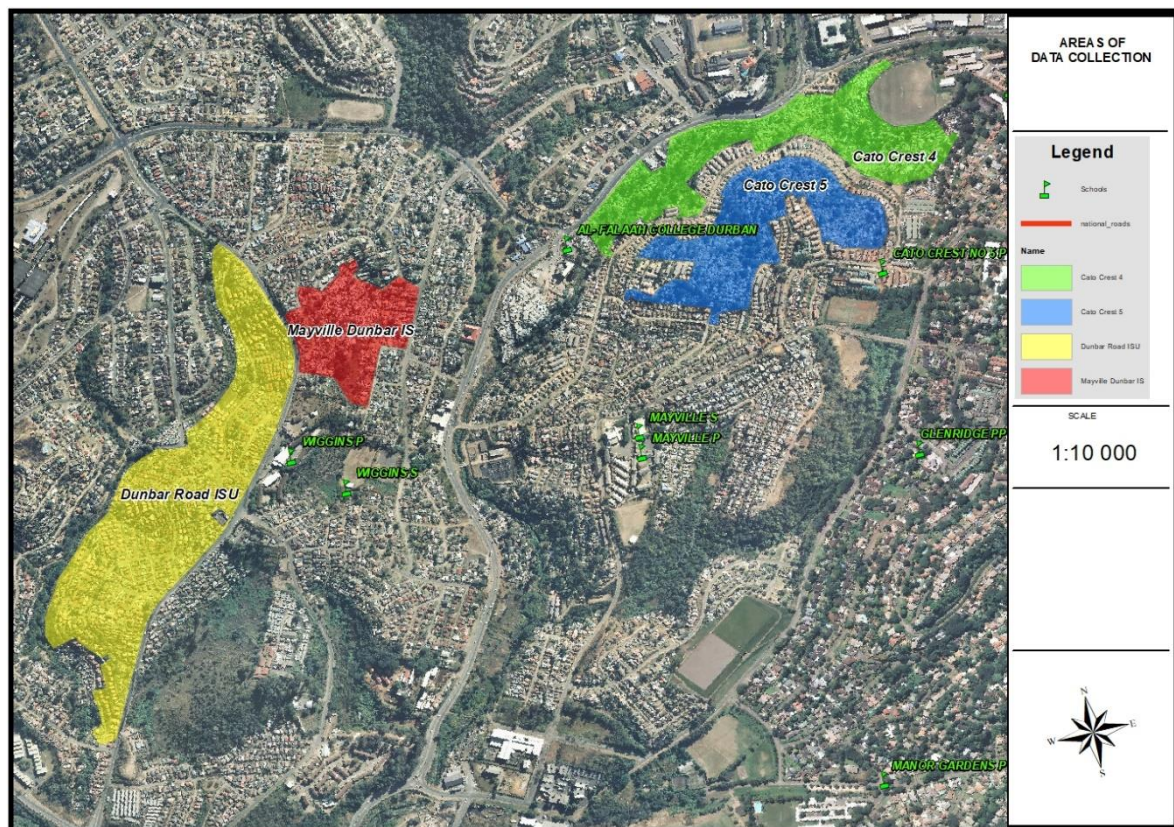
The origins of the pragmatist research paradigm can be traced to several writers such as Peirce, James, Mead, and Dewey (Creswell, 2009). While there are numerous forms of this paradigm, pragmatism is, however, a philosophy based on situations, actions, and consequences (Creswell, 2009). This paradigm is, therefore, different to the one that emerged post positivism, which looks at antecedent conditions. Pragmatism is widely criticised for putting emphasis on the research problem and using various approaches available to gain insights into the problem, instead of focusing on the methods (Creswell, 2009).

The rationale for adopting this research paradigm is because it has characteristics that set it apart from other paradigms. For instance, its main attribute is that it argues for consequences of actions, it is problem-centred, pluralistic and real-world practice oriented (Creswell, 2009). It, therefore, paves a way for a mixed-method study, which this study adopted. Furthermore, pragmatism is not loyal to a single philosophy and reality (Creswell, 2009). As a researcher in this study I was, therefore, free to select research methods and techniques that are most appropriate to ensure that I achieve the purpose of this study.

#### **3.4. Research Design – Case Study**

This study was by the interest I had to explore the impact of land invasion on informal settlements upgrading projects. The study area is the KwaZulu-Natal province, South Africa, in the eThekweni Municipality. KwaZulu Natal is one of the nine (9) provinces in South Africa, established on the dawn of the first all-inclusive democratic elections in 1994 (Gigaba & Maharaj, 2008).

Figure 3.1: Map showing areas where the data were collected



Source: Researcher's Own Fieldwork Data

The researcher focused on four different areas in Cato Manor to effectively collect the data that are truly representative of residents of this neighbourhood. The study was conducted in Cato Crest Area 4 and Cato Crest Area 5 informal settlements, which are situated both in and near the Molver road. The third and fourth areas were the Mayville Dunbar informal settlement, and the Dunbar road *in-situ* housing project.

### 3.5. SAMPLING TECHNIQUES

#### 3.5.1. Sampling Methods

Purposive sampling method was applied to select the relevant sample. Purposive sampling is one of the most common sampling methods, where participants are grouped according to the preselected criteria that is relevant to a particular research objective. Therefore, the Land Invasion Unit of the eThekweni Metro was recruited as part of the mechanism to negotiate entry to the research site, which was Cato Manor. The organisational interviews for the government, private sector, and civil society were based on their organisational structures. Therefore, purposive sampling was applied to select the targeted individuals within the organisations mentioned.

### **3.5.2. SAMPLING SIZE**

The groups targeted for the data collection was government, civil organisations, and 60 participants from the land Invaders. Two groups from government were targeted for this study. These were the KwaZulu-Natal Human Settlements Department's Anti-Land Invasion Committee, and the Land Invasion Unit of the eThekweni Metro Municipality. The project Implementing Agent that was responsible for upgrading Cato Manor was targeted from the private sector. The civil society was represented by the non-governmental organisation (NGO) known as Abahlali Basemjondolo<sup>3</sup>. According to Gill (2014:211), "Abahlali Basemjondolo are a South African shack dwellers' movement that struggles for land, housing, basic services and the dignity of the poor". The last group that was targeted for data collection was the Land Invaders as the beneficiaries of the occurrence.

### **3.6. DATA COLLECTION METHODS**

The primary data collection methods used in this study were observations, documentary analysis, and interviews. Interviews are arguably, the most applied and common method of data collection in qualitative research – hence, they were used in this study, because of the advantages they offer (Myeni, 2012). Interviews affords the researcher an opportunity to extract or access first-hand information that participants would have otherwise, been reluctant to share if there was no face to face interaction, which fosters trust (Myeni, 2012). Therefore, this researcher used a combination of semi-structured and open-ended interviews, motivated by the amount and quality of information that can be gathered with these two types of interviews.

#### **3.6.1. Interview Method**

The qualitative data were collected by conducting interviews with four individuals representing the four organisations – namely the Provincial Department of Human Settlements, the eThekweni Metro Municipality, the Project Manager responsible for the upgrading of Cato Manor Informal settlements, and the representative from the civil organisation, Abahlali Basemjondolo.

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<sup>3</sup> Abahlali Basemjondolo is a non-profit organisation operating in the informal settlements representing shack dwellers in socio-political issues of development.

### **3.6.2. Documentary Analysis**

Numerous documentary sources contributed to the data collection in this study that sought to address the information gaps in the case study. Documentary analysis is, therefore, imperative because land invasions in South Africa relates to land dispossession and contestation. The two are often analysed in a largely historical context. To understand the current land contestations, it is critical to assess the historical narrative on the land transactions and previous land regulations and legislations.

Documents were analysed to examine periodical reports of the Land Invasion Unit of the eThekweni Municipality, media reports on cases of land invasion in Cato Manor, academic publications on relevant subjects, particularly in relation to Cato Manor, reports on the upgrading project in the study area, as well as land invasion monitoring reports from the KwaZulu-Natal Department of Human Settlements. The researcher observed participants during site visits and during interviews with land invaders in the Cato Manor informal settlements. During observations the researcher obtained “thick descriptive data”, which, according to Willis (2007: 239), can be generated by observing participants and non-participants, conducting interviews, consulting historic and narrative sources, note taking – in a journal and/or diary, and examining various quantitative data sources, and conducting tests. This study was, therefore, observant on historical visual materials compiled for land invasion monitoring. These materials can be accessed from the KwaZulu-Natal Department of Human Settlements.

### **3.7. ETHICAL CONSIDERATIONS**

The researcher established before conducting the study that the unit of analysis are persons in the case study area that were directly affected by the acts of land invasion. This was, therefore, a matter of greater concern – especially as some of participants’ responses to the questions could have been perceived as an admission of guilt . Therefore, this researcher approached such questions with sensitivity – since they could affect participants in a negative way. Identified as participants, land Invaders’ unwillingness to participate was concerning for the researcher – who had an obligation to protect the respondents, regardless of whether they were land Invaders or not – while at the same time – collecting the data and reporting on the outcomes of the study in a manner that is transparent (Myeni, 2012). To this end, participants were given an

assurance that confidentiality would be maintained, and that the researcher is bound by the ethics as communicated in the study ethical clearance.

### **3.8. DELIMITATIONS OF STUDY**

Like any other research, this study also has limitations. It is, therefore, crucial to discuss these limitations in the light of the work done in this study. Preliminary work done before the fieldwork was instrumental because it provided the researcher with insights into the various areas of data collection as highlighted. The researcher achieved this by analysing documents and reviewing preliminary literature on Cato Manor. The reason for this was because the researcher adopted a case study approach without the benefit of the survey data.

The data collection process was also, not without challenges. While the researcher was able to resolve most of these challenges, some of the challenges encountered are, nonetheless, highlighted here. For instance, the researcher is an employee of the KwaZulu-Natal Department of Human Settlements – therefore, conducting interviews with the targeted participants, who happened to be the researcher's colleague in the same department proved to be the biggest obstacle. One participant initially had trouble understanding why a fellow colleague would conduct interviews with him, where the subject is the work done within the same organisation. The participant felt that the researcher already has access to the relevant information as per the request to conduct the interview. The researcher provided clarity to the effect that this work was conducted to satisfy the requirements for an academic qualification, and not as an employee of the department.

Recording interviews with some of the respondents also proved extremely challenging. Some of the participants were extremely terrified that they would jeopardise their jobs, even though the researcher had given them an assurance in line with the ethical obligations of this research. This was largely due to policies of both the municipality and the provincial government departments which enforce the protocol on information sharing. These policies prohibit general officials to share certain organisational information without prior authorisation of the accounting officers or delegated authority. Using the gatekeeper's letters, which the management of the eThekweni Metro granted, the researcher was able, in most cases, to give an assurance to participants that the respective authorities granted him the permission to conduct the interviews.

Interviews were recorded using digital recording devices, with the researcher taking notes, in instances where permission to record using a digital device had not been granted. To this end, it was vital to have proper records, as an in-depth contextual analysis of the data would be essential (Myeni, 2012). However, as mentioned already, some of the respondents asked not to be recorded, whereas the researcher managed to convince others, who cooperated. The researcher took notes and kept them in a safe place, as they would serve as an important back-up in the event that the recordings are corrupted. Notes are also effective as they capture non-verbal cues (Myeni, 2012).

### **3.9. VALIDITY AND RELIABILITY**

The process of data collection, interpretation, and analysis could be influenced by the researcher who was primarily responsible for all activities of the research. I am aware that my presence as a researcher could have led to some bias, or I could have influenced the outcomes of the investigation. Ensuring that such an interference was minimal, and that the data were collected in a manner that is objective was, therefore, one of my critical roles. Although the study was conducted in one selected area, the methods, theories, and conceptual frameworks applied are universal. This ensured the validity of the study. The findings of this study are, therefore, contextual and cannot be replicated elsewhere. This, is thus, a question of the study reliability rather than validity.

### **3.10. DATA ANALYSIS**

Data analysis is a process of organising and storing the data in line with the researcher's logical judgments, which is significant in generating the findings and offering interpretations that the researcher is establishing regarding the direction of their study (Glense & Peshkin, 1992).

Supported by a case study approach, analysis of the qualitative data was done separately to shed light on land invasion and its impact on the work of the eThekweni Municipality, the KwaZulu-Natal Department of Human Settlements, and the contracted project managers of upgrading informal settlements around Cato Manor. According to Yin (2011: 198), "the analysis of qualitative research does not have a universally accepted routine".

The data were organised in relative themes – where coding was instrumental, and analysed thematically. This approach is useful in qualitative research. To analyse open-ended questions, the researcher used the open coding method, which falls under the grounded theory of qualitative analysis. According to Bhattacharjee (2012: 113), the grounded theory is “an inductive technique of interpreting recorded data about a social phenomenon to build theories about that phenomenon”.

According to Tracy (2010:848), the grounded theory was initially conceived by Glaser and Strauss, who sought to undertake an analysis (1967) s that would uncover the underlying themes. Applying the grounding theory enables the researcher to categorise qualitative data using concepts, constructs, and relationships. According to Creswell (2009, 186), this includes organising and preparing the data, initially reading through the information, coding the data, developing from the codes a description and thematic analysis, using computer programmes, presenting the findings in tables, graphs, and figures, and interpreting the findings.

The data collected were quantitative and qualitative in nature. The quantitative data were generated from a sample consisting of 62 households, while the qualitative data were generated through interviews with officials from the eThekweni metro land invasion department, and a second interview was with a representative from Abahlali Basemjondolo.

### **3.11. CONCLUSION**

It is imperative to be conversant with the methods applied in this study as they had a bearing on the data generated, the manner in which the data were analysed, as well as the outcomes/findings. This can be considered an initial phase of the data analysis – supported by the fact that this chapter featured methodology analysis. The limitations of the study were due to factors that may contribute to variation in the data collected, owing to the job positions of the interviewees, and their political affiliation. Therefore, it can be deduced that there is a strong likelihood that interviewees might have been conversant with issues of land invasion. It can also be deduced that the presence of the research could lead have led to bias, and even influence the outcomes of the investigation.

## CHAPTER FOUR: THE RESEARCH CASE STUDY

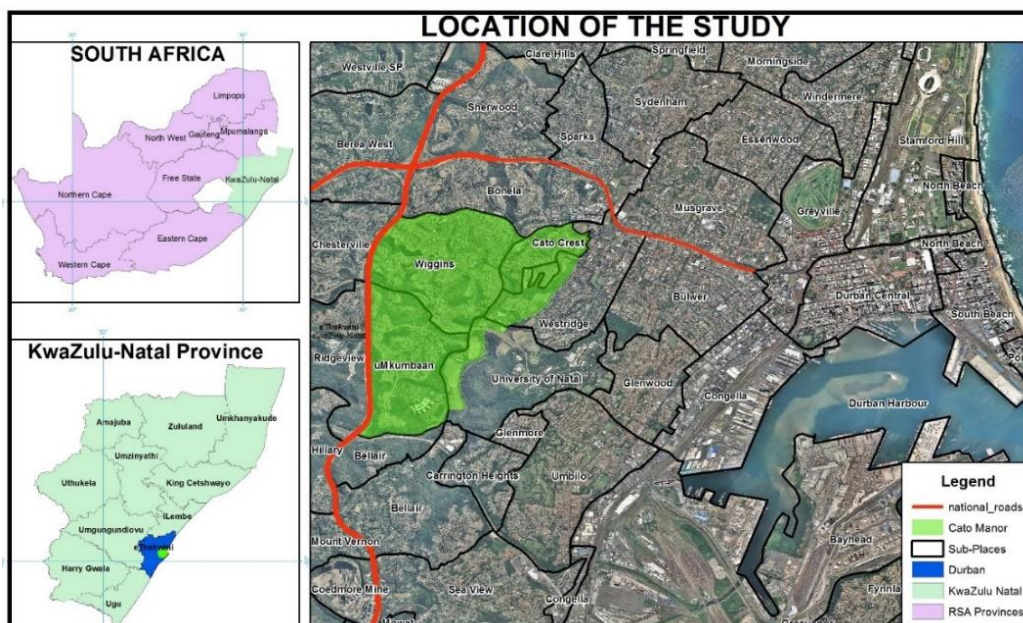
### 4.1. INTRODUCTION

Chapter Two unpacked the fundamental theoretical and conceptual frameworks that aided our understanding of how the data were collected, discussed, analysed, and how the findings were analysed. The literature reviewed gave us a regional and international perspective on land invasion. This chapter, therefore provides a context of the local (eThekweni metro) and a background of the case study area. Chapter Four, therefore, gives us insights into why Cato Manor was selected as the case study area. This chapter also outlines the location of the study area, and explains why Cato Manor was chosen as the study area, and explores the socio-economic profile of participants, institutional arrangements, housing allocation policy, the extent of land invasion in the eThekweni metro, as well as the informal settlements earmarked for upgrading.

### 4.2. THE LOCATION OF CATO MANOR

Located about six kilometres from the Durban CBD, Cato Manor is arguably, the most contested space in the heart of the eThekweni metro's urban areas. As a prime location Cato Manor is an ideal area to stay for those seeking opportunities in and around the city.

Figure 4.1: Cato Manor Locality Map



Source: Researcher's Fieldwork Data

Cato Manor is an ideal location to the poor population in need of affordable accommodation closer to the place of employment and other opportunities. The map (Figure 4.1) shows where Cato Manor is located within the eThekweni metro and the broader Kwa-Zulu Natal Province.

Cato Manor falls under the jurisdiction of the eThekweni Municipality and is in the East Coast of the KwaZulu-Natal Province in South Africa. According to the Statistics South Africa census (2011), this municipality is host to approximately 3.4 million people, making it the third largest metro in the country. Like most major cities in South Africa, the eThekweni Municipality is home to approximately 420 informal settlements dwellers, who account for 111 307 households (KZN Human Settlements, 2015). Some of these dwellers ended up in Cato Manor because of the increasing incidents of land invasions in the past few decades. Thus, the study set out to take a closer look at Cato Manor, which is located about six kilometres West of the Durban City centre. What is unique about this settlement is the fact that it is in close proximity of the pre-1994 non-white settlements, and the Brickfield industrial area, and very close to Chesterville, an apartheid black township.

### **4.3. RATIONALE FOR CATO MANOR**

The choice of Cato Manor as the study area is substantive – since the area has a reasonably rich history of land invasions cases and informal settlements upgrading projects. Furthermore, the motivation for the choice of a study area was borne out of the fact that Cato Manor is among the early cities that experienced forceful relocations during the apartheid era. These relocations were more prominent in 1952 during the implementation of the Group Areas Act of the 1950. Thus, Cato Manor is a study site with a history of the land question. In addition, Cato Manor has experienced several land invasions as reported in the media. Official records have revealed that the area is currently being upgraded. The current land invasion cases, and projects rolled out to upgrade the informal settlements in Cato Manor provided the rationale for conducting this study.

While land has been invaded in Cato Manor, the informal settlements upgrading project is in progress with the provision of formal subsidised BNG<sup>4</sup> housing units. To date, a vast body of literature on Cato Manor has been generated, which has, so far,

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<sup>4</sup> Breaking New Grounds is a government housing subsidy programme aimed at providing houses to low-income population groups – a shift from the RDP policy framework.

focused on the Informal Settlements Upgrading or Land invasion in isolation. To this end, a gap exists that needs to be closed, where studies should examine the interaction of the two variables in relation to each other. This study, therefore, sought to close this gap.

Furthermore, the history of the land in Cato Manor, combined with its socio-political contestations and upgrading by the state provided a strong motivation for the choice of the study area or site. The increasing incidents of land invasions in Cato Manor provides evidence of the fact that the lower income class need space and shelter in the city. This affords us an opportunity to assess the strides government has made in upgrading informal settlements around Cato Manor, and to explore the effects of land invasion, and how it impedes government's efforts to upgrade the informal settlements in Cato Manor.

In her study of Cato Crest, Holder (2012) discovered that more often the social ties of informal dwellers are more dispersed than economic activities, as most of them still have contacts in their former places of residence outside Cato Crest, where some of them are still attending churches. In this regard, Holder (2012: 12) argues that "these social contacts are mostly seen as emotional fall-back options and hardly involve financial support. This is especially the case with rural ties; one could say that the households in Cato Crest are urbanised and do not see a future for themselves in the rural area, besides going there to spend the last years of their life there" (Holder, 2012: 2). Holder's assertions support this researcher's views that the informal land delivery system is influenced by the backgrounds of the migrating population from places (rural) where land delivery system is based on customary ways.

#### **4.4. THE SOCIO-ECONOMIC PROFILE OF CATO MANOR**

The statistical data provided by Statistics South Africa (StatsSA) remains the only official and credible source for housing backlogs and other data used for government planning towards the delivery of subsidised housing projects. The housing backlogs data is derived from the census data. The most recent published census data that is officially available is the 2011 data (Lehohla, 2011), and the 2016 Community Survey data (Statistical release P0301, 2016). The latter only provides estimates, based on the sampling methods that StatsSA applies when conducting population surveys. Stats SA has conducted Census 2022 – however, the official outcomes of the census has not been launched or published. While the results of Census 2022 are not yet released,

the only available official census data remains the Census 2011 data, against the backdrop that the government relies on this data for planning purposes.

The implications of the data gaps highlighted are hard felt when one tries to analyse the current status of informal settlements in Cato Manor in relation to the available official statistical records. While official records give a picture of the socio-economic environment that existed in 2011, the situation at the moment proves to be far from the situation 10 years ago.

#### **4.5. THE INFORMAL SETTLEMENTS UPGRADING PROJECT IN CATO MANOR**

According to Holder (2012), Cato Manor witnessed a major influx of migrants between 1993 and 2002 than 1991, where only around 300 families lived in informal houses in Cato Manor. This number is said to have increased from 300 to over 7000 in 2002 (Holder, 2012). The state led the project to upgrade informal settlements, rolled out in Cato Crest in 2003<sup>5</sup>. The initial project yield was aimed at upgrading 1 000 informal units to create an equivalent number of RDP housing units.<sup>6</sup>

The rollout of the project to upgrade informal settlements led to a sharp increase in the influx of populations who saw an opportunity to secure housing. This created a mixed response from communities that have lived there over time as they considered migrants invaders opportunistic. To this end, Holder (2012:14) expresses that “people who arrived after the upgrading process started in 2003 are seen as newcomers and free-riders by the existing population”. The mixed emotions, therefore, divided the community, as some were opposed to their space being invaded, while some quarters saw this as an opportunity to rent out their shacks to newcomers, or even sell them land and material. This business opportunity has given rise to what I refer to as “informal real-estate agents”, casually referred by the media as shack lords.

Several informal upgrading approaches were followed in Cato Manor to best address the challenge of continuous land invasions, which has contributed to the increasing informal structures in the area. One of the programmes rolled out by the Municipality is that of Area Based Management and Development (ABMD). This approach entails piloting five designated precincts to centre and advance municipal delivery. Cato Manor was one of these five precincts (Holder, 2012). This approach is state led –

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<sup>5</sup> Cato Crest is one of the sections in the greater Cato Manor area.

<sup>6</sup> The Reconstruction and Development Programme was an earlier socio-economic policy framework implemented by the first democratic government post 1994.

hence, this has led the state to criticism from those in favour of community-led approaches.

Another approach that had been introduced in Cato Manor is the community-led approach. The presence of various movements in Cato Manor fighting for shack dwellers' rights to development and space in the city meant that the voice of the community was to be heeded in planning and implementation. This has been widely represented by the SDI (Slum/Shack Dwellers International)<sup>7</sup>. This alliance represents mainly the four movements – namely are Federation of the Urban Poor (FEDUP), Informal Settlement Network (ISN), Community Organisation Resource Centre (CORC), as well as the uTshani Fund, a credit mechanism controlled by the homeless (Holder, 2012).

These four individual organisations came together under the SDI with the same objective, which is to build strong, resilient, inclusive, and pro-poor communities (Holder, 2012). The projects under the SDI are initiated by the community, with the idea that the knowledge they have on Cato Manor will empower them to deal with the state. As Holder (2012, 45) puts it, “local knowledge is being put into practice during the community-based planning phase. Supported by professionals from CORC, communities create their own development plans and draw them into a map”.

#### **4.6. CONCLUSION**

Chapter Four has provided a contextual background information on the locality of the study areas within the eThekweni Metro Municipality and its significance to this research. Locality maps have been provided and interpreted to orientate the reader. The statistical information on the population of the eThekweni Metro has been provided to give perspective on the broader area covering Cato Manor.

This chapter has also given us insights into why Cato Manor was selected as the case study area. The rich history of Cato Manor, which includes land contestations has been covered by scholars such as, Gigaba and Maharaj (2008) and other academic research by scholars such as Mazeka (2014) and Shange (2018). In addition to academic research being available relating to this study area, government activities relating to land invasions provided good motivation for selecting Cato Manor as the ideal study area. Lastly, this chapter provided background information on the informal

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<sup>7</sup> Slum/Shack Dwellers International (SDI or “the Alliance”), which presently has affiliates in 33 countries in Africa, Asia, and Latin America.

settlements earmarked for upgrading, as well as well as the projects that have been initiated as part of informal settlements upgrading initiatives.

## **CHAPTER FIVE: PRESENTATION OF THE FINDINGS AND DATA ANALYSIS**

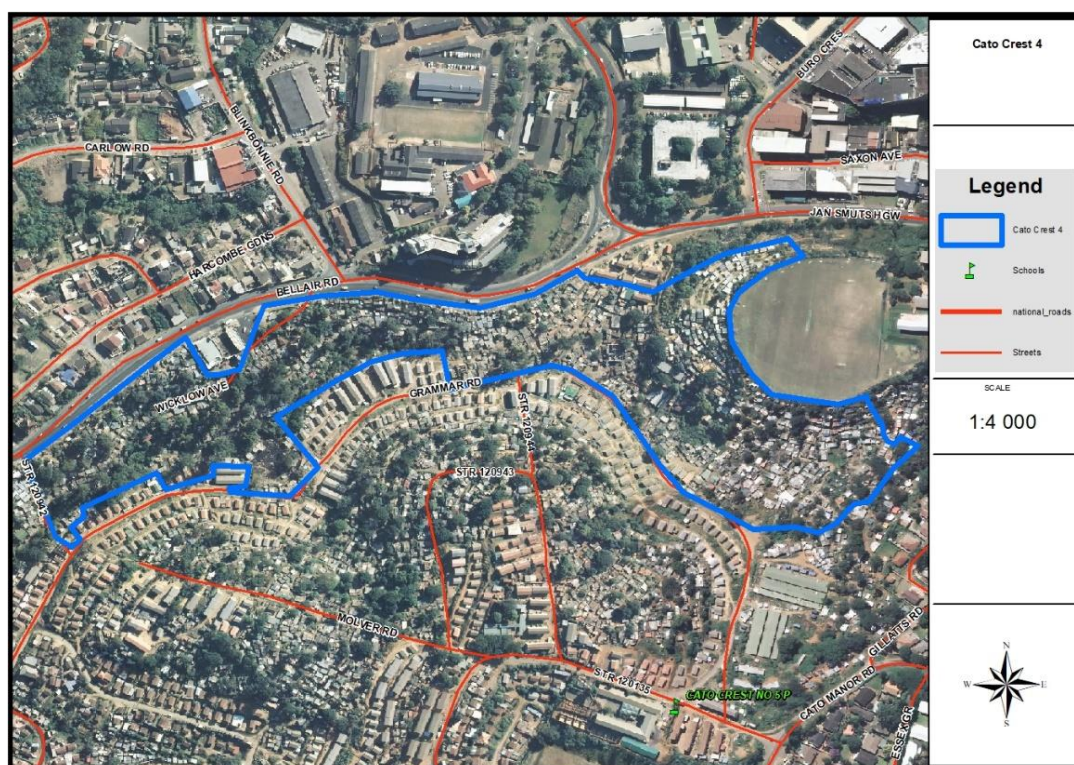
### **5.1. INTRODUCTION**

Chapter Four provided information on the case study area and the context of the eThekweni Metro in its entirety and later focused on Cato Manor as the actual case study area. This chapter presents and analyses the results of the quantitative data and the qualitative data. The chapter also presents the findings, based on the secondary sources, which is the grey literature in researcher's possession, from organisational reports on land invasion activities around Cato Manor. The grey literature also includes government's reports on land invasion activities and its involvement in monitoring and management. The data are presented and analysed in respect of the four themes, based on the following objectives:

- to understand the socio-economic profiles of informal settlement dwellers, which were established through acts of land invasion in Cato Manor;
- to assess the dynamics of land invasion in relation to informal settlement upgrading projects in Cato Manor;
- to analyse government policies that has contributed to land invasion and necessitated the upgrading of Informal settlements in Cato Manor; and
- to explore the effects of land invasion on the upgrading of informal settlements in the eThekweni Municipal projects.

While Area 4 has been undergoing informal settlement upgrading through an existing housing project, it also has, however, informal structures established through acts of land invasion. The map below shows a detailed footprint of the Cato Crest Area 4,

Figure 5.1: Map of Cato Crest Area 4



Source: KZN Human Settlements – GIS Services

informal settlements, Ward 101. Twenty (20) informal settlements dwellers were interviewed in Cato Crest, Area 4 (Ward 101), for the IRDP (Integrated Residential Development Project) housing project. Other 20 informal settlements dwellers who participated in the research interviews were from Area 5.

Further interviews were conducted with ten (10) informal settlement dwellers in Ward 29 in Section D, Dunbar Road (informal). Another ten (10) dwellers in Mayville's Dunbar road (formal) Section D section, IRDP housing project participated in the research interviews.

Cato Crest informal settlement dwellers are in line for the upcoming housing project – hence, the first phase, which is infrastructure development, has started. There is already a project that has started, which will cater for the informal dwellers. However, some people have settled where services were to be constructed. This led to the project being put on hold, due to temporary challenges.

All the three informal settlements (Dunbar, Cato Crest Area 4 and Area 5) are currently, active *in-situ* upgrade housing projects, but are currently on hold, due to various challenges – such as budgetary constraints and political strife. Cato Crest

Area 4 housing project has been completed and the Dunbar Section D housing project is currently on hold due to challenges that hindered the construction.

## 5.2. SOCIO-ECONOMIC PROFILES OF THE RESPONDENTS

Table 3 shows the distribution of the 60 households that were interviewed in Cato Manor, which forms part of the study’s quantitative data collection process. The wards are also included – since they are significant in the sense that they provided the researcher with information on the areas that fall within the jurisdiction of various ward councillors. Twenty (20) respondents were from wards 101 and 30 in Cato Crest Area 4, while 20 other respondents were from Cato Crest Area 5, Ward 101, as depicted in the table. Ten (10) respondents from the Mayville Dunbar informal settlement were interviewed, as well as 10 respondents from the Du Road Informal Settlement Upgrade project.

Table 5.1: Area distribution of the respondents

<b>Sites of data collection</b>			
<b>No.</b>	<b>Area</b>	<b>Respondents</b>	<b>Wards No.</b>
1	Cato Crest Area 4	20	101 & 30
2	Cato Crest Area 5	20	101
3	Mayville Dunbar ISU	10	29 & 30
4	Dunbar Road ISU	10	29
<b>Total</b>	<b>4</b>	<b>60</b>	<b>3 Wards</b>

Source: Researcher’s Own Fieldwork Data (2018)

In addition, interviews were conducted with respondents from the eThekweni Metro, the KwaZulu-Natal Department of Housing, and the Abahlali Basemjondolo. The interviews with these three organizations generated critical qualitative data for the study on the views and responsibilities of these participants. The views were in response to the acts of land invasions and settlement upgrading. The respondents from Cato Manor comprised a mixture of households that have benefited from the informal settlements upgrading projects, which made up 48 per cent of the respondents, and 52 per cent of the households that were in line to be upgraded, who were still residing in the informal structures.

### 5.2.1. Gender of the respondents

Many of the respondents from Cato Manor that were interviewed were females, with only 19 male respondents, which is 32 per cent of the total (60) respondents from Cato

Manor. To this end, 41 were female, which is 68 per cent of the respondents. It should be noted that in terms of the Constitution and the housing legislations, women have equal rights to access housing. The housing legislations, policies and programmes such as the Housing Act (No.107 of 1997), Social Housing Act (No.16 of 2008), the BNG, the Housing Needs Register and other pieces of legislations make provisions for redressing the inequalities of the past to achieve gender equity. However, the difficulty in female respondents attests to the differences in household employment status in the sense that the probability of encountering female respondent during the day are high – owing to the fact that most are not employed, and are, as such, housewives.

Table 5.2: Gender of the respondents

<b>Gender</b>	<b>Respondents</b>	<b>Percentage</b>
Male	19	32%
Female	41	68%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

### 5.2.2. Age of the respondents

Of the 60 respondents, 11 of were from the ages of 19 to 24. None of the respondents were under the age of 19. The second group (15) comprised respondents from the ages 25 to 34. The third group (15) comprised respondents from ages 35 to 44. The last group (19) comprised respondents from the ages 45 to 64. In terms of government's policy on housing subsidy, all groups were in the range of qualifying ages, which is above 18. Thirty-four (34) of the respondents were over the age of 35 and constituted 55 per cent of the total household respondents. This, therefore, means that over 75 per cent of the respondents were from the age of 25 and above. What this data reveal is that many of the invaders are mature people. Given that 68 of them were female, one can argue that these were family units, and not just a random influx of labourers seeking shelter.

Table 5.3: Age distribution of the respondents

<b>Age group</b>	<b>Respondents</b>	<b>Percentage</b>
19-24 years	11	19%
25-34 years	15	25%

35-44 years	15	25%
45-64-years	19	32%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

### 5.2.3. Racial Profiles of the Respondents

Although Cato Manor has a history of the racial contestations of land and housing, this study focused mainly on areas that have recently experienced land invasion acts and those that have benefited from the upgrading of informal settlements projects. These areas are both the existing informal settlements, and those already undergoing the upgrading process. Therefore, Table 6 below shows the racial groups that participated in this study. The data show that only one Coloured person participated in the study – among 59 Black African. This is against the backdrop that Cato Manor has a historical contestation for houses between Indians and Black Africans. The area being contested was Wiggins, also known as “Masxha”<sup>8</sup>, its alternative name in isiZulu. The sampled areas within Cato Manor did not have participants from other racial groups (Indians, Whites, and others). The targeted areas were either, existing informal settlements, or RDP/BNG settlements that were newly upgraded. Both these areas in Cato Manor are not predominantly Indian or white areas.

Table 5.4: Racial profiles of the respondents

Racial group	Respondents	Percentage
Black African	59	98%
Coloured	1	2%
White	0	0%
Indian	0	0%
Other	0	0%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

<sup>8</sup> Masxha is the isiZulu name for Wiggins settlement.

#### 5.2.4. Marital Status of the Respondents

Ten (10) of the respondents were married, while nine (9) stated that they were living together as partners. Only two (2) were widowed, while many (39) were single. There was a large number of single respondents, and, given that many were female, a sizable number of single females can be deemed vulnerable – especially considering the employment figures in this area – which suggest high levels of unemployment. This researcher argues in this regard that this vulnerability also affects respondents falling within the “married” category, as well as those “living together as partners”.

Table 5.5: Marital status of the respondents

Marital Status	Respondents	Percentage
Married	10	17%
Living together as partners	9	15%
Widow/widower	2	3%
Single	39	65%
Total	60	100%

Source: Researcher’s Own Fieldwork Data (2018)

The nineteen (19) female respondents who are either “married” or “living together as partners” are seen as vulnerable to hardships, brought by dispossession by the state – especially where evictions are carried out during the day. It was evident that a significant number of females are present in the study area during the day. This may be attributed to, either unemployment, or the fact that they are housewives responsible for the overall running of their households.

The women heading these households are single, unemployed, and vulnerable to various forms of poverty and the related challenges. These challenges include crime, as women appear to be easy targets for petty crimes – because they do not enjoy masculine protection. It is crucial that the affected households have a say, especially where evictions are carried by the state to ensure that they retain some of their household possessions.

It has been reported that in the past the eThekweni Metro destroyed and burned to ashes some of the properties during forced evictions. This claim is corroborated by Draper (2020:13), who confirms that:

“there have been 11 demolitions since the coronavirus lockdown began. Those carrying out the evictions and demolitions also deliberately destroyed people’s building material and furniture. They later burnt it and all that’s left on the site are some mattresses and clothes”.

The municipality’s act has further created mistrust between the community and the government.

### 5.2.5. Education Profile

Of the 60 respondents, 9 (nine) had Grade R/0 to Grade 7 as highest qualifications (“primary school” education). Many of the study participants fell in the group that has gone beyond elementary school, but did not pursue studies beyond Grade 12. This group constituted 43 respondents who fell in the group “Secondary education (Grade 8 to 12)”. Three (3) respondents indicated that they had diplomas, but did not have Grade 12/matric. A further three (3) had diplomas or have gone beyond matric. Only one (1) respondent reported that they had a “Certificate with less than grade 12”.

The data collected have revealed a correlation between the “level of education” and “employment status”. High levels of unemployment among respondents can be attributed to the fact that a large number of respondents only had secondary education (Grade 8 to Grade 12), as depicted in Table 8.

Table 5.6: Educational level of the respondents

Level of education	Respondents	Percentage
Primary education (Grade R/0–Grade 7)	9	15%
Secondary education (Grade 8–Grade 12)	43	72%
Diploma or above but lower than Grade 12	3	5%
Diploma or above with Grade 12	3	5%
Certificate with less than Grade 12	1	2%
Other	1	2%
Total	60	100%

Source: Researcher’s Own Fieldwork Data (2018)

### 5.2.6. Employment Profile

More than half of the respondents (33) indicated that they were unemployed, and were looking for employment. Only 10 respondents held informal jobs. Six (6) among the respondents were “not economically active/were retired”. Five (5) of the respondents

indicated that they were self-employed, while another five (5) indicated that they were in formal employment. In addition, the highest percentage of the unemployed respondents had educational levels as demonstrated by the data in Table 5.6. Many of the unemployed respondents were in the age groups 19 to 24 years and 25 to 34 respectively. Approximately 12 per cent of these individuals were married and a further 9 per cent was living with their partners.

Table 5.7: Employment profile of the respondents

<b>Employment status</b>	<b>Respondents</b>	<b>Percentage</b>
Unemployed (looking for work)	33	55%
Employed (informal/non-farm)	10	17%
Not economically active/retired	6	10%
Self-employed (non-farm)	5	8%
Employed (formal non-farm)	5	8%
Other (Specify)	1	2%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

### 5.2.7. Household Income

The data collected revealed that 11 households had a monthly income of less than R500. Meanwhile, 20 households had an income of between R501 to R1 000, followed by a group that earned a monthly household income ranging of R1 001 to R3 000. This group constituted 19 of the households who participated in this study. The three income groups suggest that based on their levels, more than 84 per cent of the surveyed households qualifies for full housing subsidy.

Table 5.8: Respondents household's income level

<b>Monthly household income</b>	<b>Respondents</b>	<b>Percentage</b>
Less than R500	11	19%
R501–R1 000	20	33%
R1 001–R 3 000	19	32%
R3 001 – R5 000	5	8%
R5 001–R10 000	5	8%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

The data in Table 5.8 shows that 84 per cent of the households in the study earned a monthly household income of R3 000 and below. Households that earn below R3 500 fall within the government subsidy bands and qualify for full BNG subsidy grants. It should be noted that groups that earn between "R3 001-R5 000" may qualify for housing subsidy, provided the income does not exceed R3 500.

### 5.2.8. Business Activities

When asked if they were involved in any kind of a business, 51 participants responded in the affirmative. Only nine (9) of the 60 participants responded in the negative. This claim confirm that Cato Manor is not only a place of work opportunities – it also supports and presents informal business opportunities, which ensure the families' livelihoods or survival. This, therefore, means that the choice to settle in Cato Manor is not only motivated by securing shelter, but is also motivated more by the survival strategies and/or livelihood strategies. While still on employment, most households indicated that they were not employed, but were, however, either self-employed, in informal employment, or were running some informal businesses.

Table 5.9: Household business activities

<b>Business activities</b>	<b>Respondents</b>	<b>Percentage</b>
Run any kind of business	51	85%
Do not run any kind of business	9	15%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

### 5.2.9. Rental Income on the Properties Occupied

It is interesting to note that while 44 households, which translate to approximately 73 per cent of the households were not collecting any rent from the properties that they occupied, only 16 other households indicated that they were indeed, collecting rent from their properties.

Table 5.10: Rental income status

<b>Collect rent from the property?</b>	<b>Respondents</b>	<b>Percentage</b>
Collect rent from the property	16	27%

Do not collect rent from the property	44	73%
Total	60	100%

Source: Researcher's Own Fieldwork Data (2018)

### 5.2.10. Main Income Source

While 27 per cent of the households indicated (as stated above) that they were collecting rental income from part of the properties, only 15 per cent indicated that this was their main source of income. It is evident, based on the data on "source of income", that the most common source of income is "wages from work", followed by "social grants including pension". This data supports the narrative of "proximity to place of work" as part of the reason why respondents settled in Cato Manor.

Table 5.11: Main source of income

Main source of income	Respondents	Percentage
Wages from work	20	33%
Social grants, including pension	19	32%
Rental income on part of the property	9	15%
Profits from a business	6	10%
Money from relatives and friends	3	5%
Other	3	5%
Total	60	100%

Source: Researcher's own fieldwork data (2018)

## 5.3. LAND INVASION DYNAMICS IN CATO MANOR

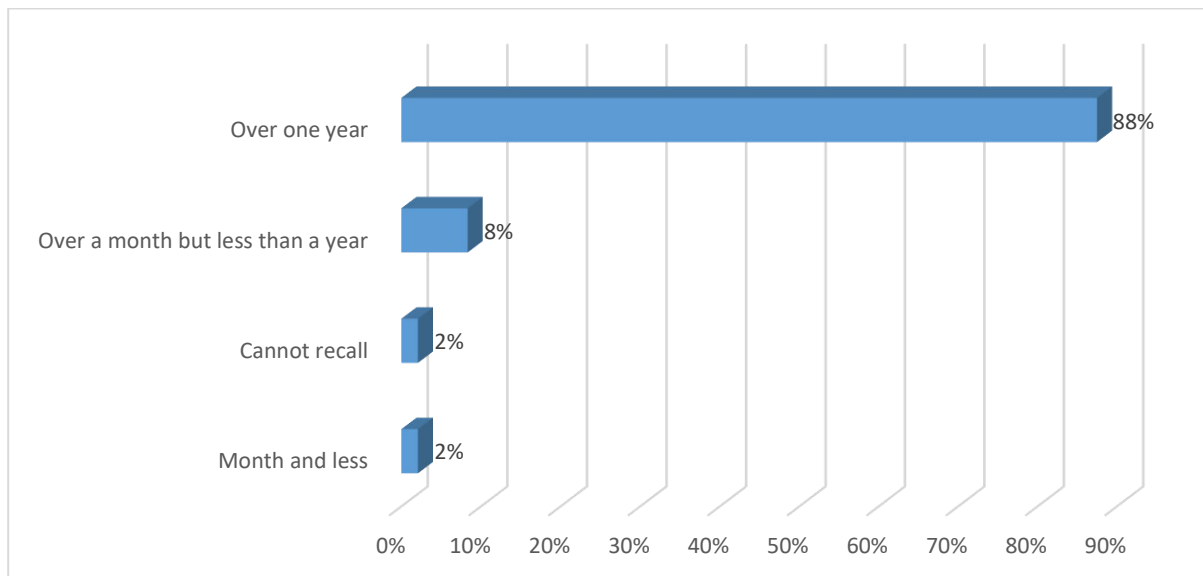
The targeted households were selected on the basis that they formed the land invasion base, either as beneficiaries of the upgrading projects, or as those who were yet to benefit in terms of the ongoing upgrading projects. This section of the dissertation describes the roles of these households on land invasions.

### 5.3.1. Duration of Stay in Cato Manor

A large proportion (53) of the 60 respondents indicated that they had been staying in Cato Manor for over a year, while five (5) indicated that they had been staying there for over a month, but for less than a year. Only one (1) respondent indicated that they had been staying in the area for a month or less. One (1) respondent expressed that they could not remember how long they had been staying in Cato Manor.

Respondents' places of origin within Cato Manor included Wiggins, Chesterville, and Bonela. These are some of the old areas within the greater Cato Manor. Chesterville was the oldest settlement, occupied predominantly by Black people, while Bonela was occupied mostly by Indians. Wiggins has a strong history of property dispossessions and housing invasions involving Black Africans taking houses from Indians (Gigaba & Maharaj, 2008).

Figure 5.2: Respondent's duration of stay in Cato Manor

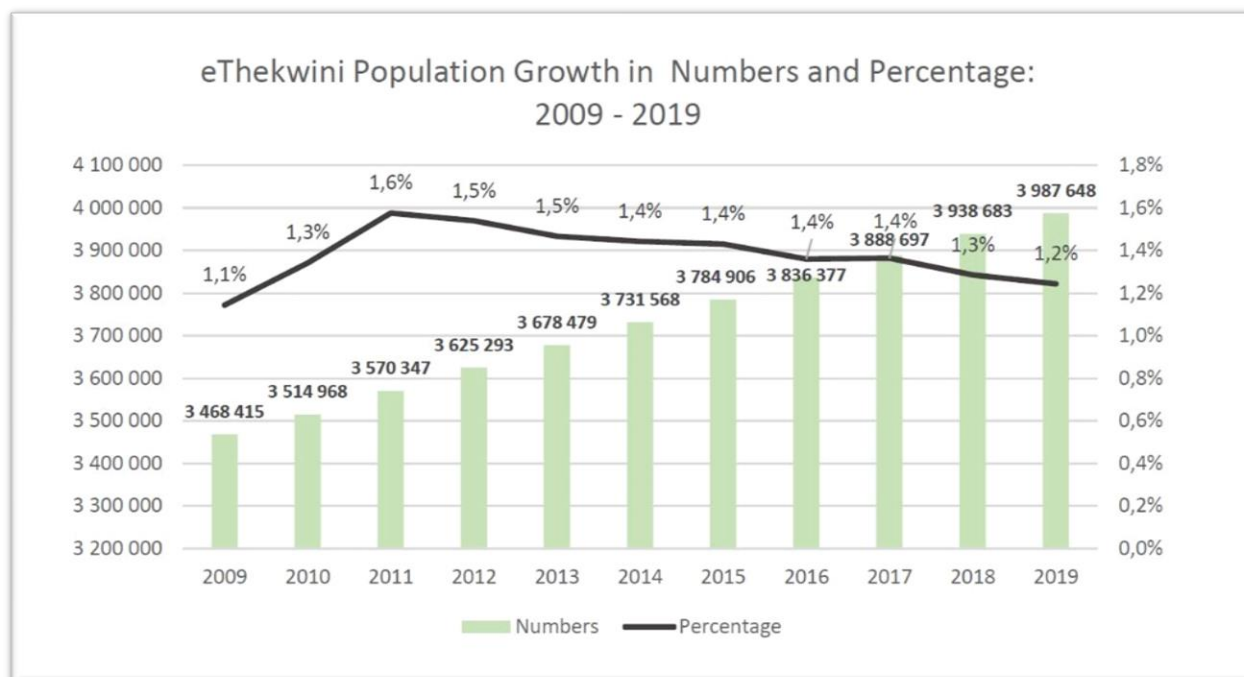


Source: Researcher's Own Fieldwork Data (2018)

### 5.3.2. Invaders Areas of Origins

While migration and urbanisation are often attributed to increased land invasions and the establishments of informal settlements in urban areas, the data collected during this study revealed a significant number of households (35%) that came from within Cato Manor. This can be attributed to population growth in Cato Manor, where households naturally expand, necessitating that some family members move out to establish their own households (eThekweni Metro, 2022).

Figure 5.3: eThekweni Population Growth

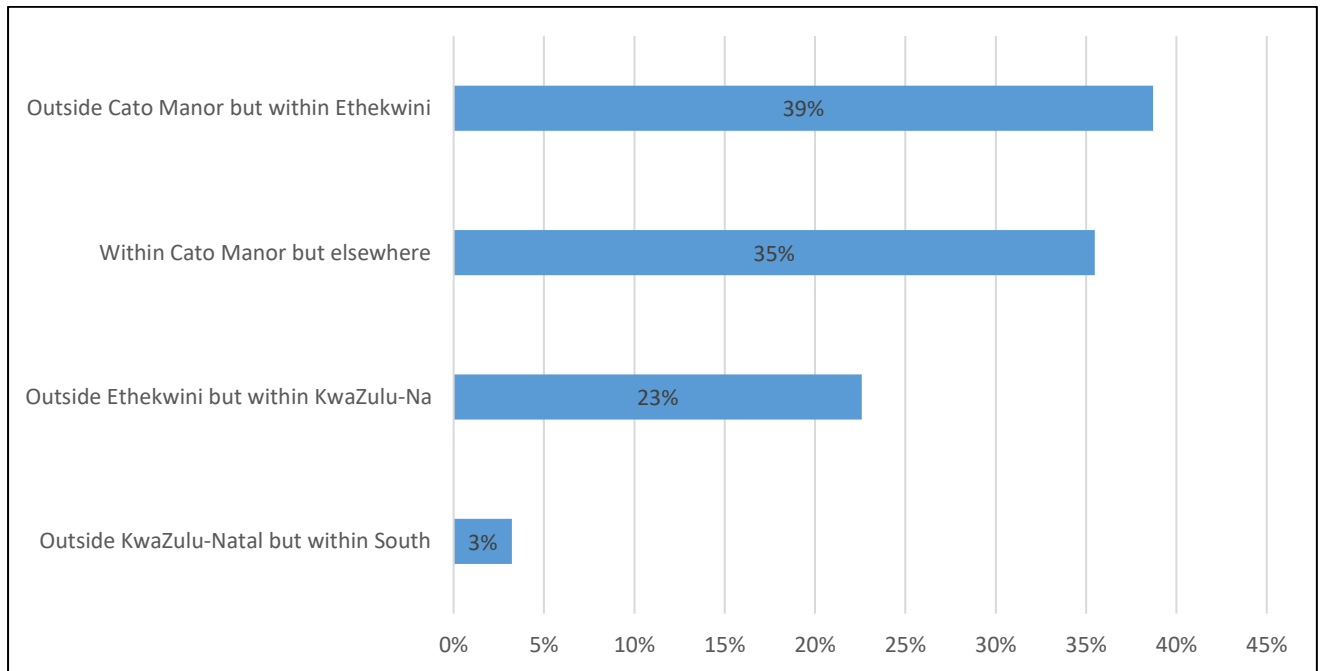


Source: eThekweni Metro Report (2022)

This group includes relocations sparked by the upgrading of informal settlements (from a shack to an RDP/BNG house) through housing allocations. Some of those who were younger a decade ago have now outgrown their parents' house space and are seeking places of their own. Nevertheless, an establishment of new shacks even by those migrating from within, still constitutes a new land invasion case – since it is based on a new site being occupied by new shack dwellers illegally.

The data also show that 39 per cent of the households are from outside Cato Manor, but in the eThekweni Metro. This depicts the internal migration that happens within the metro. People who would have moved from the city outskirts to Cato Manor, which is located centrally within the Metro, and in close proximity to the town centre (Durban CBD) who established shack houses would have been among a particular wave of invasion at the time of their respective arrivals.

Figure 5.4: Graph showing Areas of Origin

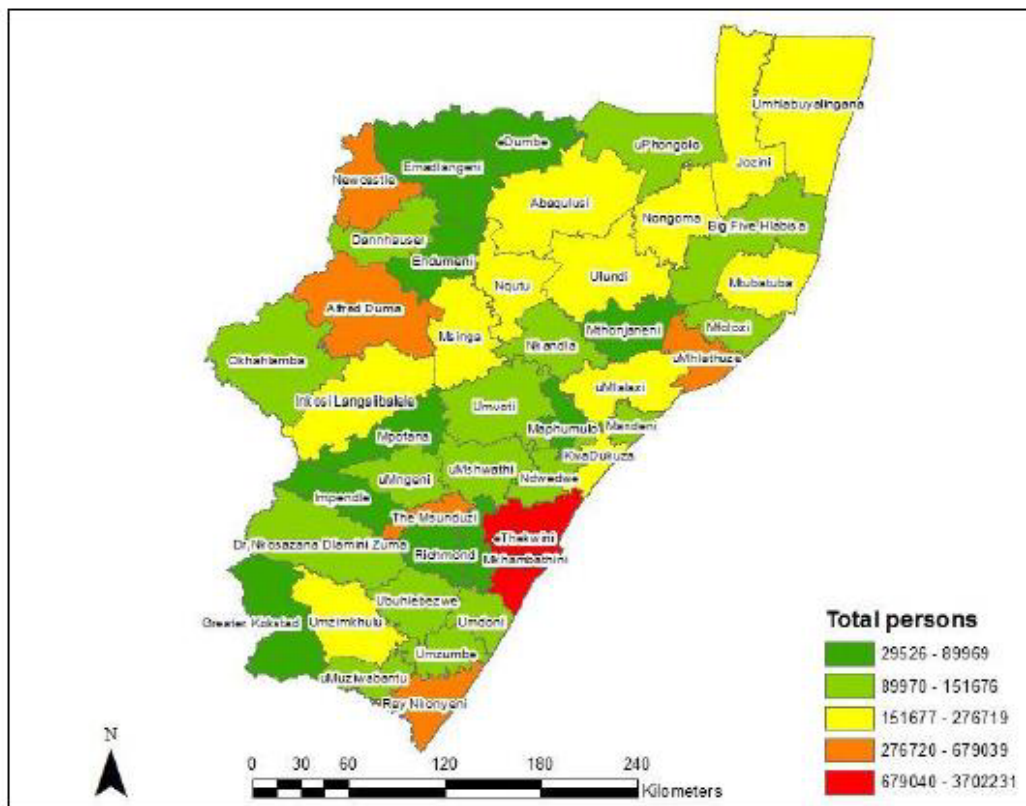


Source: Researcher's Own Fieldwork Data

About 23 per cent of participants comprised households that migrated from outside the eThekweni Metro but from within KwaZulu-Natal. As the only metro in the province, eThekweni serves as an urban attraction for KwaZulu-Natal – where people migrate in search of better living opportunities. This finding is also supported by the findings of

the 2016 survey conducted by Statistics South Africa, where eThekweni remained the highest by population density (See map 3 below).

Figure 5.5: Map showing KZN Migration



Source: Statistics South Africa (2018)

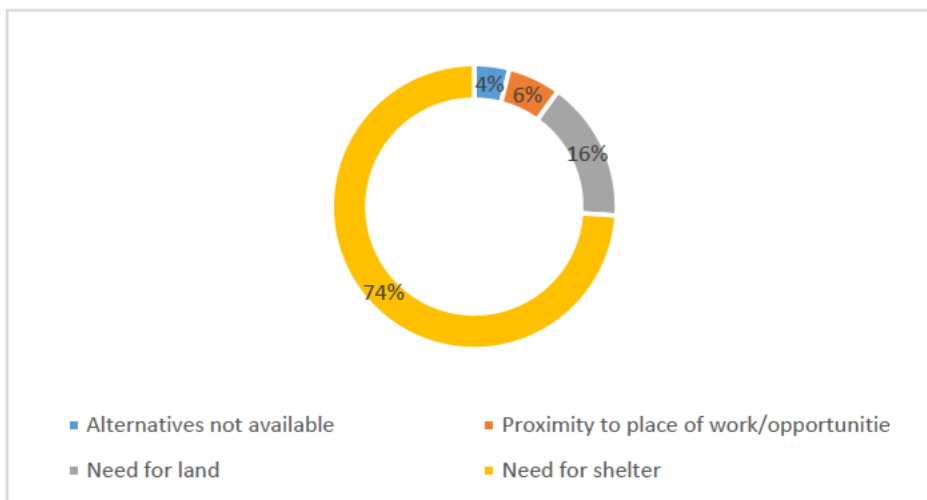
Last, about 3 per cent of the households were respondents who migrated from outside KwaZulu-Natal. This included those who also came from outside the Republic of South Africa. This group proved to be difficult – not only were they uncooperative during the data collection phase, but they made it difficult for the powers that be to account for service delivery, as they include the un-documented foreign migrants. The un-documented migrants were reluctant to participate in the interviews and respond to questions, especially on land invasion and other aspects of the economy.

While Figure 5.3 depicts a provincial perspective on migration, and how the eThekweni Metro has accounted for the huge population, the data collected and presented in Figure 5.1 corroborate the results of the 2016 Statistics South Africa survey. What the data suggest is that people do not only move to eThekweni as the biggest urban municipality in the province, but that this movement is also noted from within the eThekweni metro. The movement within eThekweni sees people migrating daily or on a semi-permanent basis toward the city centre.

### 5.3.3. Reasons for invading Cato Manor

It has been noted that the acts of land invasion occurred while a housing project had been rolled out that aimed at upgrading Cato Crest informal settlements. An interesting correlation, was, however, found between land invasions and the upgrading of the informal settlements. It is true that a project for upgrading informal settlements symbolizes hope for a brighter future for those in need of shelter. The data collected showed that 74 per cent of the households cited a “Need for Shelter” when asked for their reason for moving to the place that they were currently occupying. This number is far greater than the 6 per cent that indicated that their reason for migrating revolved around the “Need for Land”.

Figure 5.6: Reasons for settling in Cato Manor



Source: Researcher’s Own Fieldwork Data (2018)

### 5.3.4. Evictions and Demolitions

There were acts of land invasion that took place in 2019, as well as evictions executed in 2020 during the Coronavirus Disease 2019 (COVID-19 pandemic). These evictions were implemented by the eThekweni Metro, the South African Defence Force, and the South African Police Services on 31 March 2020. The state’s actions sparked an outcry on how they handled the situation, especially since the evictions were conducted during the pandemic. The assertion of one secondary source corroborated this claim:

*Azania settlement in Cato Manor is in African National Congress (ANC) held Ward 29, under Councillor Mveli Mthembu. The area was first occupied on the 26<sup>th</sup> of February 2019 with 450 households. This*

*number was periodically reduced due to pressure from the city and private security firms acting on their behalf. Currently, all that is left is vacant land and the ruins of building material and furniture. (Draper, 2020: 13)*

The outcry from organisations supporting shack dwellers was that the treatment from the state was highly inhumane and unlawful – owing to the fact that the state treated occupants of the invaded land as enemies and destroyed their building materials and household belongings. There were also cases of assault and shootings with live rounds of ammunition, which landed some of the settlers in hospitals.

*Over 300 people have been affected during these demolitions including two people who were shot with live ammunition, and three with tear-gas canisters on 31 March 2020. Namile Nkwalo was shot on the upper arm and Nangomso Jono was shot on the arm and the neck. Her arm is now paralysed. Nangomso was due for an operation on the neck because of the bullet's position. They were both treated at Albert Luthuli Hospital. Three other people were injured during the demolitions. All five of those injured possess medical certificates. (Draper, 2020: 13)*

Rather than cooperate, the state justified their actions, which further deepened the community's level of mistrust towards the state. It has been reported that the evictions and demolitions had been unlawfully undertaken, as they violate the provisions of the Prevention of Illegal Evictions (PIE) Act 19 of 1998. The law dictates in this regard that no evictions must take place without a court order. However, this was not the case when the state effected these demolitions.

*eThekweni Municipality's Anti-Land Invasion Unit has continued these evictions during the lockdown despite the moratorium on evictions and absence of a court order. This has included violent attacks by Calvin and Family Security (a private security company contracted in for the task, and sometimes referred to simply as Calvin Security), the South African Police Service, and reportedly also the South African National Defence Force (SANDF) which has been deployed to assist with the lockdown. (Draper, 2020: 3).*

As part of the conditions of the COVID-19 national lockdown, the Ministry of Justice and Constitutional Development announced that all evictions were suspended, and that no one was, therefore, to be evicted during lockdown.

### **5.3.5. Shack farming<sup>9</sup>**

Shack farming can be described as a process of invading land and creating multiple shacks for sale or rental purposes. Evidence suggests that some invaders do so with the sole purpose of establishing a rental business as “informal real estates”. To this end, several households indicated that they were renting out parts of the dwellings they were occupying. It is alleged that even when those renting shacks from the shack lords<sup>10</sup> happen to benefit from government’s housing programme, some of the shack lords continue to collect the rent from the households, even when the latter has moved to their own subsidised formal house. This has been described as a common occurrence among the households that benefited while they were renting from shack lords. Apparently, shack lords advance the argument that these households benefited because they were staying in their informal structures, and, therefore, blackmail beneficiaries on that basis.

## **5.4. GOVERNMENT POLICY AND IMPLEMENTATION**

The eThekweni Housing allocation policy, the RDP, and the BNG programme are among prominent government policies and programmes that have been instrumental in the upgrading of the Cato Manor area. These prescripts have been put to the test through perceptions and implementation. Knowing who qualifies for housing allocation in line with the provisions of the policy has proven to be crucial in accessing housing opportunities – especially by those who seek shelter. Failure to appreciate these prescripts has forced potential beneficiaries to access housing opportunities through informal land delivery systems – hence, land invasions.

### **5.4.1. RDP and BNG programmes**

The Cato Manor Housing development is considered an *in-situ* upgrade. However, the land ownership and the informal settlement layout dictates a process of decanting and the re-allocation of sites with a complete house. Therefore, the process of land allocation happens simultaneous with the house allocation – thus a title deed given to the beneficiary covers both. This means an allocation of a house in Cato Manor most often, also mean an allocation of the land. It is, however, noted that some projects allocated flats rental housing units and, therefore, their allocations did not translate to land allocation. It emerged from the data collected that a wide range of housing

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<sup>9</sup> A process of invading land and creating multiple shacks for sale or rental purposes.

<sup>10</sup> Shack lord is the owner that collects rent from a rental shack.

programmes are being rolled out in Cato Manor. The views below from the municipal official attest to the fact that various programmes had been rolled out in Cato Manor to upgrade informal settlements:

*What type of housing initiative/Programme that your municipality is involved with, in Cato Manor? Provision of RDP/low cost housing, Social housing, Transit/camps facility and Incremental services in most informal settlements (Interview, eThekweni Metro, 18 October 2019).*

The effectiveness of the upgrading project through the provision of housing to curb invasions remains to be proven if it is, indeed, a better solution. There are opposing views to the effectiveness of the BNG/RDP housing provisions, as some may view the projects as an attraction for even more land invasions. It should be noted that the existence of various housing projects does not mean that communities were afforded an opportunity to choose a housing typology. A member of Abahlali Basemjondolo held a different view:

*Not all people had same houses before the upgrade, and therefore the uniform approach was not welcomed. No options were presented for the community to choose. The councillor was facilitating the relocation and demolitions. (Interview, ABM, 19 October 2019).*

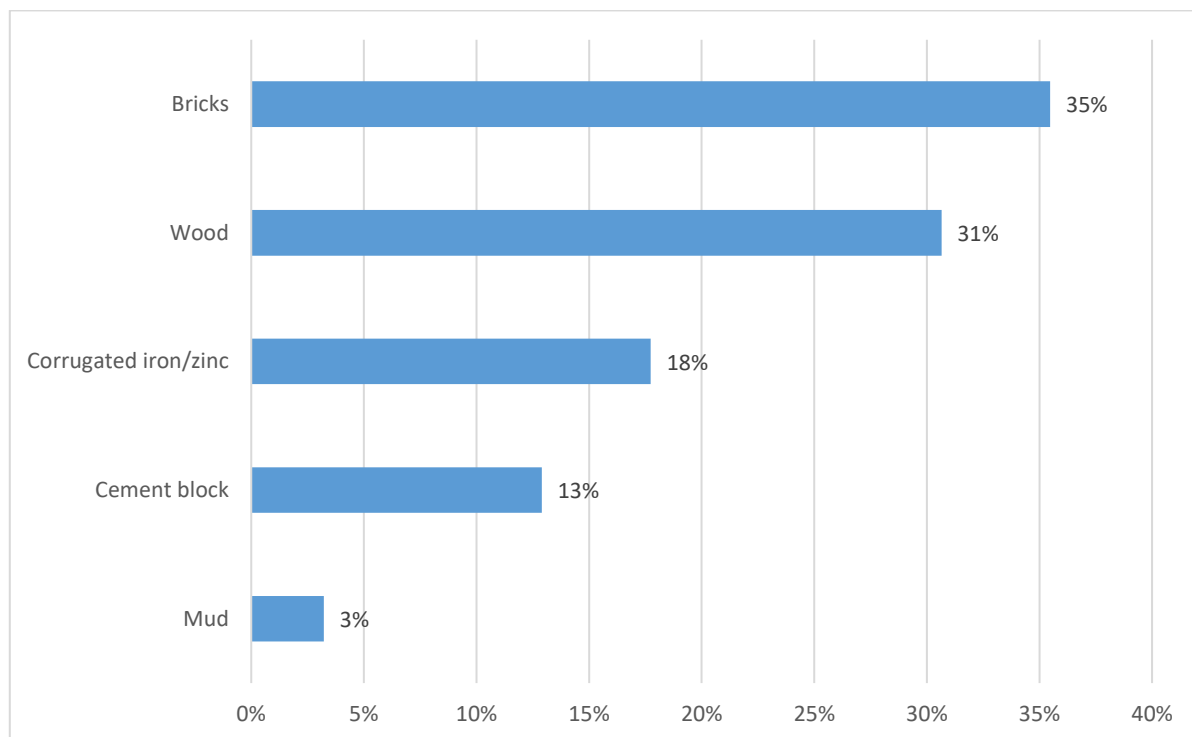
Some members of this community had already started building their own houses, using their own resources, including putting up an illegal structure, as the building plans were often, not submitted to the municipality for approval. Nonetheless, the issue of illegality had never been able to stop the mushrooming of informal settlements. A view shared by the eThekweni Metro on whether “housing delivery contributes to increases or reductions of land invasion in Cato Manor” goes thus:

*Currently projects are based on the established informal settlements/ Imijondolo which translates into demand. Free housing is a problem as people don't take ownership of the responsibility and maintenance. The absence is also a problem because it leaves a space where the only way of obtaining an RDP house is through having a shack. Therefore, this indeed causes more land invasions. Therefore, shacks lead then housing follows. (Interview, eThekweni Metro, 18 October 2019).*

However, not all household are enticed by promises of housing in Cato Manor. Some of the houses are well built and appear to be decent. While 35 per cent of the structures

in the survey areas were made of bricks, these are the houses of those that had already benefited from the Informal Settlement Upgrading Project. However, 13 per cent of self-made houses that were constructed using cement blocks, did not resemble the BNG subsidized houses.

Figure 5.7: Graph demonstrating types of material used to build the main dwellings of participants



Source: Researcher's Own Fieldwork Data (2018)

#### 5.4.2. Housing Allocation Policy and Housing Needs Register

The Housing Needs Register and the Housing Allocation policies of the municipalities, guided by the South African National Housing Allocation Strategy have enabled the manifestation of the general belief that a waiting list for housing does indeed exist. While the data collected do not point to the existence of such a list, it is, however, clear that based on the functions of the Housing Needs Register, and the National Housing Allocation Strategy, it is assumed that the waiting list is the same system. However, the roles of the allocation strategy are informally contested, as they seemingly, involve various actors that informally allocate housing opportunities. Below is a perspective shared by the eThekweni metro. While the municipality accept that their role is to allocate sites officially, they seem to be very untrusting of the invasion role players, and the other stakeholders. An official from the eThekweni Metro had this to say about the system of site allocations:

*There are many which includes the following; Ward committees, Councillors, Abahlali Basemjondolo as a collective invasion Shack-lords and land-lords. (Interview, eThekweni Metro, 18 Oct 2019)*

The community's perceptions about the responsibilities of those who allocate houses, as well as the type of housing instruments applicable in Cato Manor conflicts with government's policies and programme being rolled out in the same area. The data collected indicate in this regard that confusion is looming among residents concerning the rightful authority that should allocate housing, thus creating a space for un-official land allocators, who, as a result, create informal land supply which, in turn, results in acts of land invasions.

When asked about the person who is officially and un-officially responsible for housing allocation, the councilor was mentioned in both responses. This, therefore, fuels the perception of the formal role of the councilor as part of the municipal structure, as well as the role of the councilor as part of the political organization they belong to. While their role as part of the municipality is enshrined in the policy, the later role does not form part of the official responsibility in the allocation of housing opportunities.

The eThekweni Municipality promulgated its Housing Allocation Policy in 1996 – however, the municipality reviewed its old policy in 2015 – hence they now use the new allocation policy for various subsidized housing projects (Shange, 2018). It should be noted, however, that while there is a Housing Allocation Policy in place, the public does not seem to be guided by this policy in matters of allocating land informally.

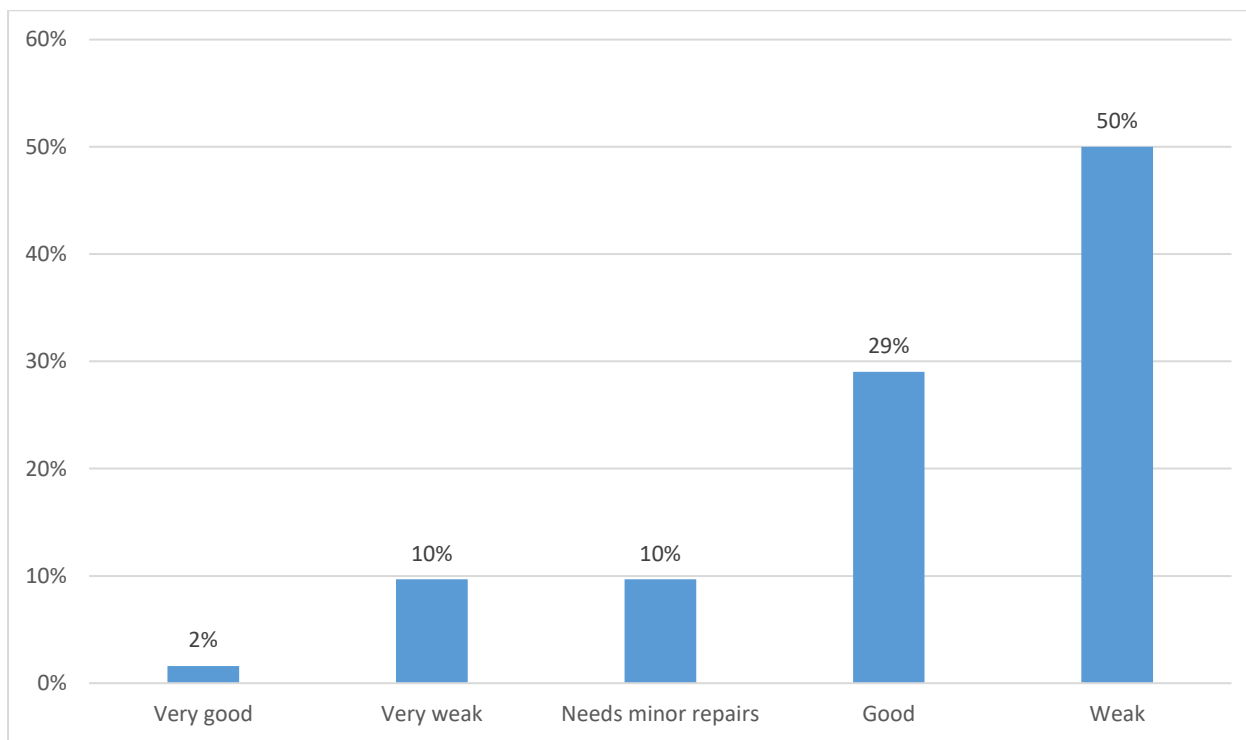


Figure 5.8: Structures constructed during land invasions

While most structures constructed during land invasions appear to be of weak quality, as illustrated in Figure 5.6, what is, rather, remarkable is the durations that the occupying households have endured in these informal structures, which are, rather, long. A basic assessment of the main dwelling structures was conducted during the interviews and what is remarkable about half of the structures, including government's subsidized houses, is that they were of reasonable quality.

The findings of this study showed that 50 per cent of the structures were weak. Only 10 per cent needed minor repairs, while another 10 per cent was very weak. The data collected have revealed that 29 per cent of the structures were deemed to be of good quality, and a further 2 per cent was deemed to be of very good quality. In terms of the subsidy policy, the informal structures qualify as they form part of the area housing backlogs, if beneficiaries meet all the requirements as stipulated in the housing policy provisions.

## 5.5. EFFECTS OF LAND INVASION ON INFORMAL SETTLEMENTS UPGRADING

The experiences of the state and the community concerning the effects of land invasion on informal settlements upgrading are not the same. The eThekweni Metro and the KZNDoHS both hold a view that land invasion is an undesirable process that must be stopped by either legal process and/or security process. This position has seen the eThekweni Metro and the KwaZulu-Natal Department of Human Settlements

establishing Anti-Land Invasion Units. Some of the perceived effects of land invasion are presented and discussed below.

#### **5.5.1. Creation of Housing backlog**

The Invaders were sampled, based on the reported cases to the KZN Human Settlements department. Weekly reports on land invasion incidents are sent to the department weekly, capturing incidents of land invasion in relation to the constructed shacks. The reports in question (June 2014 to April 2017) cover the Cato Crest area, known as the Cato Manor Informal Settlement that is currently being upgraded under the low-income housing project – and are available at the office of the Chief GIS Professional in the Integrated Planning Directorate.

The act of land invasion leads to the creation of an informal settlements, which suggests that people need housing – hence it adds to the pre-existing housing backlog. The data from secondary sources reveal that the KZN department of Human Settlements set up a land invasion monitoring project, which commenced in June 2014 and concluded in April 2018. The project aimed at monitoring the rate of land invasion on a weekly basis.

The department selected areas within the eThekweni Municipality, which are deemed land invasion hotspots. Eight areas were selected for monitoring, where aerial photographs of each area were taken from a flying aircraft. The acquired photographs were analysed to identify and profile new structures erected during each week of monitoring. Among the selected areas was Cato Crest, an area within Cato Manor. Table 14 illustrates the data recorded by the department on the eight areas monitored for a period of 12 months.

Table 5.12: 2018 Land invasion data

Area	Base Data (Dec 2015)	Week 1 20 Sep 2016	Week 2 26 Sep 2016	Week 3 05 Oct 2016	Week 4 11 Oct 2016	Week 5 15 Oct 2016	Week 6 27 Oct 2016	Week 7 03 Nov 2016	Week 8 16 Nov 2016	Week 9 21 Nov 2016	Week 10 28 Nov 2016	Week 11 07 Dec 2016	Week 12 15 Dec 2016
Cato Crest	3464	2023	46	214	341	242	96	96	46	33	95	42	42
Lamontville	2480	1155	191	36	122	79	58	26	23	22	70	36	25
Ward 23	3533	6213	134	146	212	116	23	57	194	44	57	38	45
Ward 25	5946	3951	651	384	176	115	115	127	32	88	68	51	41
KwaMashu A	9826	1994	201	124	53	159	15	44	18	54	25	115	46
Umlazi S	4875	1829	964	95	79	146	46	123	164	68	60	8	26
Luganda	1800	847	214	67	105	21	188	70	47	14	26	22	13
Bottlebrush	6134	3702	363	174	55	33	149	74	88	37	34	63	74
<b>Total</b>	<b>38 058</b>	<b>21 714</b>	<b>5528</b>	<b>1240</b>	<b>1143</b>	<b>911</b>	<b>690</b>	<b>617</b>	<b>612</b>	<b>360</b>	<b>435</b>	<b>375</b>	<b>312</b>

Source: KZNDoHS, 2018

As an area within Cato Manor, Cato Crest recorded over 2 000 new informal structures in a space of nine months. These new cases were identified in the area being monitored as part of the land invasion monitoring project. The subsequent weeks from September 2016 to December 2016 recorded a weekly average of over 117 new structures, where a minimum of 33 structures and a maximum of 341 were recorded.

The data show that an influx of 42 46 and 96 per week was common for new structures in Cato Crest. Each new case suggests that there is a housing need and further contributes to an existing housing shortage. These numbers indicate what would be a housing backlog for the subsidized housing for the informal settlement upgrading project. The rate at which new shacks are erected is far greater than the rate at which subsidized housing is delivered in Cato Manor as a whole, and Cato Crest in particular.

The urban influx continues to put pressure on the government system such as the Housing Allocation Policy, and, therefore, breeds fertile grounds for the establishment of new informal settlements within the urban areas of the province (KZNDoHS, 2017). The eThekweni municipality receives a bigger share of the informal settlements backlog increase, because as the prime KZN urban node, it attracts more people. This is noticeably higher than the proportion of all households in the province who live in the metro, according to the 2013 Housing Development Agency (HDA<sup>11\*</sup>) research findings of all households in the province in the eThekweni Metro (KZNDoHS, 2017).

<sup>11</sup> HDA stands for Housing Development Agency, an agency of the National Department of Human Settlements.

Table 15 illustrates households living in shacks in KwaZulu-Natal by district municipality

Table 5.13: HDA (2011) report on the KZN Informal settlements

Municipality	Shack not in a backyard		Shack in a backyard	
	Number of HH	Percentage of HH	Number of HH	Percentage of HH
eThekwini	111307	12%	981	4%
uMgungundlovu	11 988	4%	6399	2%
iLembe	7 657	5%	5 569	4%
UGu	5 816	3%	2 107	1%
Amajuba	2 813	3%	2 286	2%
Sisonke	2 458	2%	1 741	2%
uThungulu	2 235	1%	2 521	1%
uMzinyathi	1 958	2%	718	1%
uMkhanyakude	951	1%	1 141	1%
uThukela	931	1%	1 063	1%
Zululand	774	0%	1 131	1%
KwaZulu-Natal	148 889	6%	62 658	2%

Source: Housing Development Agency (2011)

### 5.5.2. Que Jumping

There is a general perception that invaders are jumping the que – however, to begin with, the data collected do not support this notion. The eThekwini Housing Allocation Policy, and the Housing Needs Register do not operate according to the “first-come-first-served” principle. Therefore, it is quite possible that a person that is next to an opportunity for housing allocation can be allocated a house before another person who resides far from where there is an active or planned housing project. On the contrary, this very same principle is what bakes the speculation that people invade well located areas such as Cato Manor, simply because they present best locations for housing allocation, as opposed to areas where housing delivery seems to be slow. However, the view shared by the municipality suggests that there is no waiting list, and, therefore, no que.

*There is no waiting list, however it no longer exists due to the fact that it was getting longer and longer. Now the new approach is based on the register of the informal settlement. (Interview, eThekwini Metro, 18 October 2019)*

It was established during the interviews with the eThekwini Metro that the waiting list does not exist anymore. It has apparently, been abandoned, because it was taking longer to deliver housing, based on the list. This resulted in the list getting longer to a point where it was difficult to manage. This, therefore, resulted in the formulation of a new approach, based on the register of each informal settlement with the profile of each household.

While land invasion may not directly constitute que jumping, it should, however, be acknowledged that it contributes enormously to the increased housing backlogs – hence, the provision of housing. The data sourced from the KZN Human Settlements Land Invasion Strategy reflects that close to 345 362 households are found in informal settlements in all municipalities in the province. It is estimated in this regard that approximately 75 per cent of the households living in shacks (not backyards) in the province of KwaZulu-Natal are found in the metropolitan area of the eThekwini Municipality.

### **5.5.3. Project interference**

According to KZNDHS (2017), a high number of land invasion incidents were recorded within the eThekwini Metro during the past Medium-Term Strategic Framework (MTSF) period. This is apparently, a concern for the municipality and the province – because quite often, these incidents take place in areas with land parcels that have been earmarked for housing projects (Informal Settlements Upgrading (ISU)) in particular. This official from the Department of Human Settlements argued:

*There are more than 20 pockets of informal settlements in Cato Manor. There are many projects addressing these informal settlements. I am involved in area 4 which started in 2014 and in Danbour which also started in 2014. (Interview, eThekwini Metro, 18 October 2019)*

Based on the information gathered, land invasions have resulted in the establishment of many pockets of informal settlements, thus creating a strain in housing provision as multiple projects had to be rolled out to respond to the increasing housing demand.

Therefore, one can argue that land invasions have created a backlog in housing projects allocations. This was supported by the official from the eThekweni Metro who argued that:

*“Land invasion often stalls projects where they hijack project plans and stand in the way of housing delivery. When land is invaded it costs the municipality to service the land. It affects the property values of other persons, hence reduce the municipal rate base. After invading, they do illegal connections to services; such as electricity, water which result in water pressure being low and water loss. The izinyoka-nyoka often results in unplanned load shading and exposing lives in danger of being electrocuted”. (Interview, eThekweni Metro, 18 October, 2019)*

One of the impacts of land invasions is that it interrupts basic services, not only for the informal settlements upgrading, but for the surrounding existing communities adjacent to the invaded areas. The scenario described above results in the reduction of the quality of services and portray informal settlements in negative terms. Also, the impact of the interruption in services hinders the transfer of land/housing to beneficiaries. The law, in this regard, prohibits the transfer of un-serviced residential land. Therefore, the eThekweni Municipality encountered challenges in this regard. While the metro acknowledges the difficulties associated with upgrading the invaded land, the Abahlali Basemjondolo have a different view on the value of the upgrading project.

The responses from Abahlali Basemjondolo represent a different perspective and understanding of the housing processes and interpretation of the intervention. When asked if the housing project would address the issue of land invasion, the response was unexpectedly, in the negative, and the perception was that housing provision would create even more problems.

#### **5.5.4. Institutional Arrangement**

One of the most visible effects of land invasions on government is that it has forced the state to dedicate resources to address it. Due to the magnitude of the problem, at least according to the state, various resources were set aside to address land invasion matters. These resources included both human and financial resources. The deployment of both the financial and human resource necessitated an institutional re-arrangement to properly manage workloads, budget and coordination, a view that was confirmed by the eThekweni:

*There is a dedicated department and unit which is called Security Management. This unit is former Land Invasion unit which directly deals with land invasions. There is also a section called informal settlement management under the Human settlement unit. This section monitors new development of shacks in existing settlements and vacant land monitoring. (Interview, eThekweni Metro, 18 October 2019)*

The eThekweni metro is not the only organization that was affected by the institutional arrangement in response to land invasions – the provincial government, and the KwaZulu-Natal Department of Housing Settlements in particular, had to re-organize itself to respond to land invasions. The department also has a dedicated section referred to as the “Anti-Land Invasion Unit”, which is responsible for the overall management of the Land invaders. This unit deals with the social facilitation of the land invasion, security of the departmental land, and many other aspects on land invasion.

## **5.6. CONCLUSION**

The data collected and the information obtained from the KZN Human Settlements Land Invasion Strategy confirm that migration to the urban areas of KwaZulu-Natal has led to an increase in the informal settlements in and around Durban within the eThekweni Municipality. This chapter presented the results of the data collected from the 60 participants in the study. The data were presented and analyzed into four (4) themes – namely the Socio-Economic Profiles of Participants, Land Invasion Dynamics, Government Policies, and Implementation, and the Effects of Land Invasion on Informal Settlements Upgrading.

The chapter presented both the qualitative and quantitative data that were collected during the survey data collection period. The data have presented opposing views in relation to government’s position on land invasions and the views of the affected community and Abahlali Basemjondolo as a civil organization that supports informal settlements dwellers. This study has revealed the different views on land invasion, which elicited a rather, hush response by the government that views it as a criminal process. Chapter Six summarizes the findings and makes recommendations for government, and draws conclusions, based on the findings.

## **CHAPTER SIX: CONCLUSIONS, RECOMMENDATIONS, AND FUTURE RESEARCH**

### **6.1. INTRODUCTION**

Chapter Five presented the findings of the research derived from the data collected during the field work phase. This chapter draws conclusions and makes recommendations, based on the analysis of the data presented in Chapter Five. This study aimed at exploring the impact of land invasion on informal settlements upgrading by conducting a case study of Cato Manor and documenting the experiences of those involved in the acts of land invasion and informal settlements upgrading. This was achieved by conducting a review of the literature, which revealed that the socio-political landscape in South Africa in general, specifically in Cato Manor, is influenced by lethal forces of the past. The next section presents a summary of the research findings.

### **6.2. SUMMARY OF THE RESEARCH FINDINGS**

This study unpacked land invasion beyond the borders of Cato Manor to examine land invasion trends in the Global South. In this regard, this researcher argues that land invasion is a true manifestation of urban housing demand by the poor, as well as the contestations of their right to the city. This study argues that land invasion is a result of complex socio-economic issues that comprise livelihood strategies and land security. In this regard, land invasion is attributed to the apartheid laws and the racial exclusions of the non-European populations. Cato Manor has experienced several acts of land invasions, while housing upgrading projects had been rolled out in the area. Thus, the acts of land invasion and the informal settlements upgrading projects in the Cato Manor informal settlements presented an opportunity for this study.

#### **6.2.1 The Socio-economic Profile of Cato Manor**

The data collected from the 60 households in Cato Manor have revealed wide inequalities in terms of gender. Most of the respondents that were available during the day were female – even more alarming is the fact that a significant number of them were unemployed, and largely depended on government social grants such as the child support grant. Most of these households have a combined income that falls within the subsidy threshold for BNG housing provision. They were, thus, the ideal

beneficiaries for full subsidy, based on their income, age group, gender, and their level of dependency.

The areas of research did not present racially diverse populations – for instance, 59 (98%) of the respondents were black Africans, while only (one) 1 (2%) person was Coloured. Although Cato Manor is known for land and property contestations among different racial groups, the findings of this study revealed that most land invasions seem to be most associated with neo-customary land delivery systems (see Chapter Two). This is evidence that people are rooted in customary ways of land allocation in the sense that they still rely on gatekeepers like headmen to allocate land/a site to them. Therefore, in the case of urban areas like Cato Manor, the shack lords are unofficial gatekeepers responsible for allocating shacks for rental purposes.

Thirty-two (32) per cent of the respondents indicated that they were living together. This is a combination of those that were married (17%), and those that were living together as partners (15%). This sample demonstrates that a sizeable number of households are typical family-oriented households. This, therefore, means that most of the occupants view their places as homes, and not just as a shelter for spending the night. Although discrimination has not been noted regarding marital status in terms of accessing the subsidy, marital status may have implications when it comes to prioritisation criterion. In the context of rural subsidies, where land is secured by the household head, mostly males, the subsidies are provided as an *in-situ* housing delivery. This means that females (unless they are married or have a male partner), would struggle to access land, thus housing subsidy. According to the findings of this study, the rural housing subsidy is more similar to the Customary land deliveries. Therefore, the marital status of participants has a bearing in the allocation of sites, thus, housing subsidies.

The data collected for this study also reveal that some households were generating income from renting out parts of their dwellings. These households made up approximately 23 per cent of the households surveyed. It also emerged that 15 per cent of these households derived their main household income from renting out part of their property. This, therefore, means that when acts of land invasions are carried out, these are not always motivated by the need for shelter, but at times, the need for income.

Unemployment in Cato Manor is rife. To this end, many (55%) respondents indicated that they were unemployed, and were looking for employment. On the other hand, 17 per cent indicated that they were employed in the informal sector, while 8 per cent were self-employed. Another 8 per cent indicated that they had formal employment in the formal sector. However, an overwhelming majority (85%) indicated that they were running some kind of businesses. It is clear that Cato Manor, like other informal settlements, has a considerable number of informal economic activities, which ensure the livelihood and survival of its residents.

### **6.2.2 Land Invasion Dynamics**

It is worth noting that acts of land invasion in Cato Manor are not solely attributed to migrations from outside the eThekweni Metro, and/or even Cato Manor itself. However, a sizeable amount of them are attributed to community expansion, due to general population growth. It emerged that of the 35 per cent of the respondents were from Cato Manor itself. The findings also revealed that 39 per cent was from outside Cato Manor, however within the eThekweni Metro area. This means that 74 per cent of these respondents are actually citizens of the eThekweni Metro, and not migrants as it is generally perceived.

At the time of the data collection most (88%) of the respondents had been residing in Cato Manor for longer than a year. These households are already protected against illegal evictions in terms of the PIE Act. The socio-economic profile of most of these households, as well as the duration of their stay are reasonable and warrant that those leaving in shacks benefit from the housing upgrade. The views shared by the eThekweni Metro Municipality suggest that the normal procedure entails profiling the shacks and packaging an appropriate response (often upgrading initiatives).

Seventy-four (74) per cent of the respondents confirmed that they needed housing (“need of shelter”) - when asked why they invaded Cato Manor, as opposed to the 16 per cent who responded that they invaded Cato Manor because they needed land (“need for land”). The above was a dominant response. Based on the response above, together with the household’s income, employment status is a compelling reason for beneficiary profiling and the establishment of upgrading plans.

While there is evidence of a large pool of potential beneficiaries that suggests that state intervention for upgrading is required, the response from the state has not always

been positive. The state, in this regard, has been hostile in other instances, evidenced by the evictions it implemented. These evictions involved quite a violent confrontation with members of the informal settlements within Cato Manor (Draper, 2020). Loss of life, injuries and destruction of household possessions are some of the hardship the community had reportedly suffered in the hands of the state (Draper, 2020). There was great outcry that the state treated the community as criminals – hence they used live ammunitions during evictions. Evictions were not the only interventions implemented by the state in response to land invasions. Others interventions included actively monitoring the area.

Some of the state's interventions in response to land invasions had significant implications on its functionality and resources, such that institutional reforms and re-arrangements were warranted. Anti-Land Invasion Units were established by the eThekweni Metro and the KwaZulu-Natal departments. These units were responsible for monitoring land invasions and facilitations, where communities and stakeholders had to be engaged. Therefore, the state allocated substantial resources to land invasions. Other forms of monitoring involved the use of Geomatics Information Systems (GIS) technology and airplanes to monitor the areas deemed land invasion hotspots spatially. Statistical data produced to support the evidence of land invasions as presented in in Table 14 suggests that the department is taking land invasion matters very serious.

The state is of the view that land invasion is an orchestrated crime by shack lords who the aim to enrich themselves, which they have achieved by renting out and selling shacks to the needy people. The state often blames shack lords for conducting shack farming. There is a claim that these individuals are the master minds behind land invasions. It is such a belief that has influenced and informed the state's response to land invasions. There is, therefore, an ongoing battle between the state and those deemed land invaders.

### **6.2.3 Government Interventions**

Various government programmes have been rolled out in Cato Manor to respond to the growing poverty and the shortage of houses. The most prominent and visible intervention is the Informal Settlements Upgrading programme. This programme is instrumental as government's efforts to eradicate shacks and informal settlements in

Cato Manor. Through this programme, BNG houses were constructed and allocated in line with the eThekweni Housing Allocation Policy.

The interventions highlighted are among the positive responses from the state – however it is not always the case that government would respond positively. The law enforcement part of the government interventions was considered harsh for the poor. The state effected evictions, which came with loss of life, injuries, and the destruction of household possessions. Thus, there has been an outcry of what (Draper, 2020) describes as inhumane and unlawful conduct.

#### **6.2.4 Effects of Land Invasions**

It has been established that while there is an assumption by the state that the people who are involved in land invasion are jumping the que, this study revealed that this is actually, not the case – as it was confirmed that quees do not exist – or there is, rather, no such a principle as “first-come-first-served”. For the longest period the line (first-come-first-served) was referred to as a waiting list. In this regard, this research can confirm that there is no waiting list. However, different informal settlements are upgraded after they have been profiled.

The findings of this study have also pointed us to a rather different process than the waiting list. This practice, adopted by the municipality, entails profiling shack dwellers in a specific informal settlement and creating a register of each unit and its occupants. Moreover, for the enlistment of beneficiaries for a project, the municipal allocation policy is used to prioritise households from the profiled settlements. Therefore, this means that the allocation does not happen in line with a single list that is known to be a que – but is, rather, extracted from different sources and considers various factors. These factors include vulnerability, gender, dependencies and so on.

The rationale here was that the housing project was an attraction to those who sought an easy way to obtain a house – hence an influx of land invaders. The problem with the *in-situ* upgrading is the dispossession experienced by those that must move and make way for services. To residents that have already obtained houses through self-help, the upgrading project was considered a destruction of what they had already achieved – since the layout plan did not integrate the existing homestead, but was rather, regarded a greenfield as opposed to brownfield. It was evident that some of the responses given were not relevant to the context of Cato Manor – especially the

response to question 9, which mentioned livestock and bigger houses. However, on probing to get clarity, it was articulated to be part of the ugly historic account of the area, and that much has been lost as the area undergoes upgrading and concurrent land invasion. The pre-existing residents have been, rather, forced to share the land through the processes of demolition and reallocation.

### 6.3. CONCLUSION

The effects of land invasion on informal upgrading seem to present opposite effects, where others present effects of the upgrading project on land invasion. In contrast to the research topic, the data have, surprisingly, presented a counter argument that the upgrading project for informal settlements stimulates land invasions, and has some negative implications. As part of the research, questions on land invasion effects were posed to the respondents from the Cato Manor Informal Settlements, officials from the eThekweni Metro Municipality, officials from the KZN Human Settlements department, and the Abahlali Basemjondolo.

It is worth noting that on the one hand, the two government authorities (the eThekweni Metro and the Department of Human Settlements in KwaZulu-Natal) shared the same disapproving sentiments on the land invasion. On the other hand, the Abahlali Basemjondolo and Cato Manor residents have a rather understanding and supportive views towards the people residing in informal settlements that were established through land invasions.

This means that for the state land invasion has negative impacts – hence, it must be stopped. On the other hand, the community involved in acts of land invasions and civil organisations (Abahlali Basemjondolo) representing the community do not view land invasion in the same manner as the government – instead, they have a different view that is not opposed to or condemn land invasion processes. Instead, they consider land an indication of a high-level struggle for shelter, and a response by the poor in an attempt to take advantage of meaningful self-help housing processes, which John Turner (1971) defines it as a noun. The purpose of this chapter was, therefore, to provide a summary of the findings from the data collected and the analysis thereof, to make recommendations, and draw conclusions.

Furthermore, the findings of this study can be interpreted in relation to the theory of desperation, which was developed by Mtapuri and Myeni (2020). This theory is relevant in providing further interpretation and analyses of the finding of this study. It

argues that the underprivileged people resort to land invasions out of a need to secure shelter for their households, using available materials, and their own life skills. They are often, not able to assess the viability of the locations they often invade, with such dwellings being in any area, irrespective of whether the area is ecologically and environmentally viable (Mtapuri & Myeni, 2020). This theory argues that “reclaiming place (land) becomes an imperative, which manifests when people occupy spaces which are uninhabited and in other instances integrate themselves into spaces reserved for the lifestyle of the elites” (Mtapuri & Myeni, 2020: 24).

## **6.4. RECOMMENDATIONS**

### **6.4.1. Collaborative Response**

There is a clear difference of perspectives between the state and the informal settlement communities, especially those that have established their settlements through land invasions. The two parties must reach a common understanding and work towards having a similar perspective of land invasions. This understanding should include the rationale for land invasion, and how the state’s response affects communities involved. This will ensure that both parties have a better understanding of the consequences of their respective actions. This will also solicit better responses from the government that would be accepted by both parties.

Acts of land invasion are manifestations of the desperation but also a will to self-help on the part of those involved. So far, government’s responses have been mostly negative as they (government) view land invasions as an illegal process – hence they resort to security and legal responses. While government’s response passes the legal test, it falls short on the ethical aspects as the eviction processes are inhumane and punitive. This is not helping to curb land invasions as they are borne out of desperation to have shelter. Therefore, there is a need for a mutual intervention that will not vilify self-help, but rather guide it.

The findings of this study also revealed that unemployment in this area is rife. The responses that government is implementing should include a collaborative response to the effect that the labour involved in the project should prioritise job opportunities and skills transfer for those the projects is intended to benefit. The employment of local people should not be limited to general works of the project, but also the appointment into the land invasion structures that the government established to fight land invasions.

#### **6.4.2. Inclusive Housing Settlements**

The Informal Settlements Upgrading projects are state driven, and do not accommodate households that do not qualify for subsidies, or those that are not interested but opting to self-build their homes. There is evidence that suggests that some people have built by themselves in a decent manner without state subsidy. It is, therefore, recommended that the state consider endorsing such cases – instead of demolishing well-built structures and destroying possessions.

While Cato Manor is home to multiple races, it would appear that based on the findings, acts of land invasions are carried out mostly by Africans and less by other races. Given that the same areas have a long history of racial tensions and property contestations between Africans and Indians (Gigaba & Maharaj, 2008), I recommend that the municipality flags Cato Manor for social integration. When evictions are carried out the message sent out is that those being evicted are not welcomed in the area – especially after people have occupied government owned land.

Being centrality located within the eThekweni Metro, Cato Manor presents a good opportunity for multiple factors of inclusivity – these are economic, spatial, racial and gender. Economically the area is well located and is in proximity to areas of opportunities and trade. There is an economic benefit for residents of Cato Manor in the sense that its location minimises transportation costs within Durban. This caters for the accessibility needs of the poor in Cato Manor – hence the spatial and economic inclusivity.

Racial inclusion is also another opportunity presented by the locality of Cato Manor in the sense that the current housing programmes mainly cater for areas that are predominantly African, making the BNG houses to be associated with one race and poverty. This, therefore, leads to a stigma associated with BNG houses – hence, high-income residential areas around them reject this concept. Such a rejection, based on the notion of the “Not in My Back Yard (NIMBY)”, can translate into unwillingness for class and racial integration. Therefore, the government has a responsibility to facilitate social cohesion, thus racially inclusive settlements are part of this responsibility.

#### **6.4.3. Planning for Settlement Growth**

It is interesting to note that many people who are considered invaders originally come from within the borders of the eThekweni Metro, with a sizeable portion from within

Cato Manor itself. Thus, I recommend that the municipality, as the custodian of town planning, conduct forward planning for settlements such as Cato Manor to cater for their expansion, which is attributed to population growth.

Poverty and a need for shelter are both an increasing reality in South Africa. The data collected in Cato Manor bears evidence to this. There is a great need for the municipality to proactively plan for settlement growth by designating land parcels where people can establish their shelters within the parameters of municipal by-laws. Due to the prevailing poverty and high rates of unemployment, more people will fall within the subsidy threshold, which will further, add on to the housing backlogs – against the backdrop that government is struggling to deliver adequate housing for all its low-income citizens. This, therefore, means that the need for shelter will only grow while government housing delivery falls short and behind the housing backlogs. Therefore, planned settlements, including informal settlements, are recommended as a better response to the backlog in housing delivery.

#### **6.5. FUTURE RESEARCH**

This study has its limitations – as it focused only on exploring the effects of land invasion on government's project on the upgrading of informal settlements in Cato Manor, Durban. Therefore, future research can explore the advantages and attractions of land invasion from the perspective of those involved in these acts.

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## Appendices

### Questionnaires

#### eThekwini Metro Interview Questionnaire

##### INTERVIEW SCHEDULE AND PROTOCOL

###### A. BACKGROUND

1. Give me the background about Cato Manor area (e.g. population size and composition)

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2. What type of housing initiative/Programme that your municipality is involved with, in Cato Manor?

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3. What do you understand by Informal Settlements Upgrading?

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4. What were the reasons for choosing the Informal Settlements Upgrading project type in Cato Manor?

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5. When did the project start?

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6. Does the Informal Settlements Upgrading project in Cato Manor have phases and if yes, how many phases is the project divided?

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7. How many housing units have you completed so far in each phase?

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8. What is the responsibility of the eThekweni municipality in process of housing provision and in this project in particular?

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9. Why *in situ* upgrading option was adopted?

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**B. LAND INVASIONS**

10. Who manages the waiting list for state housing subsidies regarding informal settlements upgrading project in Cato Manor?

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11. Who is **officially** responsible for site allocations?

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12. Who is **un-officially** perceived to be responsible for site allocations?

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13. Are you aware of any recent reports of land invasion cases?

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14. What is the position of the municipality regarding land invasions? (choose below)

- a. The municipality condemns land invasions.
- b. The municipality condones land invasions.
- c. The municipality position is neutral.
- d. Do not know.
- e. Other  specify.

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15. How does land invasion affect the department in the municipality?

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16. What are the measures in place by the municipality to deal with land invasions?

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17. Do you think the housing provision will address land invasion problems?

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18. Does the housing Programme contribute to increase or reduction of land invasion in Cato Manor?

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19. Do you find it difficult to identify appropriate land suitable for low-cost housing?

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20. Do you think beneficiaries have access to land they occupy as an attempt to reduce poverty and empower communities?

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21. What type of tenure is offered to the beneficiaries?

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22. Do you encounter challenges of tenure to improve shelter conditions of the invaded beneficiaries?

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23. What are impacts of land invasion on tenure status?

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**C. POLICIES AND PRACTICES**

24. Are you aware of the legislative frameworks for dealing with land invasions?

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25. Do you have any policy or by-law(s) in place to deal with land invasions?

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26. Do government policies and institutions provide appropriate conditions for dealing with land invasions?

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27. Has any of the above been applied Cato Mano? If yes how?

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**KZN Human Settlements Interview Questionnaire**

**INTERVIEW SCHEDULE AND PROTOCOL**

**KZN HUMAL SETTLEMENTS**

**D. BACKGROUND**

28. Give me the background about Cato Manor area (e.g. population size and composition).

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29. What type of housing initiative/Programme that your department is involved with, in Cato Manor?

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30. What do you understand by Informal Settlements Upgrading?

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31. What were the reasons for choosing the Informal Settlements Upgrading project type in Cato Manor?

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32. When did the project start?

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33. Does the Informal Settlements Upgrading project in Cato Manor have phases and if yes, how many phases is the project divided?

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34. How many housing units have you completed so far in each phase?

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35. What is the responsibility of the KZN Human Settlements department in process of housing provision and in this project in particular?

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36. Why *in situ* upgrading option was adopted? -

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**E. LAND INVASIONS**

37. Who manages the waiting list for state housing subsidies regarding informal settlements upgrading project in Cato Manor?

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38. Who is **officially** responsible for site allocations?

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39. Who is **un-officially** perceived to be responsible for site allocations?

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40. Are you aware of any recent reports of land invasion cases?

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41. What is the position of the department regarding land invasions? (choose below)

- a. The department condemns land invasions.
- b. The department condones land invasions.
- c. The department's position is neutral.
- d. Do not know.
- e. Other, specify.

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42. How does land invasion affect the department?

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43. What are the measures in place by the department to deal with land invasions?

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44. Do you think the housing provision will address land invasion problems?

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45. Does the housing Programme contribute to increase or reduction of land invasion in Cato Manor?

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46. Do you find it difficult to identify appropriate land suitable for low-cost housing?

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47. Do you think beneficiaries have access to land they occupy as an attempt to reduce poverty and empower communities?

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48. What type of tenure is offered to the beneficiaries?

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49. Do you encounter challenges of tenure to improve shelter conditions of the invaded beneficiaries?

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50. What are impacts of land invasion on tenure status?

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**F. POLICIES AND PRACTICES**

51. Are you aware of the legislative frameworks for dealing with land invasions?

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52. Do you have any policy or by-law(s) in place to deal with land invasions?

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53. Do government policies and institutions provide appropriate conditions for dealing with land invasions?

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54. Has any of the above been applied Cato Mano? If yes how?

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**Abahlali Basemjondolo Interview Questionnaire**

**A. Background**

**INTERVIEW SCHEDULE AND PROTOCOL**

**G. BACKGROUND**

55. Give me the background about Cato Manor area (e.g. population size and composition).

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56. What type of housing initiative/Programme that your municipality is involved with, in Cato Manor?

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57. What do you understand by Informal Settlements Upgrading?

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58. What were the reasons for choosing the Informal Settlements Upgrading project type in Cato Manor?

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59. When did the project start?

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60. Does the Informal Settlements Upgrading project in Cato Manor have phases and if yes, how many phases is the project divided?

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61. How many housing units have you completed so far in each phase?

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62. What is the responsibility of the eThekweni municipality in process of housing provision and in this project in particular?

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63. Why *in situ* upgrading option was adopted?

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#### H. LAND INVASIONS

64. Who manages the waiting list for state housing subsidies regarding informal settlements upgrading project in Cato Manor?

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65. Who is **officially** responsible for site allocations?

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66. Who is **un-officially** perceived to be responsible for site allocations?

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67. Are you aware of any recent reports of land invasion cases?

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68. What is the position of the municipality regarding land invasions? (choose below)

- a. The municipality condemns land invasions.
- b. The municipality condones land invasions.
- c. The municipality position is neutral.
- d. Do not know.
- e. Other  specify.

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69. How does land invasion affect the department in the municipality?

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70. What are the measures in place by the municipality to deal with land invasions?

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71. Do you think the housing provision will address land invasion problems?

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72. Does the housing Programme contribute to increase or reduction of land invasion in Cato Manor?

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73. Do you find it difficult to identify appropriate land suitable for low-cost housing?

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74. Do you think beneficiaries have access to land they occupy as an attempt to reduce poverty and empower communities?

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75. What type of tenure is offered to the beneficiaries?

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76. Do you encounter challenges of tenure to improve shelter conditions of the invaded beneficiaries?

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77. What are impacts of land invasion on tenure status?

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**I. POLICIES AND PRACTICES**

78. Are you aware of the legislative frameworks for dealing with land invasions?

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79. Do you have any policy or by-law(s) in place to deal with land invasions?

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80. Do government policies and institutions provide appropriate conditions for dealing with land invasions?

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81. Has any of the above been applied Cato Mano? If yes how?

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**Cato Manor Household Survey Questionnaire**



**UNIVERSITY OF <sup>TM</sup>  
KWAZULU-NATAL**

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**INYUVESI  
YAKWAZULU-NATALI**

**GEOGRAPHICAL LOCATION**

**Name of Local Municipality .....**

**Ward Number .....**

**Name of Informal Settlement .....**

**Household Number .....**

## 1. DEMOGRAPHIC INFORMATION OF RESPONDENT

*(Area of information concerns respondent information especially those who are beneficiaries of government subsidies and owners)*

**1.1. Name of respondent ..... Position in Household.....**

*(Use first name of respondent for possible return for data clarity)*

**1.2. Age structure (At last birthday)**

19-24	<input type="text" value="1"/>
25-34	<input type="text" value="2"/>
35-44	<input type="text" value="3"/>
45-64	<input type="text" value="4"/>
Over 65	<input type="text" value="5"/>

**1.3. Gender (Tick relevant box)**

Male	<input type="text" value="0"/>
Female	<input type="text" value="1"/>

**1.4. Marital Status (tick relevant box)**

Married	<input type="text" value="1"/>
Living together like husband and wife	<input type="text" value="2"/>
Widow/widower	<input type="text" value="3"/>
Divorced or separated	<input type="text" value="4"/>
Single	<input type="text" value="5"/>

**1.5. Does your spouse/partner live in this household? (Tick relevant box)**

Yes	<input type="text" value="1"/>
No	<input type="text" value="0"/>

**1.6. Population group belonging to (Tick relevant Box)**

Black/African	<input type="text" value="1"/>
Coloured	<input type="text" value="2"/>
Indian/Asian	<input type="text" value="3"/>
	<input type="text" value="4"/>

White

Other, specify

## 2. EDUCATION

2.1. Do any of the household members attend/attended any educational institution? (Tick box)

Yes

No

2.2. What is ..... highest level of education completed (For this section, choose one member as representative member from the list in (2.1.1.)

- |  |                                 |
|--|---------------------------------|
| Primary education (Grade R/0 to 7)             | <input type="text" value="1"/>  |
| Secondary education (Grade 8 to 12)            | <input type="text" value="2"/>  |
| Certificate with less than grade 12            | <input type="text" value="3"/>  |
| Diploma with less than grade 12                | <input type="text" value="4"/>  |
| Diploma with grade 12                          | <input type="text" value="5"/>  |
| Higher diploma (Technikon/University of tech.) | <input type="text" value="6"/>  |
| Post higher diploma                            | <input type="text" value="7"/>  |
| Bachelors' degree                              | <input type="text" value="8"/>  |
| Honours degree                                 | <input type="text" value="9"/>  |
| Higher degree                                  | <input type="text" value="10"/> |
| Other (Specify)                                | <input type="text" value="11"/> |

## 3. HOUSEHOLD INFORMATION

*This household information section concerns people who have been staying over a duration of a year in a dwelling unit to date, within the household occupied by the respondent.*

3.1.1. Number of adults living in household (from 18 years) (Tick box)

- |                         |                                |
|-------------------------|--------------------------------|
| Less than 5 people      | <input type="text" value="1"/> |
| Between 5 and 10 people | <input type="text" value="2"/> |
| Between 11 to 20 people | <input type="text" value="3"/> |
| More than 20 people     | <input type="text" value="4"/> |

**3.1.2. Number of children living in household (up to 17 years) (Tick box)**

- |                         |                          |
|-------------------------|--------------------------|
| Less than 5 people      | <input type="checkbox"/> |
| Between 5 and 10 people | <input type="checkbox"/> |
| Between 11 to 20 people | <input type="checkbox"/> |
| More than 20 people     | <input type="checkbox"/> |

**3.1.3. Head of household employment status (Tick relevant box)**

- |                                 |                          |
|---------------------------------|--------------------------|
| Employed (formal non-farm)      | <input type="checkbox"/> |
| Employed (informal non-farm)    | <input type="checkbox"/> |
| Self-employed (non-farm)        | <input type="checkbox"/> |
| Farmer                          | <input type="checkbox"/> |
| Unemployed (looking for work)   | <input type="checkbox"/> |
| Home care/domestic work         | <input type="checkbox"/> |
| Not economically active/retired | <input type="checkbox"/> |
| Other (Specify)                 | <input type="checkbox"/> |
- 

**3.2. What is the total household income from the last month (Local currency)**

*This question is based on regular income from all household members, excluding gifts.*

- |                  |                          |
|------------------|--------------------------|
| Less than R500   | <input type="checkbox"/> |
| R501-R1000       | <input type="checkbox"/> |
| R1001-R3000      | <input type="checkbox"/> |
| R3001-R5000      | <input type="checkbox"/> |
| R5001-R10000     | <input type="checkbox"/> |
| More than R10000 | <input type="checkbox"/> |

**3.2.1. Do you collect rent for part of the property? (Tick box)**

- |     |                          |
|-----|--------------------------|
| Yes | <input type="checkbox"/> |
| No  | <input type="checkbox"/> |

**3.2.2. If yes, how much do you collect monthly on average? (Tick relevant box)**

- |                |                          |
|----------------|--------------------------|
| Less than R500 | <input type="checkbox"/> |
| R501-R1000     | <input type="checkbox"/> |
| R1001-R3000    | <input type="checkbox"/> |
|                | <input type="checkbox"/> |

R3001-R5000

R5001-R10000

More than R10000

5

6

**3.3. Which of these income sources is the largest/main income of your household? (Tick one box only)**

Wages from work

1

Profits from a business

2

Rental income of part of the property

3

Rental income of properties of investment elsewhere

4

Money from relatives and friends

5

Social grants including pension

6

Private insurance

7

Other, (specify)

8

.....

**3.3.1. How much is the largest source of income is from 3.9 a month? (Tick one box only)**

Less than R500

1

R501-R1000

2

R1001-R3000

3

R3001-R5000

4

R5001-R10000

5

More than R10000

6

Don't know

7

**3.4. How much is the average household expenditure per month? (Tick box)**

Less than R500

1

R501-R1000

2

R1001-R3000

3

R3001-R5000

4

R5001-R10000

5

More than R10000

6

Don't know

7

**4. HOUSING**

**4.1. Total number of buildings besides the main building.....**

**4.2. What are the main walling materials used for the household dwelling (Tick box)**

- Bricks  1
- Cement block  2
- Corrugated iron/zinc  3
- Wood  4
- Plastic  5
- Mud  6
- Other, (specify)  7 .....

**4.3. In what conditions are the walls and roof? (Tick box)**

- Very weak  1
- Weak  2
- Needs minor repairs  3
- Good  4
- Very good  5

**4.4. When was the main dwelling originally built? (Tick box)**

- 0 to 5 years ago  1
- 6 to 10 years ago  2
- 11 to 15 years ago  3
- 16 to 20 years ago  4
- 21 to 25 years ago  5
- 26 to 35 years ago  6
- 36 to 50 years ago  7
- More than 50 years  8
- Don't know  9

**4.5. Has any of the household members benefited in government housing subsidy?**

- Yes  1
- No  0

4.6. If yes above, who and where? .....

**5. LAND (This section includes legal ownership to the land and dwelling unit)**

**5.1. Who in the household first acquired access to the land/property?**

(Name).....

**5.2. Relationship to the respondent (Tick box)**

- Spouse  1
- Parent  2
- Sibling  3
- Other relative  4
- Friend  5
- Landlord  6
- Other (specify)  7 .....

**5.3. Do you have registered title to the land? (Tick box)**

- Yes  1
- No  0

**5.3.1. If yes, with whom is it registered? .....**

**5.3.2. If not, how secure do you consider your tenure is? (Tick box)**

- Very secure/have a contract/title deed  1
- Secure/verbal agreement/traditional rights  2
- Insecure/have no agreement but not concerned  3
- Insecure/have no agreement and am concerned  4

**6. EMPLOYMENT**

**6.1. Are there any employment opportunities in the area? (Tick box)**

- Yes  1
- No  0

**6.1.1. If yes, how far are they from the household? (Tick box)**

- 0 to 500m  1
- 501m to 1km  2
- 1.1km to 2km  3
- 2.1km or more  4

**6.1.2. Are these formal, informal employments, within this distance? (Tick box)**

- Formal  1
- Informal  2
- Both  3

**6.2. During the last calendar week (Sunday to Saturday) did respondent work for a wage, salary, commission or any payment in kind (including domestic work), even if it was an hour? (Tick box)**

- Yes  1
- No  0

**6.3. During the last calendar week (Sunday to Saturday) did respondent run or do any kind of business, big or small, for yourself or anyone? (e.g commercial farming, selling things etc.) (Tick box)**

- Yes  1
- No  0

**6.4. During the last calendar week (Sunday to Saturday) did respondent help without being paid in any kind of business, run by his/her household? (Tick box)**

- Yes  1
- No  0

**6.5. What means of transport is used to get to place of employment? (Tick box)**

- Office is at home  1
- Walking  2
- Taxi  3
- Bus/mini bus  4
- Private vehicle  5
- Other (specify)  6 .....

**6.6. What was the main reason for not trying to find work or starting a business during the past four calendar weeks? (Tick box)**

- Awaiting the season for work  1
- Waiting to be recalled to former job  2
- Health reasons  3
- Pregnancy  4
- Disabled or unable to work  5

Housewife/homemaker

Retired

Other (specify)

.....

**7. LAND INVASION**

**7.1. How long you have been staying in Cato Manor? (choose one below)**

Month and less

Over a month but less than a year

Over one year

Cannot recall

Not applicable

Other (specify).....

**7.2. Where did you reside before the current dwelling? (choose one below)**

Within Cato Manor but elsewhere

Outside Cato Manor but within Ethekewini

Outside Ethekewini but within KwaZulu-Natal

Outside KwaZulu-Natal but within South Africa

Outside South Africa. Specify.....

**7.3. How did you come to know about the invasion? (choose one below)**

Friend

Neighbour

Relative

At work

Other (specify).....

**7.4. What is the main reason to participate? (choose one below)**

Need for land

Proximity to place of work/opportunities

Need for shelter

Alternatives not available

Other (specify).....

**7.5. Participation during invasion planning (choose one below)**

- Did not participate  1
- Somehow participated  2
- Participated extensively  3
- Sponsored the invasion activities  4
- Other (specify).....

**7.6. Emotions during invasion (choose one below)**

- Excited  1
- Fearful  2
- Mixed  3
- Not Applicable  4
- Other (specify).....

**7.7. Resistance expected during invasion (choose one below)**

- None  1
- Very limited  2
- Limited  3
- A lot of resistance  4
- Aggression  5
- Other (specify).....

**7.8. Resistance experienced during invasion (choose one below)**

- None  1
- Very limited  2
- Limited  3
- A lot of resistance  4
- Aggression  5
- Other (specify).....

**7.9. Do you think that land invasion is a solution to lack of access to housing?**.....  
.....  
.....

**7.10. Do you think that invaded land should be upgraded through informal settlements upgrading?**.....  
.....

## Ethical Clearance



28 August 2017

Mr Sthembiso Mthembu (202522570)  
School of Built Environment & Development Studies  
Howard College Campus

Dear Mr Mthembu,

Protocol reference number: HSS/1512/017M

Project title: Exploring the effects of land invasion on government in the upgrading of informal settlements in Cato Manor, Durban

### Approval Notification – Expedited Application

In response to your application received on 23 August 2017, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

**PLEASE NOTE:** Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

Dr Shamiia Naidoo (Deputy Chair)

/ms

Cc Supervisor: Dr Sithembiso Myeni  
Cc Academic Leader Research: Professor O Mtapuri  
Cc School Administrator: Ms Nolundi Mzolo

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### Humanities & Social Sciences Research Ethics Committee

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Founding Campuses: Edenwood Howard College Medical School Pietermaritzburg Westville