Practices of Furtive Commoning in the [Post]Apartheid, [Post]Colonial City of Cape Town, South Africa

by Anna Longrigg

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Author's Declaration

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

I understand that my thesis may be made electronically available to the public.

Abstract

Contemporary neoliberal policies in Cape Town, South Africa repeat and perpetuate colonial and apartheid era patterns of socio-spatial segregation. These patterns result in the sustained *quiet encroachment* of informal settlements from the periphery and the emanating *silent enclosure* of valuable land from the city centre. The consequence is a furtive battle of the *commons*; an understated and often inaudible competition for open space. While the poor and historically oppressed strive to live dignified lives in the city by creating and occupying informal *precarious commons*, the white and wealthy increasingly fortify and secure public land into gated communities and City Improvement Districts (CIDs). These *anemic commons*, attempt to mitigate the white fear of the 'other', and to achieve the 'utopian' lifestyle promised during apartheid. This thesis explores the inaudibility of this *furtive commoning* as a strategy for both fugitivity and survival, as well as control and evasion.

Through analyzing, drawing, and photographing the often understated occupation patterns within the urban fabric of Cape Town, my work brings an architectural and spatial perspective to a topic often tackled by sociologists, political theorists, and planners. In the investigation of both the *silent enclosure* of the *anemic commons* and *quiet encroachment* of the *precarious commons*, and the mapping of relationships between them, I will paint a picture of how these seemingly disparate architectural practices, are working against one another, despite their common goals of home, security, and family life. The ambition of my thesis is; to draw attention to the role of the citizen in conjunction with state policy and policing in shaping the city and its divides, and to illustrate how race, class, and privilege grant some citizens more voice, power, and security in the process.

Positioning Statement

Before beginning this thesis, it is important that I position myself as a visitor to Cape Town. I grew up in southern Ontario, but was always felt connected to my South African background. For me, Cape Town was place of childhood magic and adventure. It was a place where I got to see my family, of beach days, and of weeks outside exploring my grandmother's never-ending garden. The smells, textures, and vibrancy are imprinted on the deepest corners of my memory. However, even as a child, there was an unspoken awareness that there are two Cape Towns. There is the Cape Town of my family vacations; of my cousins' day to day lives; of lush properties and blue swimming pools, concealed by walls and upkept by labourers. Then there is the Cape Town that is home to Pumla, a domestic live-in who has worked for my grandparents for her entire adult life. She took care of myself and my cousins as children, but in order to gain employment was forced to leave her own family and child behind in the Transkei— a Black rural reserve area set aside for Xhosa speaking people by the apartheid government.

Much of my extended family remains in various white suburbs around Cape Town, but my parents immigrated from apartheid South Africa to Canada in the late 1980s before starting a family of their own. My ancestors arrived in Cape Town in the 1800s, and were part of the various waves of settlers from Europe in the generations following the city's initial colonization. As a result both my maternal and paternal family's access to property, employment, education, and capital have been predicated on multiple cyclical systems of racial oppression. For this reason my identity as a South African, and my position as a researcher writing about race in Cape Town, is contentious.

Much of the courage to tackle this topic came from decolonial educator Nikki Sanchez. I had the privilege of attending one of her workshops in 2019, where she invited attendees to explore the question; "can you name the territory and nation's land on which your grandmothers were born?" Sanchez believes that continued colonization is contingent on historical amnesia; a muting and forgetting of violent and painful histories. If we collectively do the work to uncover and recognize long-standing patterns of oppression, it becomes much harder to remain complicit in ongoing systemic violence.

With this perspective, understanding the racial-spatial histories and systems which have shaped the city of Cape Town became an essential part of my architectural education. Colonization and systemic racism are global phenomenons, and understanding their impact on the spaces, land, and cities in which we live, is vital to producing a generation of architects who practice more responsibly, ethically, and empathetically. Sanchez's lesson was that decolonization remains the responsibility of the colonizer— and the first step in the work towards a more equitable future, is uncovering our own narratives and privileges. I feel incredibly lucky to have had this time as a graduate student to begin this work for myself.

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 Photo by author.

Cape Town's colonial and apartheid histories of dispossessing Black Africans of land and home has given rise to a city predicated on mass urban exclusion. The deliberate and calculated racial fragmentation of the city during these eras was achieved through complex legislative frameworks, which attempted to silence the Black population, while securing white access to property, capital, and political power in the city centre. As represented in figure 1.1, the South African segregated city was ordered such that the largest and most central sections of the city were reserved for the white population. The 'Coloured' population was relegated to a secondary urban zone; pushing African work-camps, townships, and informal occupations to the outer strata of the urban sphere. Additionally industrial and open undeveloped areas were used as buffer zones between residential groupings, reducing the risk of racial mixing. This urban exclusion through racial categorization was upheld with violent policing tactics and white citizen-deputization.

In the waning years of apartheid, the organization of the racial city was destabilized, as the Black and poor increasingly asserted their *right to the city* through practices of *quiet encroachment;* informally erecting structures and occupying unclaimed land in urban areas.⁴ Sociologist Asef Bayat coined the term *quiet encroachment*, describing it as the quiet, "protracted, but pervasive advancement of the ordinary people on the propertied and powerful in order to survive their lives." The furtivity of this encroachment onto the segregated city was a deliberate strategy, one which avoided notice and consequently eviction, removal, and relocation.

The stealth of *quiet encroachment* borrowed informal settlements enough time to mature into what I name as, the *precarious commons*, with robust numbers and infrastructures. These urban commons are constructed and solidified through networks of care, collective saving schemes, and shared resources; all which facilitate the quotidian practices of poorest communities within the bounds of the city. The *precarious commons* grant the poor and Black a sense of security, autonomy, and voice in the absence of the rights and protections afforded to citizens and property owners (see figure 1.2).

In the transition to a post-apartheid democratic society, the intensifying *quiet encroachment* of the poor and Black onto under-utilized land in Cape Town was met with a mass *silent enclosure* of urban space into gated communities, privately policed improvement districts, and large family estates (see figure 1.3). The silence of this *silent enclosure* was identified by urban geographer Manfred Spocter, who recognized the fact that the general public is not privy to these processes of privatization, which occur behind bureaucratic 'red tape,' strategically allowing the poor very little

¹ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 602.

² Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home.

³ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 126.

⁴ Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 153.

⁵ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 545.

 $^{6\,}$ $\,$ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions lawin Post-Apartheid South Africa," no. 4, 431.

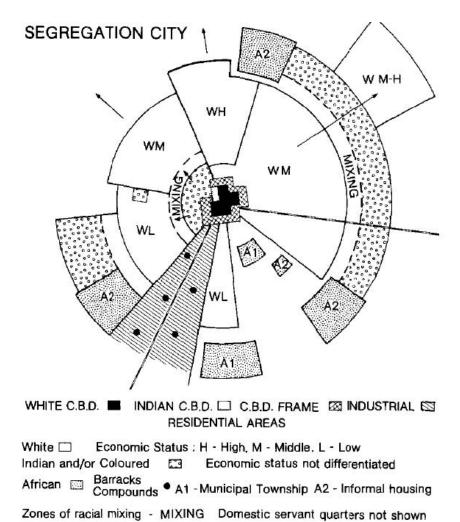


Figure 1.1 Diagram of the Spatial Formation of the Segregated City. 1981. Diagram by R.J Davis. Retrieved from: GeoJournal Supplementary, Issue 2, 1981: 59-72, p. 64



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Figure 1.2 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.



Figure 1.3 Stonehaven gated community, Noordhoek, Cape Town. 2021. Photo by author.

opportunity to organize in opposition. This pattern of neoliberal spatial exclusion remains furtive and underhanded in its motivations, as rhetorics of fear and fiscal discipline replace racial classification, subordination, and sanitation as justification for intensifying urban fortification and segregation.⁷

What results is the creation of what I call, the *anemic commons*. Members of gated communities and improvement districts pool resources to hire private security companies, upkeep gardens, improve refuse removal, and provide large spaces for shared use. In order to be accepted into the *anemic commons*, commoners must not only contribute significantly financially, they must also conform to the silent nature of the enclosure; maintaining pristine gardens, adhering to the strict architectural and aesthetic guidelines, and behaving in a subdued manner. In return *anemic commoners* are granted access to a vast estate, with lush amenities, free from unwanted disturbances. These exclusive commons are *anemic* in nature because they lacks the vitality and revolutionary energy of a true commons. The *anemic commons* are motivated by capital and real estate values rather than by mutual-aid and collective care.

In contemporary Cape Town the *quiet encroachment* of the *precarious commons* and the *silent enclosure* of the *anemic commons* has created a race for land and home. This mounting competition and friction solidifies racial and ethnic camaraderie as both groups feel as though their place in the city is tenuous. However, when the white and wealthy continue to hold a majority of the wealth, political voice, and private property in the city, this competition for space and access is imbalanced. What results is a fragmented city locked in time, one which remains largely segregated along colonial and apartheid lines of division.

Defining the Commons in Cape Town

Access to quality education, sanitation and water services, security, and open space are key differentiators between the *anemic* and *precarious commons* (see figures 1.4 through 1.7). While shared space and services contribute to the functioning and quality of an urban commons, they are not enough to amount to spaces of commoning. According to economic geographer, David Harvey, commoning requires citizens to appropriate urban public space into a commons through collective political action.⁸ Political theorist Massimo De Angelis, argues that the commons should not be confused with common resources, but rather the social systems within which resources are able to be pooled. The commons is governed communally, and members participate in "a form of social labour that has a direct relation to the needs, desires and aspirations of the commoners in given contexts... Thus, commons come in many shapes and sizes." The commons can be conceived of as a productive space for everyday citizens to gather in solidarity to challenge inequities in the urban sphere; a space for mutual aid and networks of care to overcome the power and pressures of capital in the neoliberal city. Alternatively,

⁷ Lemanski, "A New Apartheid? The Spatial implications of Fear of Crime in Cape Town, South Africa," no. 2, 102.

⁸ Harvey, Rebel Cities: From the Right to the City to the Urban Revolution, 73.

⁹ De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 627.



Figure 1.4 Silvertree gated community, Westlake, Cape Town. 2021. Photo by author.



Figure 1.5 Public housing, Westlake, Cape Town. 2021. Photo by author.



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Figure 1.6 Shared pathway, gardens, and pond in Tokai Estate, Tokai, Cape Town. 2021. Photo by author.

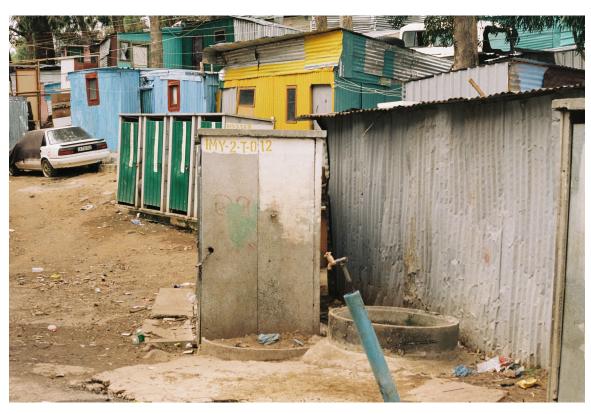


Figure 1.7 Shared toilet, stand pipe, and basin in Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.

the aspirational vision of the commons typology can be co-opted and misused by developers, creating exclusionary urban oases for the elite.

With the knowledge that both the rich and the poor can practice commoning in order to create community around a shared political goal, it can be concluded that 'illegal' land occupations through *quiet encroachment* are practices of commoning by the poor and historically oppressed fighting to express their right to inhabit and shape the city; while the *silent enclosure* of public space through CIDs, gated communities, and fortified estates are also acts of commoning, but by European-colonial-elite taking it upon themselves to protect their accustomed access wealth and property. Both groups come together with their chosen communities to fulfill the needs and desires of the group, and to compensate for the perceived failure of the state.

Architectural Research Approach

The fragmentation of the city of Cape Town has many layers; historical, political, economic, social and cultural. Ultimately these layers are expressed spatially and architecturally through the construction of the *anemic* and *precarious commons*.

Both typologies of the commons occupy land furtively, without fanfare or statement, securing land while avoiding notice and backlash from opposing forces. This inaudible claiming of space is reinforced through architectural interventions, which facilitate surreptitious places of domesticity. The white-elite anonymously live their domestic lives behind blank facades, high walls, and gates; maintaining an image of exclusivity, while avoiding unwelcome interactions with poverty (see figure 1.8). The poor and Black retreat into the density and impenetrability of informal settlements, relying on community networks to maintain a sense of safety while resisting state violence and removals (see figure 1.9). The *anemic* and *precarious commons* come together to produce an urban fabric of what I call, *furtive commons*, existing within the same city, sometimes side by side, but never overlapping, and rarely interacting.

The current state and citizen mode is to criminalize and categorize squatting as problematic to the process of city-making. Through my architectural perspective, I suggest that the responsibility for the stagnation of the city of Cape Town be placed back upon the construction and fortification of 'white' or *anemic* spaces, which are inaccessible and hostile to a large proportion of the population. *Anemic* architectures have become a prominent tool in creating new lines of division in the post-apartheid city.¹⁰ Where policies of segregation provided white Europeans with a sense of security into the 1990s, citizen erected walls, gates, and private security companies now act as substitutes for state control.

 $^{10~\,}$ Lemanski, "A New Apartheid? The Spatial implications of Fear of Crime in Cape Town, South Africa."



Figure 1.8 Walled street, Claremont Improvement District, Cape Town. 2021. Photo by author.



Figure 1.9 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.

Methodology

By employing practices of mapping, architectural drawing, photography, and fieldwork, I was able to approach understanding the fragmentation of the city of Cape Town from a number of scales. Beginning with the territorial scale, processes of mapping unearthed the role of the *furtive commons* in the contemporary condition of the city. By combining GIS data with aerial imagery, and overlaying up-to-date spatial data with historical realities, I was able to reveal continuities between past and present urban conditions, while also making new connections between seemingly disparate spatial phenomena.

Through mapping, I was able to identify and isolate areas which transgress apartheid spatial norms in the contemporary city. Architectural drawing techniques were then used to zoom in on these neighbourhoods of interest, investigating how residential enclosures and informal density interact when in close proximity. Drawing these urban conditions at a more detailed architectural scale uncovered the subtle and understated ways in which processes of isolation and erasure are perpetuated within historically European zones of the city, despite instances of mixed racial census data.

Finally, by walking through divided neighbourhoods, tracing the perimeter of the *furtive commons* physically, I gained a deeper understanding of how these spaces shape the city at the human scale. Photography is used to illustrate the main mechanisms by which the *anemic* and *precarious commons* can be architecturally identified, and as a visual tool to accompany and reinforce the text throughout (see figures 1.10 and 1.11).

Mapping, architectural drawing, and photography are combined to communicate the spatial and architectural characteristics of the *furtive commons*, their positionality and dominance in the city, and the apparatuses which make these commons furtive in nature.



Figure 1.10 Masiphumelele informal settlement, Noordhoek, Cape Town. 2021. Photo by author.



Figure 1.11 Fortified residential estate, Bishops Court, Cape Town. 2021. Photo by author.

Chapter Summaries

2.0 Quiet Encroachment of the Precarious Commons: Colonial and Apartheid Cape Town

Chapter two spans the time period between the colonization of Cape Town in 1652 and the beginning of the fall of apartheid in the late 1980s. It briefly outlines the significant spatial events which facilitated the segregation of the city of Cape Town, as well as moments of transgression, as people of colour furtively resisted control and removal through *quiet encroachment*. This *quiet encroachment* developed through word-of-mouth and networks of kin into boundaried, yet *precarious commons*; fixing the poor and Black within the urban sphere.¹¹

In chapter two I argue that it was ultimately the everyday practices of *quiet encroachment* of the poor which forced the failure of the racial city. In their daily persistence, squatters chipped away at the purity of the apartheid regime, leading to its ultimate collapse.

3.0 Neoliberal Silent Enclosure of the Anemic Commons, Housing, and Infrastructure

Chapter three moves through Cape Town's transition from the apartheid to post-apartheid era, or from the late 1980s until the early 2000s.

While the poor and Black continued to struggle to realize their *right to the city* through illegal squatting, the wealthy scrambled to maintain the status quo through the *silent enclosure* and fortification of the *anemic commons*. Where the silence of this *silent enclosure* differs from the quietness of the *quiet encroachment* of the poor is that it can be attributed to control, surveillance, and evasion, rather than to fugitivity and insurgence. This privilege of choice as to whether to be heard or perceived is "inextricably connected to the question of who is recognized as a subject in the public, political sphere." The coded legibility of whiteness is recognized as pure and therefore powerful. The informality and illegibility of Black domesticity is relegated to senseless, illiterate, and criminal.¹³

In chapter three I argue that the neoliberalization of the city of Cape Town, which has allowed for the unfettered *silent enclosure* of the city and its services, has handed power back to the white and propertied, preventing true post-apartheid redistribution and reconciliation.

4.0 Furtive Commoning in Contemporary Cape Town

Chapter four brings together practices of *furtive commoning* (*quiet encroachment* and *silent enclosure*) in the post-colonial, post-apartheid contemporary context of Cape Town.

The perpetual racial-spatial inequity in the city of Cape Town results in a self-defeating hypercycle of commoning and enclosure.¹⁴ As the white and wealthy

¹¹ De Angelis, "Social Revolution and the Commons."

¹² Navin Brooks, "Fugitive Listening: Sounds from the Undercommons," 26.

¹³ Ibid

¹⁴ De Angelis, "Social Revolution and the Commons."

enclose historically European areas of the city, making them increasingly inaccessible and uninhabitable, there is a growing need for the poor and racialized to produce their own urban housing. This *quiet encroachment* destabilizes the spatial and economic position of the white-elite, who then rationalize their response of further architectural fortification and surveillance through *silent enclosure*. The cycle repeats.

The urban consequences of this hypercycle are illustrated through a series of case study axonometric drawings. As the *quiet encroachment* of the poor infringes on white-spaces, they are faced with intensified fortification and surveillance. Architectural barriers and borders maintain the exclusivity of *anemic commons*, while perpetuating the urban isolation of people of colour.

This cycle of enclosing and encroaching produces an urban stasis; Cape Town is a city stuck in tension between the opposing forces of the fearful anemic commons, and the refusing precarious commons. ¹⁵ Chapter four illustrates that, although strides have been made in Cape Town since the colonial and apartheid eras, the freedom of the poor and racialized cannot be fully realized until their right to the city, and to its services, land, and beauty are granted, despite the cost to the wealth and lifestyle of the elite.

5.0 Conclusion: Fugitivity and Enclosure

In contemporary Cape Town, pervasive *silent enclosure* forces the poor into a position outside of formalized structures and spaces, and into a state of fugitivity. In the conclusion, I will explore the role of *fugitive* and *enclosed spaces* in the future of the city of Cape Town.

Black feminist theorist Tina Campt describes fugitivity as quiet everyday practices of refusal, rather than resistive acts of evasion or escape. ¹⁶ The daily and participatory practices of inhabiting the *precarious commons* produces an architecture which is layered, in flux, and adaptive; fulfilling the fugitive desire of the Black and poor to remain in place. The *precarious commons* is a *fugitive space* in which the poor and Black are able to be heard, develop networks of survival, and fill in the gaps of care left by the neoliberal state.

While *silent enclosures* of *anemic commons* are producing *enclosed spaces* which coopt the 'village commons' typology for further capital accumulation, the poor and racialized are imagining a new kind of city, one which is based upon collective action, responsibility, and stewardship. Practices of *fugitive commoning* transgress formal citizenship, the law, and capital in an effort to break the cycles of dispossession and exclusion in the city. Although these practices of fugitivity occur due to the failure of the state to overcome its colonial and apartheid pasts, and should not be necessary for the survival of the poor, they do point towards the possibility of an inclusive, less precarious, and post-colonial, post-apartheid future.

¹⁵ Lemanski and Oldfield, "The Parallel Claims of Gated Communities and Land Invasions in a Southern City: Polarised State Responses," 634–48.

¹⁶ Campt, Listening to Images, 109-110.

2.0 Quiet Encroachment of the Precarious Commons Colonial and Apartheid Cape Town

2.1 Introduction

The following chapter spans the time period between 1652 and the late 1980s, and provides the context necessary for understanding the historical racial-spatial hierarchies in the city of Cape Town. In outlining significant historical events in the development of the city, I will illustrate the ways in which policing, spatial controls, and racial classification were used to suppress people of colour, and to elevate the economic position of European settlers. In later chapters, I will elaborate on the ways in which architecture is used to replace these mechanisms of control, and to repeat patterns of suppression for the purposes of upholding white wealth and privilege.

Colonial and apartheid segregationist policies created a complex web of legislation, setting the legal groundwork for the dispossession and subjugation of Black and Indigenous peoples. People of colour were forced out of the city, and into desolate rural areas, known as reserves, trapping them in cycles of poverty and desperation (see figure 2.1).¹⁷ The spatial distance between reserves, and sites of employment became unmanageable, sparking the illegal *quiet encroachment*¹⁸ of squatters onto the segregated city (see figure 2.2).¹⁹

Quiet encroachment is a term coined by Asef Bayat, and refers to the stealthy, atomistic and quotidian strategies of the poor to occupy space illegally.²⁰ The furtive and participatory practices of domestic space making within the segregated city were necessary for the survival of the poor, as well as for the longevity of the resulting constructed informal settlements. Tina Campt emphasizes the meaning and affect of quiet and the quotidian, defining the terms and the importance they hold in relation to the lives of the poor and racialized;

Each term references something assumed to go unspoken or unsaid, unremarked, unrecognized, or overlooked. They name practices that are pervasive and ever-present yet occluded by their seeming absence or erasure in repetition, routine, or internalization. Yet the quotidian is not equivalent to passive everyday acts, and quiet is not an absence of articulation or utterance. Quiet is a modality that surrounds and infuses sound with impact and affect, which creates the possibility for it to register as meaningful. At the same time, the quotidian must be understood as a practice rather than an act/ion. It is a practice honed by the dispossessed in the struggle to create possibility within the constraints of everyday life.²¹

¹⁷ Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa."; Bhandar, "Colonial Lives of Property:

Law, Land, and Racial Regimes of Ownership."; Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home.

¹⁸ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 536.

¹⁹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home.

²⁰ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 536.

²¹ Campt, Listening to Images, 4.

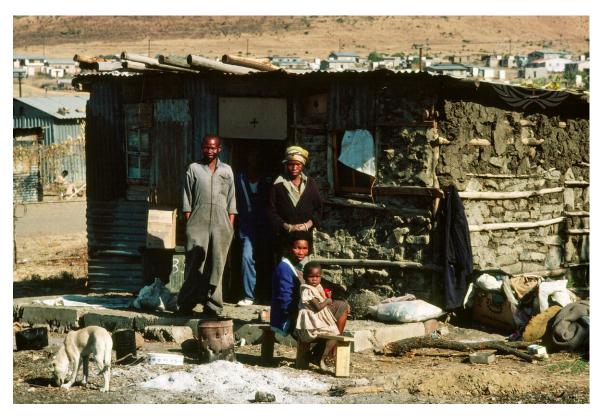


Figure 2.1 KwaZulu rural reserve, Natal. 1982. Photo by the United Nations.

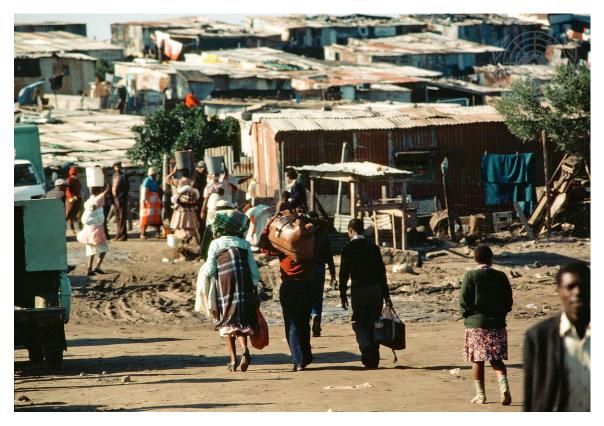


Figure 2.2 New arrivals at Crossroads Squatter Camp, Cape Town. 1985. Photo by the United Nations.

19 2.1 Introduction

The quiet and quotidian have been mobilized across Cape Town's history by the poor through networks of care and kin. Word-of-mouth, or 'gossip,' became the main way by which individual acts of *quiet encroachment* through squatting were able to develop from sparse informal settlements into established *precarious commons*. These informal modes of communication and speech allowed migrants to alert each other of emerging settlements through their extended networks, while remaining under the threshold of perceptibility of state powers and the white elite; gaining access to employment and family life within the apartheid city, while avoiding violent removals and demolitions.²² As settlements grew through word-of-mouth and further *quiet encroachment*, they became dense, illegible, and therefore impenetrable to the apartheid state, providing a safe haven for 'illegals' and activists.²³

Spatial planning was a central tool in the violent history of Cape Town, and was used to facilitate and maintain control of both people and landscape. *Quiet encroachment* refused colonial property rights and apartheid city planning, while the construction of the *precarious commons* transgressed formal architecture and evaded police tactics. The shared struggles of those who inhabit the *precarious commons* created strong networks of care, which served to counteract the precarity of their claim to land. The *quiet encroachment* of the *precarious commons* produced a collective political force, which ultimately broke down the purity of the segregated city, and played a key role in the fall of the apartheid regime.

2.2 Spatial Mechanisms of Racial Separation in the Colonial Era

Slavery

Racial subordination and segregation, achieved through patterns and strategies of land expropriation and spatial control, is pervasive throughout Cape Town's colonial and post-colonial history. In the seventeenth century, European settlers dispossessed the Khoi-Sans Indigenous peoples of their land and cattle, beginning a cycle of primitive and capital accumulation based upon racial identity.²⁴ The foundations of the Cape Colony and of the contemporary city of Cape Town were subsequently built using the slave labour of people of colour.

Slavery in Cape Town has historically been muted and minimized, and perceived as relatively "mild." The presence of slavery in the city has only been given weight by academics and historians in the last forty years, leaving gaping periods of silence in the documentation and research available to the public. The desire of the white and wealthy to render the ugly history of the city as inaudible, is not only a suppression of the past, it allows the fundamental workings, organization, and hierarchy of the racial city to stay intact.

²² Skuse and Cousins, "Spaces of Resistance: Informal Settlement, Communication and Community Organisation in a Cape Town Township."

²³ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South."

²⁴ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 602.

²⁵ Tayob, "Unconfessed Architectures," Survivance.

²⁶ North, "Remembering Slavery in Urban Cape Town: Emancipation or Continuity?," 202.



Figure 2.3 Groot Constantia, Cape Town. 2021. Photo by author.

Originally a large plantation, Groot Constantia is now a prominent winery and popular destination in Cape Town.



Figure 2.4 Groot Constantia, Cape Town. 2021. Photo by author.

Originally a large plantation, Groot Constantia is now a prominent winery and popular destination in Cape Town.



Figure 2.5 The Houses of Parliament of South Africa, Cape Town. 2021. Photo by author.

Architect and architectural historian Huda Tayob brings attention to the ways in which histories of colonization and enslavement in a city create architectural remnants which, despite efforts by the state and private property owners, cannot be neutralized in their present day uses and realities.²⁷ The continued use, prominence, and praise of colonial architectures in Cape Town, without deep acknowledgement of their violent histories, speaks to the ways in which the City and its wealthy residents seek an erasure of their sins, without surrendering their property or lifestyle (see figures 2.3 and 2.4).

The slave trade in Cape Town set the groundwork and precedent for the subjugation and propertization of non-white people. ²⁸ By the nineteenth century the municipality had established a legal infrastructure of exclusion, expelling Indigenous people and people of colour from urban centres, while continuing to exploit cheap Black labour. This was also a key period of urbanization and capital accumulation in Cape Town. ²⁹

Property

In the 1840's, after the abolition of slavery, Queen Victoria paid slave owners in the Cape Colony a substantial sum as compensation for their 'property loss'. This was the first large injection of wealth into the city, and it sparked a wave of growth in the urban, economic and political spheres of the colony. The second injection of wealth into the city was due to the discovery of diamonds in 1880 in Kimberley, located in the Northern Cape. Cape Town's harbour was used as the main hub for exporting the colony's newfound resource, and over the next few decades the city became a commercial centre. This accumulation of capital widened class divides, and those who gained wealth over this time were given substantial political power in the shaping of the urbanizing city.

As the Cape Colony became wealthier, the inhabitants began to push for political authority and autonomy (see figure 2.5).³⁰ Political voice in the new municipal government correlated directly to the number and the value of buildings owned. One vote was awarded per building valued at over 100 euros, and three votes per building valued at over 1000 euros. With elevated political power, elite merchants with wealth and property were able to skew political decisions and concentrate public services and urban development in privileged, central areas of the city. Consequently, white-European zones received superior development, while poor households of colour, without secure tenure, were not provided adequate services or sanitation.³¹

²⁷ Tayob, "Unconfessed Architectures," Survivance.

North, "Remembering Slavery in Urban Cape Town: Emancipation or Continuity?," 202.

²⁹ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 602.

³⁰ Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa," 286.

³¹ Ibid, 288.

Critical race theorist Cheryl I. Harris writes that the "origins of property rights in the United States are rooted in racial domination." This "racist formulation embedded the fact of white privilege into the very definition of property... Possession— the act necessary to lay the basis for rights in property— was defined to include only the cultural practices of whites." A similar trajectory can be traced in Cape Town. During periods of colonization Black bodies were abstracted by way of measurement, quantification, and classification, while white lives were elevated to positions of European superiority with the capacity to build architecture, to own urban property, and to produce the language of law.³⁴

Bhandar similarly highlights how the racialization of property rights in colonial cities, and the associated lexicon, have in many ways silenced Indigenous people, and people of colour, placing them in a position "outside of history." Histories of colonization and slavery result in what Bhandar describes as a "brutal rendering of black lives as objects of economic commerce[, producing] a racial regime of ownership whose legacies remain very much alive in the economic, social, and legal value accord[ing] white lives over black lives." Both Bhandar and Harris point to the pairing of property and race as a tool for dispossession and subjugation, as this combination was the ultimate way for 'whiteness' to achieve a position of both racial and economic superiority. 37

Private property in the city today is accepted as a given, necessarily maintained at all costs for the greater good of social and economic stability. Harris on the other hand, demotes property rights to "a legal construct by which selected private interests are protected and upheld." In Cape Town, property was obtained through the violent removal of people of colour, cultivated and paid for using the bodies of slaves, and has since been maintained by cheap Black labour. Property in Cape Town has always been tied to racial subordination, white privilege, political silencing, and dispossession.

Segregation

The abolition of slavery and the economic boom of the 1870s created greater upward mobility for people of colour, positioning them as a threat to the status of Europeans in the colonial class structure.³⁹ The white-European elite reacted by attempting to solidify spatial divides in the city. Initial efforts to establish racial segregation were met with resistance by the emerging Black middle class, who leveraged their gaining status to challenge racial-spatial norms. This Black refusal to conform to the racial city was met with public health and safety warnings, and the colony looked to crime and sanitation as a justification for intensified segregation.⁴⁰

³² Harris, "Whiteness as Property," 1716.

³³ Ibid, 1721.

³⁴ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 6.

³⁵ Ibid, 3.

³⁶ Ibid, 6.

³⁷ Harris, "Whiteness as Property," 1716; Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership."

³⁸ Harris, "Whiteness as Property," 1730.

³⁹ Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa," 288-91.

⁴⁰ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 53.

The perceived threat from the growing Black population in the city, in conjunction with the 1882 smallpox epidemic, generated and solidified discourses on sanitation based on race and increased advocacy for segregation in the name of public health.⁴¹ *The Public Health Act*, which was written in reaction to the smallpox epidemic, was employed when the first cases of the bubonic plague entered racialized areas of the city in 1901. As a result of the act, over 6,000 people of colour were removed from the city and relocated to reserves or to rural land on the Cape Flats.⁴² Before 1901, and the establishment of Black-only locations for the purported purposes of sanitation and public health, segregation was encouraged but not enforced.⁴³ The state relied on public health and safety discourses to construct policed lines of division in accordance with their racist beliefs.

The European-colonial perception of private property was first inflicted onto Black-only locations with the *Glen Grey Act of 1894*. This act "imposed a limited form of self-government on the reserves in the Glen Grey district and introduced individual land tenure in the form of small garden plots. Rural black communities objected to the act on the basis that communal tenure was understood as their primary means of access to the use and ownership of land... the act marked the beginnings of the imposition of a colonial native governance structure within the reserve and the prohibition of indigenous forms of land use."44 The granting of plots to Black and Indigenous populations was not an attempt at inclusion or upliftment, but rather a power-move, mobilized by the state to assert control over communities living outside of the white-colonial sphere of understanding. This state tactic of formalization for control repeats throughout Cape Town's history, as informal and communal land-uses and architectures are dismantled and replaced with regulated property and housing schemes.

The manipulation and 'purification' of urban space was instrumental in establishing a white political and economic elite in Cape Town.⁴⁵ The state mobilized to biologically protect the white race by policing Black bodies and ensuring that the reproduction of the Black labour force took place inaudibly outside of the city boundaries. These 'bioregulatory policies'⁴⁶ have irrevocably shaped urban space in Cape Town, dictating and differentiating the ways in which white and Black people express their *right to the city*.⁴⁷ The wealth accumulated through the creation of private property and the mass extraction of resources from the Cape granted Europeans greater political power and voice, which they used to silence people of colour, violently forcing them out of ear-shot, where they would neither be seen nor heard by the emerging white elite.

⁴¹ Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa." 291.

⁴² The Cape Flats are the low-lying areas south-east of the city centre. The apartheid era 'Native Group Areas' were situated on the flats as it was a less desirable area of the city due to strong wind conditions and frequent flooding.

⁴³ Ibid, 291–92

⁴⁴ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 188.

⁴⁵ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 603.

⁴⁶ Mbembe, "Aesthetics of Superfluity," 385.

⁴⁷ Lefebvre, Wiritings on Cities.

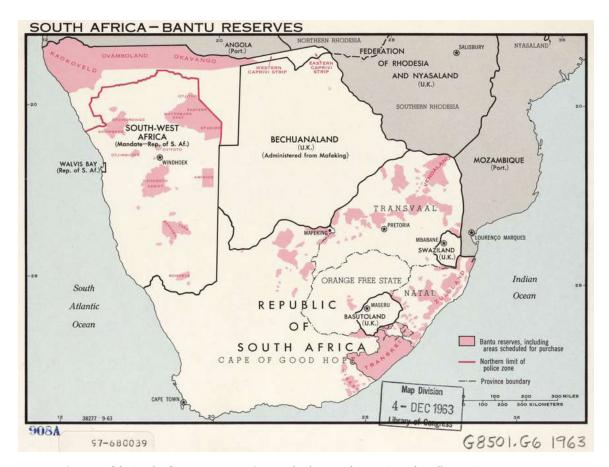


Figure 2.6 Map of the South African Reserves. 1963. Map by the United States Central Intelligence Agency.

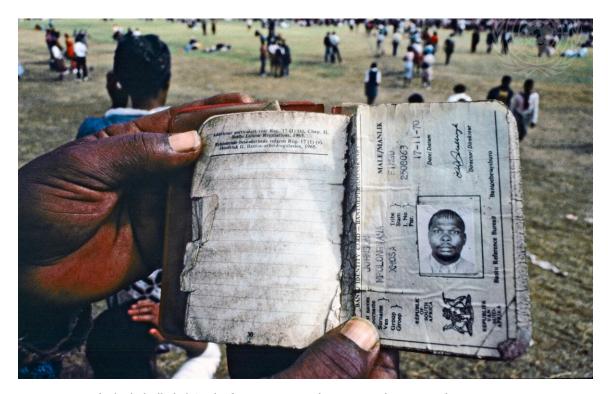


Figure 2.7 Passbook which all Black South Africans were required to carry in order to enter urban areas. 1985. Photo by the United Nations.

Reserves and Pass Laws

The *Native Land Act of 1913* and the *Native Urban Areas Act of 1923* worked together to form the basis for racial-spatial control in South Africa, dictating where people of colour could live, work, and travel, as well a creating strict parameters for land ownership.⁴⁸

The *Native Land Act* relocated Black people from the city to rural, under-serviced, and desolate native reserves (see figure 2.6).⁴⁹ This piece of legislation meant that reserves were the only locations where Black Africans could legally own land and build homes.⁵⁰ The land granted to Blacks on the isolated reserves was used to justify their exclusion, not only from the city, but from access to public services. The *Native Land Act* created a bifurcated system in which 'native populations' on the reserves were managed from a distance by the South African state, but considered outside of the Republic of South Africa. The mundane daily decisions were entrusted by the colonial state to patriarchal 'chieftains' or 'headmen',⁵¹ while a complex system of surveillance was set in motion in order to police and maintain the segregation of the racial city.⁵² The reserves were ultimately a denial of Black citizenship in South Africa⁵³

The imposed seclusion of the rural reserves meant that the population was more vulnerable, and residents were forced to succumb to the capitalist model of waged labour, travelling long distances into the city in order to send money home for the survival of their families. The state sought to control the flow of migrant labour through establishing a pass system. The *Native Urban Areas Act of 1923* was used to restrict the number of Africans who were legally allowed within the city limits. The new legislation involved frequent police checks for correct documentation, and allowed for the expedited removal of anyone without a pass (see figure 2.7).⁵⁴

As the division between families and the persistent long journeys became too taxing, women began to defy pass laws and the mandates which forced Black life to take place silently outside of the urban sphere.⁵⁵ Black people who transgressed state rules, refusing to be removed from their homes, or travelling to and from the city without a pass, were categorized as squatters and 'illegals'.⁵⁶ This rejection and transgression of the reserve system, marked the beginning of the *quiet encroachment* of poor.

⁴⁸ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 188.

⁴⁹ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa. 127.

⁵⁰ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 188.

⁵¹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home.

⁵² Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 126.

⁵³ Mbembe, "Aesthetics of Superfluity," 389.

⁵⁴ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 127.

Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 27.

⁵⁶ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 188.

2.3 Quiet Encroachment of Black and Indigenous Populations Apartheid

The violent settler history of colonization, slavery, extraction and segregation culminated in the apartheid era between 1948 and 1994. In the context of this thesis, apartheid is less a distinct period in history, but rather part of a continuous cycle of racial segregation and dispossession.

When the National Party came into power they worked to reinforce colonial strategies for segregation through 'location creation'. The reserve system was reinstated with use of the rural 'homelands,' which attempted to maintain racial separation through vast distances. The *Group Areas Act of 1950* created a secondary system for the exclusion of 'legal' Black people from the city. Group Areas redrew lines of division in the city of Cape Town, creating official zones of occupation for those classified as 'Native', 'Coloured', or 'Indian'. All remaining land fell under the categorization of the 'European Group Area', which reserved the largest and most desirable areas of the city for the white population (see figure 2.10).

Large urban townships were built in 'Native' and 'Coloured Group Areas' to house the burgeoning labour force, supporting the industrializing economy, whilst simultaneously upholding the principles of the segregated city (see figure 2.11). 'Native' and 'Coloured Group Areas' were separated from 'European Group Areas' by large greenbelts or buffer zones, maintaining the inaudibility of the Black worker. The poorly constructed housing areas were known to have inadequate access to basic services, and required long commutes to sites of employment (see figures 2.8 and 2.9).⁵⁸

Quiet Encroachment

The violent and systemic exclusion of Black people from accumulating property and capital established spatial and economic divides in the city, however, it did not succeed in stemming the *quiet encroachment* of illegal squatters onto the urban periphery.⁵⁹ Intensifying migration from 'homelands' back into the city resulted in overcrowding in townships, and led to the subsequent proliferation of illegal informal settlements on their fringes (see figure 2.11).⁶⁰

According to Bayat, "Quiet encroachment refers to non-collective but prolonged direct action by individuals and families to acquire the basic necessities of their lives (land for shelter, urban collective consumption, informal jobs, business opportunities, and public space) in a quiet and unassuming illegal fashion."

⁵⁷ Landman, "Privatising Public Space in Post-Apartheid South African Cities through Neighbourhood Enclosures," 135; Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 602.

⁵⁸ $\,$ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions law in Post-Apartheid South Africa," no. 4, 430.

⁵⁹ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions lawin Post-Apartheid South Africa," no. 4, 430.

⁶⁰ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 127.

⁶¹ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 536.

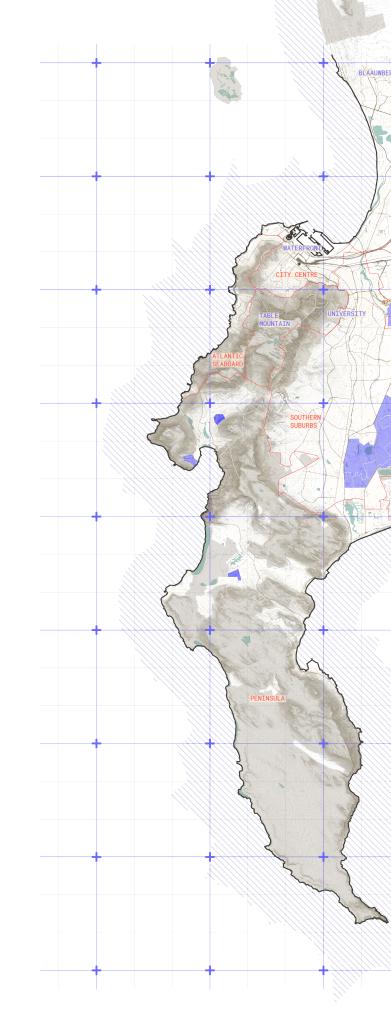


Figure 2.8 Apartheid-era housing in Khayelitsha Township, Cape Town. 2021. Photo by author.



Figure 2.9 Apartheid-era housing in Khayelitsha Township, Cape Town. 2021. Photo by author.

Figure 2.10 Map of 1950 Group Areas. Cape Town, South Africa. 2021. Map by author.



Apartheid Group Areas

Native Coloured Indian

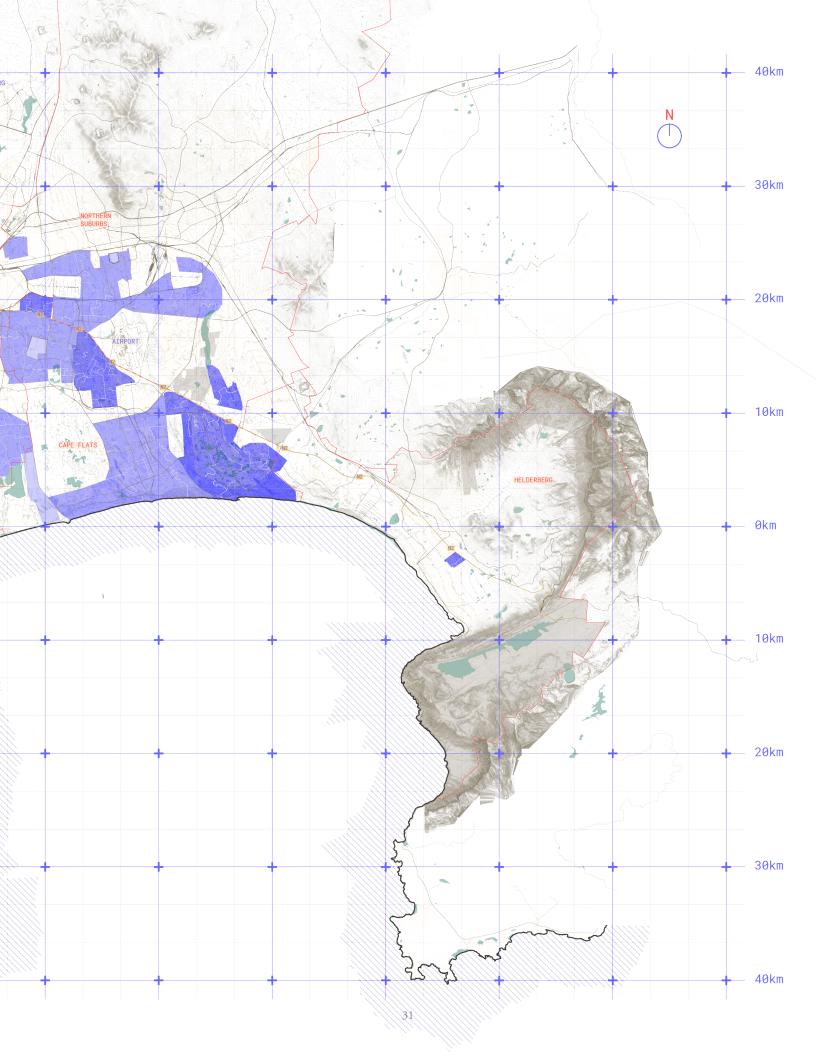
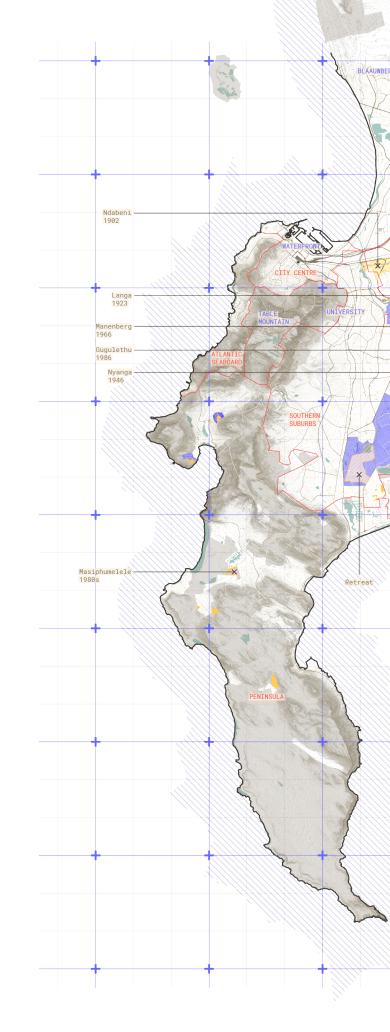
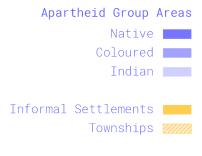


Figure 2.11 Map of 1950 Group Areas, townships, and contemporary informal settlements. Cape Town, South Africa. 2021. Map by author.





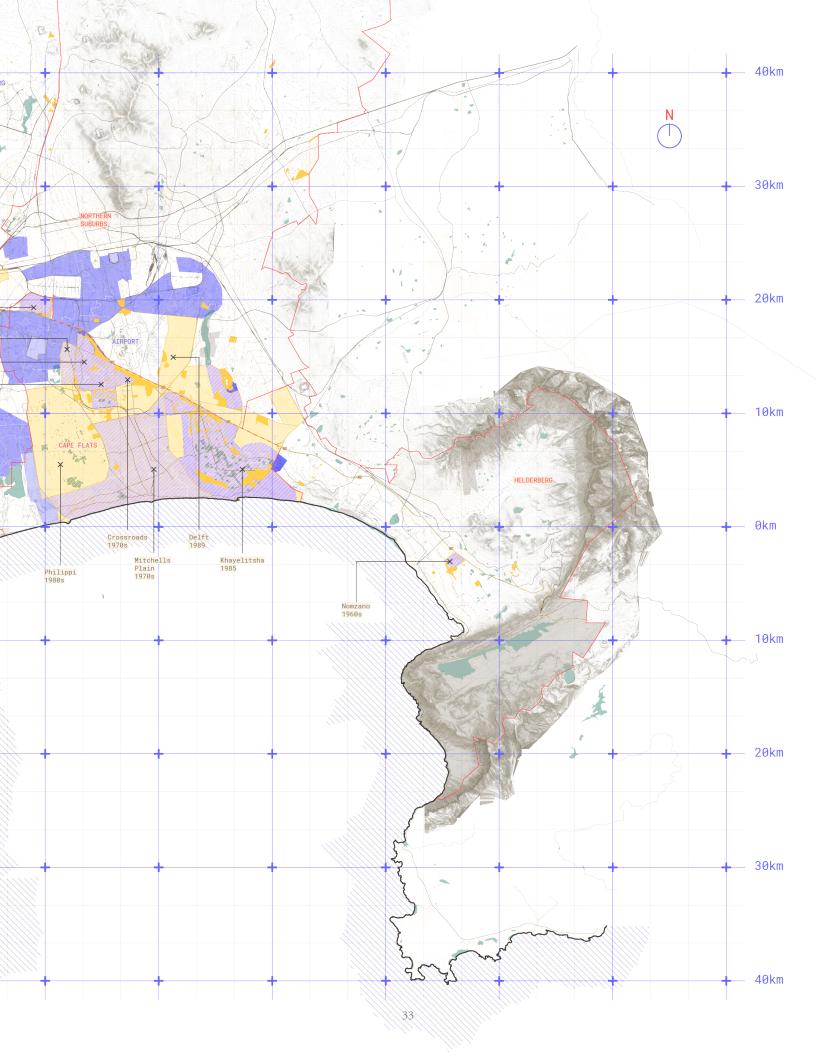




Figure 2.12 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.



Figure 2.13 Public housing area, Westlake, Cape Town. 2021. Photo by author.

Tina Campt provides further context and meaning to the quietness of this *quiet encroachment*, asserting that "contrary to what might seem common sense, quiet must not be conflated with silence. Quiet registers sonically, as a level of intensity that requires focused attention." Quietness indicates a deliberate hush or hummed sound, with a distinct frequency that can often be experience haptically rather than audibly. The hum of refusal by the poor was able to slip through the cracks of white perceptibility, as the colonial elite failed to listen to or hear what lay beyond their sanitized spaces of domesticity. The quietness that Bayat describes sits in continuity with Campt's assertion that quiet "is in no way an absence. It is fulsome and expressive. Restless, awkward, and unsettling..." The *quiet encroachment* of the poor was not a practice of submission, but rather one of fugitive refusal, a strategic stealth, and a quietness vibrating with meaning to those who cared to listen.

Much of the struggle against apartheid policies of exclusion existed within the realm of the everyday, understated, and ordinary (see figures 2.12 and 2.13). The *quiet encroachment* of spaces of Black urban domesticity actively transgressed apartheid spatial restrictions, cutting the distance between work and home, while creating autonomy outside of the bounds of formalized citizenship, pass systems, and township surveillance.⁶⁴ The fugitivity of the occupations elevated informal settlements from places of social reproduction, positioning them instead as sites of "rupture and refusal"⁶⁵

The Precarious Commons

The individual and atomistic *quiet encroachment* of squatters developed beyond initial occupations into large informal settlements. Through collective participatory practices of space making, informal settlements matured into what I call the *precarious commons*. The *precarious commons* became the frontier of the Black and poor in the apartheid era and beyond. These self-help spaces were hybrid zones on the peri-urban periphery, escaping much of the scrutiny and violence enacted by the state in urban zones, while also fleeing the desolation and deep poverty of the 'homelands'.⁶⁶

The precarity of these commons is inherent due to the circumstances in which they were built, the materials and construction practices used to build them, and the uncertainty of life within them (see figures 2.14 and 2.15). The precarious commons provided a foothold for the poor and Black within the bounds of Cape Town, but they existed under constant threat of demolition and relocation. The quiet encroachment of the precarious commons, however flawed and seemingly unplanned, produced an architecture by and for the poor. By making, remaking, and expanding spaces of Black domesticity, commoners refused to submit to the biopolitics of the racially pure city.

⁶² Campt, Listening to Images, 6.

⁶³ Ibid, 18.

⁶⁴ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 29.

⁶⁵ Campt, Listening to Images, 5.

⁶⁶ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 68.

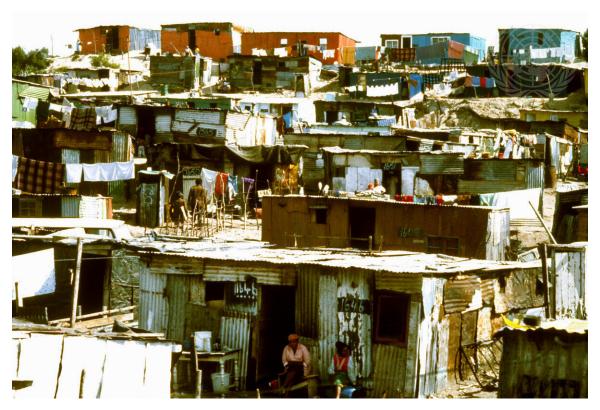


Figure 2.14 Shanty town at Crossroads, Cape Town. 1978. Photo by the United Nations.

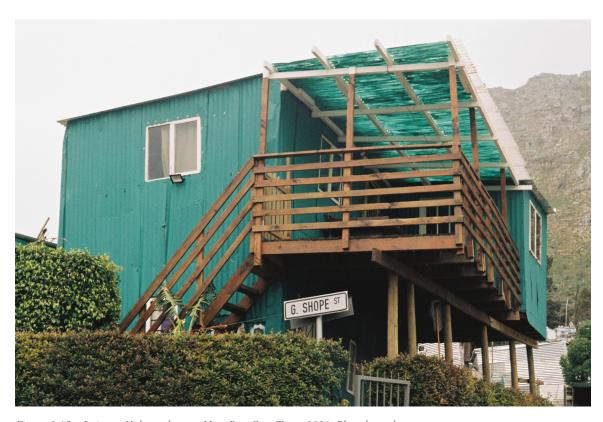


Figure 2.15 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.

Race, Property, and Policing

In an attempt to protect the 'whiteness' of property against the *quiet encroachment* of the poor, the apartheid state put into motion complex systems of policing, surveillance, and bookkeeping.⁶⁷ As a result, race, property, and policing in Cape Town became inseparable concepts and power structures.

Just as racial segregation and subordination was established in South Africa long before 1948, the use of the police and militarized force to silence and subdue the Black population was standard practice in the time of colonization. The use policing to spatially isolate people of colour, and to uphold the dominance of white space, is a practice which has lasted and adapted throughout Cape Town's history.

The central mandate of the *South African Police* (SAP) during the apartheid era was to maintain the socio-spatial boundaries set out by the state (see figure 2.16). A bifurcated system of policing was established; the elite-white minority experienced civilian policing in 'European Group Areas', while Black townships were subjected to oppressive militarized police force.⁶⁹ Police worked to keep crime out of white areas by concentrating the poor, racialized, and criminalized in peripheral spaces.⁷⁰ Little effort was applied by the police to solve levels of crime being concentrated in Black areas of the city. Rather, there was sporadic use of excessive force deployed in order to suppress collective political action against apartheid rule, and to hinder further influx of migrants into the urban sphere.⁷¹ Strategies to quell political insurrection varied from spatial controls and formalization projects, to heavily armed police units.⁷²

The *quiet encroachment* onto limited space in the city created dense zones of occupation and triggered the formation of the *Prevention of Illegal Squatting Act of 1951*, which permitted authorities to deport anyone who occupied 'Native Group Areas' without a pass. This meant that even areas of the city designated for people of colour became targets for removal. Those with a pass, or 'Legals' who inhabited informal housing areas were allowed to remain and received basic 'site and service' provisions (toilets and taps), an inadequate strategy of service delivery that has been adhered to into the post-apartheid era.⁷³ With the legal infrastructure in place, the clearance of 'crime and disease ridden' squatter camps became a main strategy for control over the subaltern.

By 1964 the state had become fearful of continuing *quiet encroachment* on the fringes and brought in the *Bantu Laws Amendment Act*, which gave the state the ability to deport even those with passes. The 1960s became known as the 'silent decade' as fear of state violence, paired with the ban on political organizations, forced activists underground.⁷⁴ Large squatter populations were no longer tolerated,

⁶⁷ Mbembe, "Aesthetics of Superfluity," 393.

⁶⁸ McMichael, "Police Wars and State Repression in South Africa," 8.

⁶⁹ Ibid

⁷⁰ Shaw and Shearing, "Reshaping Security: An Examination of the Governance of Security in South Africa," 3.

⁷¹ Ibid, 4.

⁷² McMichael, "Police Wars and State Repression in South Africa," 8.

⁷³ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 79.

⁷⁴ Ibid, 48

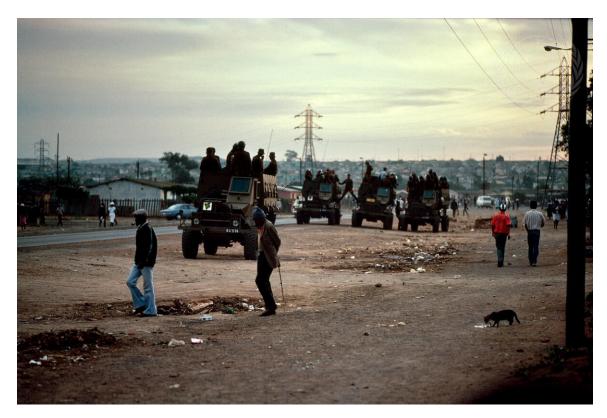


Figure 2.16 South African military at Port Elizabeth, South Africa. 1985. Photo by the United Nations.



Figure 2.17 Newspaper headline on a street refers to a government plan in 1982 to cede territory and people to Swaziland. Photo by the United Nations.

and the goal of the state was to relocate all Africans from the city out to 'homelands'; returning the urban sphere to its state of 'whiteness', destroying *precarious commons*, and undoing the years of *quiet encroachment* achieved by the poor.

Between 1960 and 1985, 3.5 million people were deported from South Africa, removing approximately 10% of the population (see figure 2.17). However, the spatial solidarity of the poor was unyielding to the suppressive state as they organized to defend settlements, and to exploit legal loopholes in official legislation.⁷⁵ It was the small, individual, yet persistent and everyday practices of *quiet encroachment* by the racialized, criminalized, and precarious which posed the greatest risk to robust systems of oppression.

2.4 Word of Mouth: Stealth and Audibility

Race, Property, and Voice

In colonial Cape Town, one's ability to own property was determined by their physical attributes and traits.⁷⁶ This colonial connection of property and race was upheld through the apartheid racial Group Areas and the continued use of rural 'homelands'.

According to critical theorists Stefano Harney and Fred Moten, property ownership became synonymous with improvement, self-possession and productivity. In apartheid Cape Town, the value of a person, and their position along the scale from primitive native to white civilized citizen, was associated with not only their physical attributes, but with their capacity to own and appropriate land (see figure 2.18). This racial hierarchy translated to a stratification of voice. Navin Brooks connects these concepts of voice, property, and race in his writings on 'fugitive listening':

The question and problem of who is afforded a voice - of which voices are heard as speech and which voices are heard as noise (if they are even heard at all) - is connected to an epistemological project rooted in the making of categorical distinctions, a project that brings with it the violent processes of racial categorization... Racialization emerges in a particular epistemological and political moment (one that is ongoing) in which the capacity for ownership becomes the determinant of sovereign subjectivity. The self-possessed individual and therefore the individual that can also accumulate possession of property - is defined by those who lack the capacity to possess (either self or property). The self-owning, self-accumulating individual is based on an a priori formulation of the supremacy of whiteness, which is defined against the negation of Blackness... The capacity to improve both oneself and the land that one cultivates (according to a set of Western metrics) formed the criteria for understanding who does and does not constitute a proper subject.79

⁷⁵ Ibid, 73-4

⁷⁶ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 5.

⁷⁷ Moten and Harney, The Undercommons: Fugitive Planning and Black Study, 1–160.

⁷⁸ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 4.

⁷⁹ Navin Brooks, "Fugitive Listening: Sounds from the Undercommons," 29.



Figure 2.18 Sold plots for future gated development, Constantia, Cape Town. 2021. Photo by author.



Figure 2.19 Residential estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 2.20 Residential estate, Bishops Court, Cape Town. 2021. Photo by author.

Colonial property laws and apartheid segregationist policy made land ownership and 'improvement' impossible for Black South Africans. Whiteness, therefore became a valuable, protected, and an exclusive asset, or "usable property." The possession of whiteness became a form of moral high ground, a superior position from which one was given the right to not only exclude, but to "improve," subordinate and silence (see figures 2.19 and 2.20). 81

Stealth

Black voice was demoted by the European-elite to primitive, unintelligible and therefore inaudible. This categorization of inaudibility was mobilized as a tool of fugitivity and insurgency by the poor as they *quietly encroached* onto the apartheid city. The strategic quietness of the poor is in direct response to experiences of violent and repressive state policing. It was recognized that stealth and imperceptibility was more effective, not only to constructing spaces of domesticity within the city limits, but also in making strides in effective political action.⁸²

Media studies researcher Toni Pape writes about stealth as a deliberate political strategy; "The aesthetic of stealth does not merely aim at representing acts of disappearance... it emphasizes that different ways of perceiving support different regimes of power."83 The geography, organization, and built form of the *precarious commons*, sits just below the threshold of perceptibility. The informal structures are layered and atomistic, becoming indistinguishable to the outside eye (see figure 2.21); narrow roads, winding pathways, and concealed entryways are not traversable by state, military, or police vehicles; and the scale of the *precarious commons* is vaguely visible from a distance, but never understood in its entirety or complexity (see figure 2.22). This "dynamic thresholding" allows *precarious commoners* to navigate and circumvent systems of state surveillance and control.84 The quietness of quiet encroachment, as well as the density and illegibility of the resulting *precarious commons*, are intentional acts of stealth in order to achieve physical, personal, and political gains.

Word of Mouth

Quietness became a shared strategic and hushed dialect of the poor. 85 Informal quiet communication or 'gossip' was essential to the success of *quiet encroachment*. By way of discrete word-of-mouth, the structures in apartheid-era informal settlements located on the Cape Flats quickly grew in number, 86 and by the 1980s the squatter population had expanded beyond government control. "Corrugated iron shanties and individual stands were built closer together; narrow walkways offered access to homes several shacks deep in the middle of a block, while at strategic points larger

⁸⁰ Harris, "Whiteness as Property," 1734.

⁸¹ Harris, "Whiteness as Property."; Moten and Harney, *The Undercommons: Fugitive Planning and Black Study*, 1–160.

⁸² Pape, "The Aesthetics of Stealth: Towards an Activist Philosophy of Becoming-Imperceptible in Contemporary Media," 630.

⁸³ Ibid, 642.

⁸⁴ Ibid.

⁸⁵ Campt, Listening to Images, 26.

⁸⁶ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 18.



Figure 2.22 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.



Figure 2.21 Khayelitsha Township, Cape Town. 2021. Photo by author.

thoroughfares marked out the separation between sections." Gossip is quiet and elusive in nature, and it was through this concealed and careful passing of knowledge that the atomistic *quiet encroachment* of the poor was able to solidify and develop into *precarious commons*.

According to Navin Brooks; "Gossip has long been positioned as a diversion from the pursuit of true knowledge, characterized as a groundless form of feminized speech that trades in falsity and/or triviality." The diminishment of the power of gossip, Black voice, and feminine speech, allowed the poor and the Black to communicate and coordinate land occupations without notice. Gossip was a key mechanism of refusal mobilized by the poor in order to overcome suppressive apartheid spatial policies. Through hushed conversations the *precarious commons* became a socio-spatial force, and a real threat to the structure of the apartheid state.

Word-of-mouth was also a mechanism by which networks of safety and care within the commons were developed. Women had learned to compensate for the loneliness and poverty of the rural reserves through various organizations, networks, and mutual aid groups (see figure 2.23). When life in the reserves became unmanageable, women brought these strategies of survival and care with them to the emerging informal settlements. The *precarious commons* were established through the resiliency, determination, and networks of Black women (see figure 2.24).

Word-of-mouth not only shaped the networks of communication and care between and within informal settlements, this strategy for passing information influenced the built form of the resulting *precarious commons*. Structures were erected close together, allowing neighbours and family members to look out for one another and to pass information between homes without notice; open corners and informal infrastructures become meeting points for afternoon conversations regarding the daily workings of the settlements; and high points of land became soapboxes for community leaders to disseminate their views and important information quickly.⁹¹ The 'refusing poor' employed acts of 'micro-politics'⁹², or 'minor-planning'⁹³ as tactics of covert refusal in order to discretely chip away at the apartheid state.

⁸⁷ Ibid, 93.

⁸⁸ Navin Brooks, "Fugitive Listening: Sounds from the Undercommons," 38.

⁸⁹ Skuse and Cousins, "Spaces of Resistance: Informal Settlement, Communication and Community Organisation in a Cape Town Township."

⁹⁰ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 39.

⁹¹ Skuse and Cousins, "Spaces of Resistance: Informal Settlement, Communication and Community Organisation in a Cape Town Township."

⁹² Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South."

⁹³ Navin Brooks, "Fugitive Listening: Sounds from the Undercommons."



Figure 2.23 Women chopping wood in Transkei, one of the so-called black 'homelands'. 1982. Photo by the United Nations.

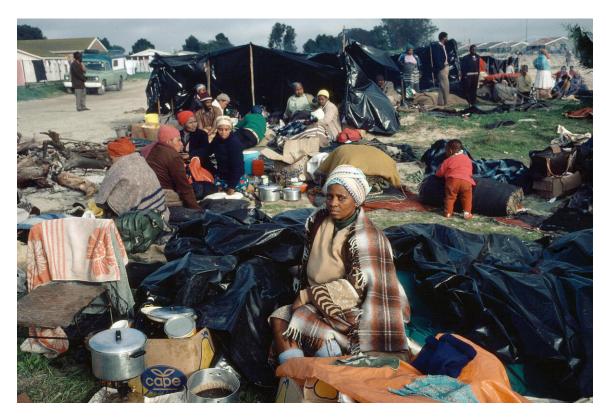


Figure 2.24 Women squatters near Cape Town. 1982. Photo by the United Nations.

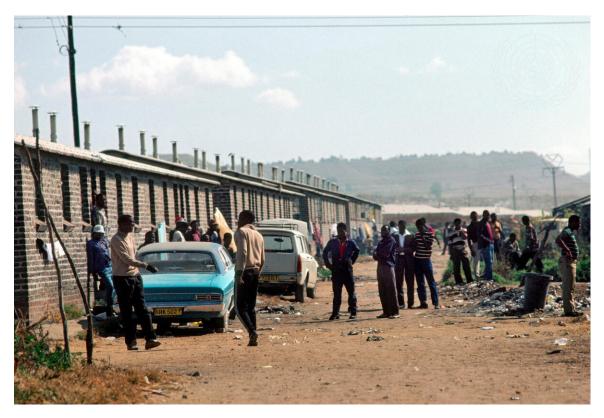


Figure 2.25 All male hostel in Soweto, a Black township, Johannesburg, South Africa. 1982. Photo by the United Nations.

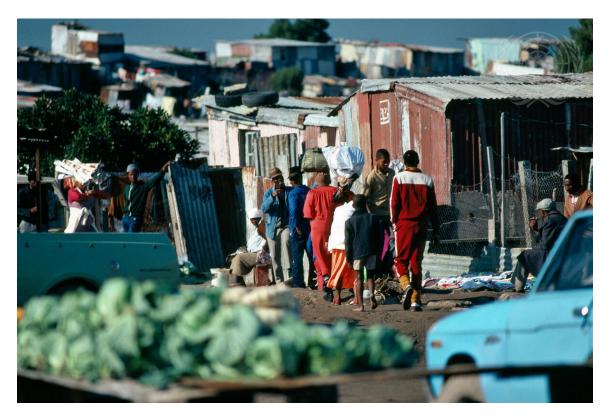


Figure 2.26 New arrivals at the Crossroads Squatters Camp near Cape Town. 1982. Photo by the United Nations.

Spatial Solidarity

By the mid-1970s, the molecular logic of Black encroachment onto the city began to take shape, and the increasing numbers, densities and networks of the *precarious commons* allowed the occupiers to begin audibly challenging racist policies, while continuing to evade state policing and deputized citizens.⁹⁴ Beyond the initial strategies of *quiet encroachment* for the purposes of survival, the poor began to voice their requirements for basic infrastructure; articulating their intention to remain in place.⁹⁵ Despite the individual nature of original land occupations, the *precarious commons* became an communal asset to be protected. Once the settlement was threatened, a spatial solidarity emerged and the commons solidified and activated in a "collective and audible fashion."⁹⁶

De Angelis describes this spatial solidarity as *boundary commoning*; "A boundary is formed by the very autonomous self-activity of the commoners which establish recursively a force field and therefore a boundary." The construction of a *precarious commons* produced a physical boundary, which contained and concealed its internal workings, and which was largely impervious to outsiders or intruders.

Autonomy and Boundary Commoning: Crossroads Informal Settlement

The precarious commons presented an alternative structure of living to the prescriptive sites of Black reproduction provided by the apartheid government (see figure 2.25). "The homelands were often associated with radical self-reliance, lulls between remittances, and at times deep loneliness; and Crossroads [informal settlement] represented a possible way out of these and other dilemmas of rural life."98 Crossroads was conceived in late 1974, when migrants spilling over from neighbouring overcrowded townships began to occupy a small strip of land in the Cape Flats through strategies of quiet encroachment. This encroachment was driven out of necessity, as commoners strategically "set out on their ventures rather individually, often organized around kinship ties, and without clamour."99 As word spread of the new occupation, the bush began to furtively fill with structures and apparatuses of domesticity (see figure 2.26). Many of the new occupants came from the nearby Brown's Farm informal settlement, while others flocked from settlements throughout the Cape which were at risk of imminent removal. The occupation quickly established itself and became known as Crossroads — the camp at the intersection of Landsdowne Road and Mahobe Drive.¹⁰⁰ In the first few months of the settlement's establishment, Crossroads became a safe-haven for migrants, informal traders, women, elderly, youth, labourers, and the unemployed.¹⁰¹ These seemingly disparate individuals came together in search of home, and found spatial solidarity in their shared goal to resist removal.

⁹⁴ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 21.

⁹⁵ Ibid, 64.

⁹⁶ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 549.

⁹⁷ De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 627.

⁹⁸ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 49.

⁹⁹ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 548.

¹⁰⁰ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 49-50.

¹⁰¹ Ibid, 54.

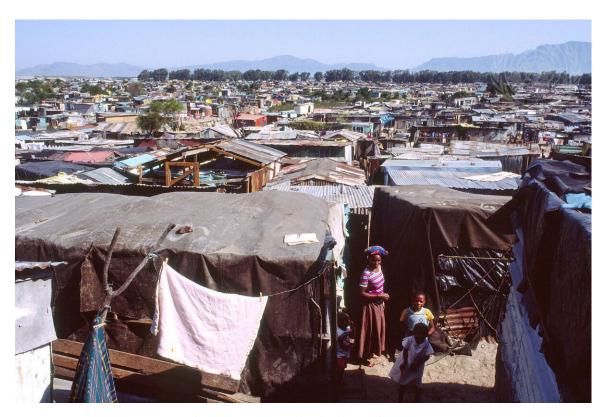


Figure 2.27 Shanty town at Crossroads, Cape Town. 1985. Photo by the United Nations.

As efforts grew to become more collective, the cumulation of structures and community networks created a *precarious commons*; a space of robust social systems and networks, with shared resources, and internal governance structures (see figure 2.27). These networks, which facilitated collective action, positioned the commoners as a social and political force. According to De Angelis; "The power that emerges out of commoning and 'boundary commoning' creates a force field whose boundaries create a filter, allowing in those flows of solidarity and exchange constituting boundary commoning, while filtering out to a various degree the control and domicidal tactics of the state" The boundary of the *precarious commons* is therefore not a boundary of exclusion, but one of protection. When the poor are repeatedly targeted by state and police violence, this border becomes a necessary strategy for survival.

The density and imperceptibility of the *precarious commons*, positioned Crossroads as a space outside of state control, "the informal settlement had become nothing short of a *pass* on the homeland system." ¹⁰⁴ Black migrants, 'illegals', and even those with passes were all denied a right to citizenship and land tenure. Because *precarious commoning* does not occur within the confines of citizenship, it empowers commoners to create their own boundaries of existence, their own forms of governance, and their own social and economic structures. ¹⁰⁵ While citizenship awards specific rights and obligations under its rules of inclusion, which in the apartheid era required a light skin tone, *precarious commoning* exists beyond state apparatuses, and the rules of inclusion are devised by the commoners themselves. ¹⁰⁶

The *quiet encroachment* of the *precarious commons*, in its transition from an atomistic to a collective force, posed a threat to whiteness, disrupting its inherent relation to property, purity, and exclusivity. ¹⁰⁷ This quiet threat was met with backlash from the state in their attempt to retain the apartheid racial-spatial order. The impermanent nature of the *precarious commons*, in conjunction with strategies of *boundary commoning*, results in "ongoing flows of internal movement," with continual cycles of "deterritorialisation and re-territorialisation." ¹⁰⁸ Despite the residents' resolution to remain in place, they were periodically and forcefully moved out by the state, or by internal conflict exacerbated by the state.

¹⁰² Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South " 548

¹⁰³ De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 630.

¹⁰⁴ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 93.

De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 631.

¹⁰⁶ Ibid, 635

¹⁰⁷ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 550; Harris, "Whiteness as Property."

¹⁰⁸ De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 632.

2.5 Formalization: Control and Legibility

Formalization for Control

In the 1970s, the apartheid government was facing an economic and political crisis. Pass laws began to soften in the 1970s and into the 1980s, yet there was a general hardening of state policing, with an increased use of force, raids, and demolitions in order to keep the encroachment of the racialized population in check.

The illegibility and furtivity of the informal *precarious commons*, and the autonomy produced through strategies of *boundary commoning*, threatened state power. The *precarious commons* remained inaudible to the white colonial-apartheid elite as they were unwilling to consider the Black and poor as a population worth listening to, and through tactics of exclusion and silencing, they actually strengthened the poors' ability to infiltrate urban space. Rather than successfully ridding the city of people of colour, the incessant violent raids brought squatters together, solidifying existing networks of communication and bonds of survival. Structures continued to be built and rebuilt, and the spatial solidarity of the poor ultimately bolstered the *precarious commons*' defences against the state, establishing their permanence.¹⁰⁹

With their "tangled paths, organic arrangement of shacks and other buildings—a spatial pattern that defied total securitization and complete lockdown—the settlements proposed themselves as spaces apart from those formally devised for the accommodation of the city's black population."¹¹⁰ The atomistic and compact architecture of informal settlements made them uniquely suited to house migrants and to hide fleeing political activists. This form of refuge became known as a 'mini exile;' although activists and 'illegals' were forced from their homes and into a state of fugitivity, they were still able to remain within the boundaries of the city of Cape Town.¹¹¹

Quiet encroachment was succeeding in its refusal of repressive state tactics, and the poor continued to move, build, and organize below the frequency of white perceptibility. "Despite efforts to reduce the African population of the province by 5 percent per annum, by 1978 there were twice as many blacks in the Western Cape as there had been a decade before. By 1980 approximately 101,000 Africans lived in metropolitan Cape Town; 'illegals' numbered an additional 60,000 to 100,000."

The state eventually recognized that to control the precarious commons they needed "to make them transparent."

The 'upgrading' of informal camps into formalized townships was not an act of goodwill or welfare, but was a forceful breaking of informal networks of communication, an "opening up the unknown in order to be able to control it."

In the 1980s, settlements on the periphery were recategorized by the state, and classified as 'transit camps'.

¹⁰⁹ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 552.

¹¹⁰ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 167.

¹¹¹ Ibid.

¹¹² Ibid, 52-3.

¹¹³ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 551.

¹¹⁴ Ibid.

¹¹⁵ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 79.



Figure 2.28 Apartheid-era formal housing, Khayelitsha Township, Cape Town. 2021. Photo by author.



Figure 2.29 Informal housing, Imizamo Yethu settlement, Cape Town. 2021. Photo by author.



Figure 2.30 Formal housing, Imizamo Yethu settlement, Cape Town. 2021. Photo by author.

When the *Department of Plural Relations* began to officially survey households in settlements, "a whole machinery of population monitoring, counting, and surveillance was set in motion." State authorities went door to door, surveying inhabitants and painting numbers on the doors of homes, indicating that the enumeration had been recorded. Squatters were forced to submit to surveillance through enumeration in order to evade repercussions, and for a chance to access formalized state-housing (see figure 2.28).¹¹⁶ The formalization of the *precarious commons* into organized townships or 'transit camps', sits in direct continuity with the colonial strategies of silencing and control through private land ownership and dispossession.

Unlike informal settlements, townships, or 'transit camps', were legible, penetrable and therefore controllable. Townships were accessible by military vehicle, the layout was planned and mappable, and government-built structures were numbered and accounted for (see figures 2.29 and 2.30). According to political theorist and philosopher Achille Mbembe; "The township, the hostels, the mine compound, and the jail were prominent regulatory institutions that shaped the lives of black workers in the city. They were part of the urban form and yet separate from it. Parallel formations, they constantly intertwined with the city... Around them was instituted a field of visibility and surveillance, hierarchies and inspections." Even as the apartheid state and white citizens began to submit to the presence of Black bodies within the bounds of the city of Cape Town, there was an unwillingness to overlap, to understand, to listen to the racialized 'other'. The formalization of informal architectures became a police tactic, and was often paired with more overt and violent demonstrations of control.

Engineered Precarity: Crossroads Informal Settlement

The tragedy of the *precarious commons* is in its inherent impermanence due to lack of 'property rights' in the language of the law. According to Mbembe; "More than any other figure, the black migrant worker epitomized this experience of transience and juxtaposition, displacement and precariousness. The flux of urban circumstances and an experience of time as provisional became the hallmarks of the migrant worker's urban sensibility; nervous discomfort and improvisation became essential elements of a tactical repertoire."

This nervous tension of the *precarious commons* translated into a subtle hum, a vibration of sound, a frequency below the threshold of white understanding.

In the apartheid era "Crossroads was in the exceptional position of being an African residential community in the Cape Peninsula. Unlike other black townships, it was not subject to the constraints which operated in these areas—for example lodger permits, trading licences and strict political control." Crossroad informal settlement served as a gateway to the city, and was consequently flagged by the state as a target for enumeration, formalization, and 'decanting' (deportation). (120)

¹¹⁶ Ibid, 81.

¹¹⁷ Mbembe, "Aesthetics of Superfluity," 392.

¹¹⁸ Ibid, 391.

¹¹⁹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 75.

¹²⁰ Ibid, 110.

Formalization was used to engineer divisions within Crossroads. While some people were granted housing and even tenure, others remained in shacks with insufficient basic services. This led to violent conflict within the township, and corrupt systems of internal governance led by 'Headmen', devolved into cronyism in the competition for secure housing. This patriarchal system of governance, which had been established in the reserves by the state, was imported in order to undermine the power of the matriarchal activist roots of *quiet encroachment* and informal settlement on the periphery. Ultimately, the internal struggle over land and lots became the priority of ruling 'Headmen', and the day-to-day running of the settlement broke down. 123

The perceived unruliness in townships in conjunction with continued Black urbanization was weaponized by apartheid leaders and used to give grounds for an official state of emergency, sweeping the country in 1985, reaching Cape Town by the year's end.¹²⁴

The destruction in Crossroads brought out solidarity amongst the poor, not only between those within the same commons, but between *precarious commoners* across the Cape. Those who fled the state incited violence were largely accepted into other settlements, as activists worked to secure alternative housing through established word-of-mouth networks. The *quiet encroachment* of the poor was no longer a passive claiming of space for domesticity, as networks mobilized to protest against the removals, and to secure aid, shelter and human rights monitoring from NGOs.¹²⁵

¹²¹ Ibid, 81-2.

¹²² Ibid, 106-7.

¹²³ Ibid, 91.

¹²⁴ Ibid, 102.

¹²⁵ Ibid, 98-9.

2.6 Conclusion: Power in Precarity — The Fall of Apartheid

As the apartheid state began to crumble in the years leading up to the first democratic election in 1994, it would seem as though that state's grip was only tightening, yet under the surface, the *quiet encroachment* of the poor was surreptitiously undermining the regime's resolve. Several states of emergency were enacted between 1985 and 1986, and the policing of Black bodies and spaces became increasingly violent. However, the permanency and resiliency of the *precarious commons* was solidifying and the state finally began transferring housing titles to Black tenants in the Cape Flats. 126

The 1986 White Paper on Urbanism rescinded the decade old pass system, abandoning influx controls, and giving into the will and persistence of quiet encroachment through informal construction and land occupation. By the late 1980s many sections of the city had become 'grey zones' of racial mixing, spurring white flight and paranoia as government attempts to continue mass evictions were failing in the face of a growing Black resistance. From a spatial perspective, the social, rather than the political revolutionary acts of the poor began to transform the city. Success did not come from a premeditated plan, or collective insurgence, but rather from the quiet improvisational movements of individual migrants, eventually coming together to form a collective force.

According to De Angelis' definition of the commons; "As soon as these networks of social cooperation develop into systematic patterns, we have all the elements of commons: a pool of resources, communities, and commoning." The *precarious commons*, as defined in this section, introduced a radically different system of living, organically and quietly drawn out from networks of gossip, family, and collective care. These systems and networks counteracted the inherent precarity of informal settlements; they created spaces of resilience and flexibility, which allowed the poor and racialized communities to survive through stages of crisis, violence, poverty, and scarcity.

The quiet, yet persistent and pervasive encroachment of the poor onto urban space was pivotal to the collapse of the apartheid government.¹³⁰ This encroachment and *furtive commoning* was not curbed by the abolishment of the apartheid regime, as the city of Cape Town continued to see a significant growth in population on the urban peripheries, and the demographics of the city began to shift.¹³¹

¹²⁶ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 95.

¹²⁷ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 128.

¹²⁸ De Angelis, "Social Revolution and the Commons," 301.

¹²⁹ Ibid, 303.

¹³⁰ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 128.

¹³¹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 111.

3.0 Neoliberal Silent Enclosure of the Anemic Commons, Housing, and Infrastructure

3.1 Introduction

Chapter three focuses on the spatial and neoliberal enclosure of the city of Cape Town during the late apartheid and early post apartheid transitional years; from the 1980s through to early in the new millennium.

In the late 1980s, with the retraction of apartheid spatial controls and intensifying encroachment onto the city, the white population faced a possibility of the erosion of their legally protected wealth and lifestyle. The growing threat to the purity and order of the racial city sparked a neoliberal cycle of *silent enclosure* of urban space and services by the white and propertied into fortified estates, gated communities, and improvement districts.¹³²

Manfred Spocter coined the term *silent closure* in reference to the inaudibility of the spatial closure of Cape Town during the late apartheid and early post-apartheid period. Those who do not own property and those outside of the municipal process are often left unaware of the privatization of public space, and are not given any opportunity to voice their objections or concerns.¹³³ This *silent enclosure* speaks to the furtive nature of the post-apartheid urban fragmentation in Cape Town. Although outwardly racist rhetoric and legislation is no longer deemed acceptable, architectural intervention and fortification is used to preserve and solidify historical racial-spatial relations, while avoiding backlash from those who are silently excluded.

According to Campt's definition of quiet, explored in chapter two, the term is distinct from silent. If silent, is not quiet, then one may define the term as 'without sound', an absence, void of the subtle frequencies and hum of that which is quiet. The silence of *silent enclosure* requires a shared and often unspoken language understood amongst the white and propertied. What is established in Cape Town is a white practice of 'reading between the lines'. A dialect is developed where just as much information lies in what is left unsaid, and silence has deep meaning. Architecturally, this manifests in a city of hidden facades, blank walls, sanitized streets, and neighbourhoods void of public space (see figures 3.1 through 3.4).

The demise of apartheid urban controls in parallel with escalating crime statistics, instilled a sense of disillusionment with 'new' government from the side of the European-elite who had previously benefited from apartheid legislation. ¹³⁴ In response, the wealthy organized around the *silent enclosure* of urban space in previously 'European Group Areas', constructing what I call the *anemic commons*. I categorize both gated communities and City/Community Improvement Districts (CIDs) as types of *anemic commons*. Both of these spatial typologies can be considered a commons because they are created with shared political motivations, and those who are accepted into the commons organize to pool resources for their mutual benefit.

Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 153.

¹³³ Ibid, 167.

¹³⁴ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 132.



Figure 3.2 Shiraz Crescent gated community, Constantia, Cape Town. 2021. Photo by author.



Figure 3.1 Walled street, Bishops Court, Cape Town. 2021. Photo by author.

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Figure 3.3 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 3.4 Tokai Village Estate, Tokai, Cape Town. 2021. Photo by author.

63 3.1 Introduction

The commons typology can be used as a revolutionary tool and an "alternative to state and capital," but can also be co-opted and misconstrued to suit and benefit the neoliberal project. I classify gated communities and CIDs as *anemic*, because they are a pale reflection of what an idealized commons could and should be. Campt brings attention to the way sound, or the lack thereof, relates to the body; "sound need not be heard to be perceived. Sound can be listened to, and, in equally powerful ways, sound can be felt; it both touches and moves people. In this way, sound must therefore be theorized and understood as a profoundly haptic form of sensory contact." If silence is a absence of sound, it translates to a lack of feeling; a deficiency in empathy, a refusal to listen, and a sort of bodily stuckness or stagnation. The *anemia* of these neoliberal commons invokes Campt's connection between body and sound. The silence of *silent enclosures* can be associated with the lack of vibration, life, and colour in these urban spaces. The *anemic commons* is deficient in the revolutionary energy of a true commons.

I argue that the lens of *silent enclosure* can also be applied to the privatization of security, public services, and public housing (see figure 3.5). The surreptitious transition of state-subsided housing and services from the public to private realm results in inadequate and peripheral living conditions for the poor. Cost-reflective pricing means that those who are granted state-housing, as well as those who inhabit informal areas, are under threat of evictions and service cutoff if they are unable to pay the associated fees.¹³⁷

The neoliberal transition to a post-apartheid Cape Town has produced a 'Potemkin' city. ¹³⁸ Formalization projects become a facade of a progressing and equalizing city, while informality is demolished, and poverty shipped out to waste-lands, beyond the view of consumers, tourists, and investors. ¹³⁹ Rather than trying to provide effective housing solutions in central and serviced area of the city, the state, empowered by the white-elite, continue to force the poor, racialized, and criminalized towards the outer stratas of the city.

In chapter three I bring attention to the ways in which the neoliberal state and white elite fuel spatial fragmentation in the city. *Silent enclosure* became a strategy to claim additional space for the wealthy, while also serving as a means to silence the hum of resistance and refusal emanating from Black and poor spaces.¹⁴⁰

¹³⁵ Pithouse, "An Urban Commons? Notes from South Africa," 133.

¹³⁶ Campt, Listening to Images, 6.

¹³⁷ Miraftab and Wills, "Insurgency and Spaces of Active Citizenship," 203.

¹³⁸ Loos, "Potemkin Village."

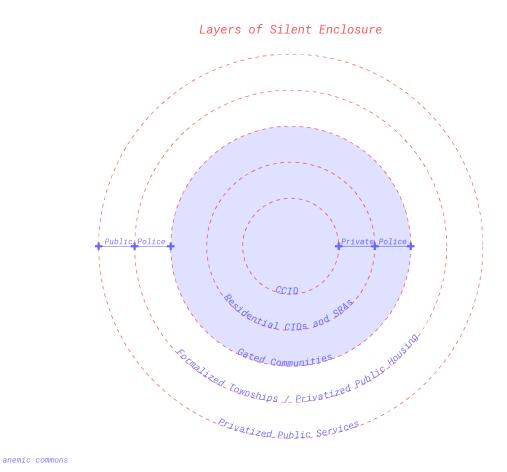
¹³⁹ Tomer, "Cape Town: Negotiating the Public in the Neoliberal City."

¹⁴⁰ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 132.

Figure 3.5 Layers of Silent Enclosure in Cape Town. Diagram by author.

The silent enclosure of urban space into the anemic commons, maintained by private police force, create inner layers of enclosure in the city. The silent enclosure of public housing and services creates additional layers of enclosure, enabling the creation of zones with elevated services and security in historically European areas, while diminishing the quality of life for those who inhabit the precarious commons; who experience pervasive criminalization and militarized public police force.

silent enclosure



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3.1 Introduction

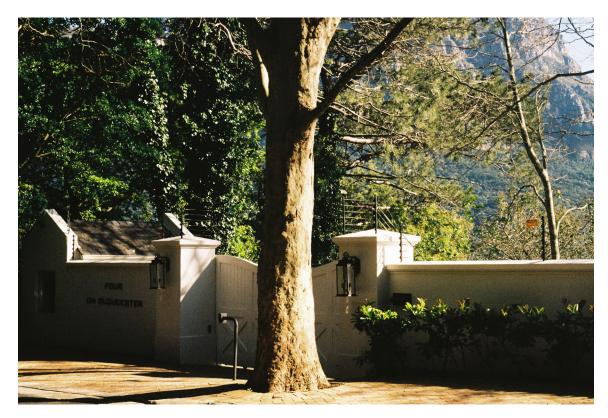


Figure 3.6 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 3.7 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.

3.2 Silent Enclosure by the White and Wealthy: Gated Communities

Fear and the Fall of Apartheid

The racial-spatial greying of the city centre during the waining days of apartheid in the 1980s created a new proximity of the white, propertied, and wealthy to those who had been historically racialized and 'otherized'. Mbembe identifies that because the apartheid state

constructed dwelling as both seclusion and security, the pastoral imaginary of the racial city functioned as a way of assuaging white citizens' fears and to instill in them a morality of social conformity in exchange for racial privileges. But the dualism between inside and outside also served as a basis to reject the racial other and indeed to legitimize a separation from the world. Urban rationality and planning sought to avoid, as much as possible, overlays or collisions. Thus, to a large extent, the apartheid city was a city of boundaries and contrasts. The role of architecture and planning was to trace partitions within well-defined spaces with clear protective boundaries so as to avoid the disruptive effects—real or potential—of race mixing.¹⁴¹

The late-apartheid urban shift, which transgressed apartheid spatial-planning, sparked a rapid and widespread movement of *silent enclosure* in Cape Town as residents retreated into "laagers of opulence." Citizen-led architectural fortifications worked to preserve white areas of the city in a desperate attempt to retain the exclusivity and order of the apartheid city (see figures 3.6 and 3.7).

The increase of crime during the period of apartheid restructuring and upheaval fostered a culture of paranoia among the white population, and the apartheid preoccupation with the poor and the Black as a political threat regressed back to the colonial-era fear of 'Black danger'. As a result, intense spatial fortification was, and continues to be, widely viewed as a rational response under the weight of the growing collective anxiety.¹⁴³

Pervasive criminality has been the reality of South Africans of colour for decades; the enforcement of influx controls, and the attention to policing in 'European Group Areas' kept criminality hidden from the view and daily lives of white South Africans in the apartheid era. ¹⁴⁴ The escalating late and post-apartheid fear of crime and the resulting architectural fortifications are actively, yet silently, recreating lines of division; ensuring that crime and its consequences continue remain in poor Black spaces of the city. "Black South Africans are twenty times more at risk from homicide than whites. Yet it is crimes against affluent whites that have received the

¹⁴¹ Mbembe, "Aesthetics of Superfluity," 386.

Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 154.

¹⁴³ Lemanski, "A New Apartheid? The Spatial implications of Fear of Crime in Cape Town, South Africa," no. 2, 102.

¹⁴⁴ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 131.

most attention." ¹⁴⁵ These crime statistics mean that although the white and wealthy still fear crime, it largely occurs outside of their spaces of domesticity, and in areas of the city they often actively avoid. ¹⁴⁶

Silent Enclosure of Gated Communities

Private property, enclosed through architectural fortification, and protected by private police was one of the main furtive strategies of *silent enclosure* in the transitioning city of Cape Town.¹⁴⁷ Not satisfied with the securing of individual homes, the fall of apartheid triggered a trend of the wealthy and predominantly white increasingly seeking to avoid crime and quell fear by fortifying entire neighbourhoods; enclosing public streets and public spaces into gated communities with the use of electrified fences, high walls, road-booms, gates, elaborate security systems and private security firms.¹⁴⁸

Entrances to gated communities are limited and highly controlled, requiring identity documents in order to gain access. In this sense, the pass system is being reinstated through developer and citizen interventions, as large, gated communities and security estates become micro-states of exclusion (see figures 3.8 and 3.9). Through fortification and 24-hour surveillance, the white and wealthy, territorialize space that is then considered to be more valuable, safe, and free from unwanted or inconvenient encounters with poverty.

The upper- and middle-class have created residential citadels in historically European areas in a citizen attempt to satisfy the nostalgia of the white and wealthy for the utopian lifestyle promised to them during apartheid. This fear-driven, *anemic* architecture has embedded itself within the urban morphology and psychology of the city of Cape Town, as white walls, carefully shaped hedges, and elaborate gates reinstate the white notion of control over urban order (see figures 3.10 and 3.11).

From a zoomed-out city-wide perspective, these enclosures appear to have minimal effect on the urban structure of Cape Town, yet those who are excluded from these spaces face daily limits to their mobility, and are silenced by their restricted access to the central areas of city, only being invited in when providing cheap labour. Therefore, citizen responses of fortification and privatization largely recreate colonial-apartheid patterns of socio-spatial exclusion.¹⁵⁰

¹⁴⁵ Ibid.

¹⁴⁶ Lemanski, "A New Apartheid? The Spatial implications of Fear of Crime in Cape Town, South Africa." no. 2, 105.

¹⁴⁷ Harvey, "The Right to the City," 23-40.

¹⁴⁸ Lemanski, "A New Apartheid? The Spatial implications of Fear of Crime in Cape Town, South Africa," no. 2, 106.

¹⁴⁹ Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 154.

¹⁵⁰ Lemanski, "Spaces of Exclusivity or Connection? Linkages between a Gated Community and Its Poorer Neighbour in a Cape Town Master Plan Development," 397.

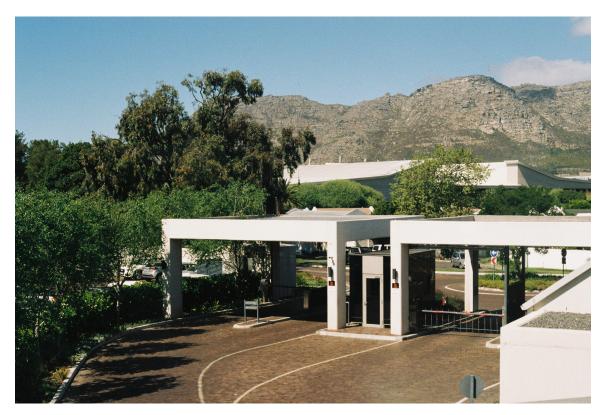


Figure 3.8 Tokai Village Estate entry gate, Tokai, Cape Town. 2021. Photo by author.



Figure 3.9 Silvermine Village gated community, Noorhoek, Cape Town. 2021. Photo by author.



Figure 3.10 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 3.11 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.

The Anemic Commons

The late- and post-apartheid architectural *silent enclosure* movement is an attempt by the white and propertied to secure their wealth and resources within a new commons— the *anemic commons*. The *silent enclosure* of open and public space can be categorized as an act of commoning because the shared land within the resulting *anemic commons* is governed communally by the commoners; it is host to social systems in which resources are pooled; and it serves to meet the desires and aspirations of the specified group.¹⁵¹

Much as the *quiet encroachment* of the poor onto urban space was tolerated by the apartheid state until it became audible and unmanageable; the silent, often illegal, enclosure and privatization of urban space by the wealthy was ignored by the city in the transitioning years of apartheid and into the early years of democracy. As a result the local government is now grappling with a city that is littered with *anemic commons* (see figure 3.12).¹⁵² This territorialization through architectural intervention consequently and purposefully diminished opportunities for *quiet encroachment*, which would alter the marketable lifestyle of the area, and threaten efforts for further gentrification by undermining real-estate values (see figure 3.13).¹⁵³

The variety in potential forms of the commons means that "attempts to defend the commons do not amount to a simple story of the commons as an emancipatory alternative to state and capital." ¹⁵⁴ In 1972 Harold Wolf argued quite the opposite, that the commons has long been used for racial capitalism, pointing to the 'homelands' as examples of highly degraded commons. These so-called commons provided the racial state with exploitative labour while dictating that Black family life and reproduction happen in rural reserves outside of the urban centres. Other scholars such as Elinor Ostrom suggest that the public must participate in the creation of their own commons, which would therefore disqualify 'homelands' from the category of a 'true' commons. It becomes important to create a clear distinction between modes of commoning which spatially reinforce sites of wealth and power, and those of which are created in service of the poor and oppressed. ¹⁵⁵

The *silent enclosure* of the *anemic commons*, aligns with Harris' concept of whiteness as usable property.¹⁵⁶ The *anemic commons* only serves those who look and behave in a similar and familiar (white) manner, and who are able to meet the social and economic requirements of the group. 'Whiteness' not only allows one to gain access to this *anemic commons*, it also reinforces its allure of exclusivity, purity, and therefore elevated market value (see figure 3.14). According to De Angelis:

commons cannot be reduced to the stereotypes of commons theories, and they do not have a glove fit with any model put forward by

De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 627.

¹⁵² Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 154.

¹⁵³ Landman, "Privatising Public Space in Post-Apartheid South African Cities through Neighbourhood Enclosures," 141.

¹⁵⁴ Pithouse, "An Urban Commons? Notes from South Africa," 133.

¹⁵⁵ Ibid

¹⁵⁶ Harris, "Whiteness as Property."



Figure 3.12 Group of gated communities, Hout Bay, Cape Town. 2021. Photo by author.



Figure 3.13 Tokai Village Estate, Tokai, Cape Town. 2021. Photo by author.



Figure 3.14 Tokai Village Estate, Tokai, Cape Town. 2021. Photo by author.

any romantic or radical versions of what constitute good or socially just systems. We do not have to fall into the fallacy of the model. To modern cosmopolitan urban subjectivities, many contemporary urban or rural commons are often messy, disempowering, claustrophobic, patriarchic, xenophobic, and racist. These are obviously not the commons we want for an emancipatory perspective. The strategic intelligence we need to develop should really indicate how to circulate and amplify the resistance and struggles against all these traits, which are located in many commons. But it would be dishonest and dangerous to select these out of our theoretical radar just because they are not desirable characteristics of the commons we want. 157

The *anemic commons* problematizes the commons as a mechanism of enclosure and further capital accumulation. The commons can be a source of fugitivity, a radical refusal of systems of oppression such as in the case of the *precarious commons*, but often they are actually dispossessive and exclusionary, such as in the case of the *anemic commons*. In the case of Cape Town, the colonial and apartheid racial relations of power and property have paved the way for the individual greed and ambition of the white elite to flourish as they continue to collect and protect the spoils of systemic racism.¹⁵⁸

3.3 White Noise and the Co-option of the New Constitution

Post-Apartheid Reconstruction and Development

By the early 1990s townships in Cape Town were re-introducing the ninety-nine-year-leasehold and Black people were allowed to own land for the first time since the colonial era. This step by the apartheid state was not necessarily a move towards equity, but was rather an attempt to unload the overhead costs of maintaining state housing in a country reeling from recession. The privatization of the public housing stock and the transfer of property rights to Black residents, led to widespread rent and mortgage boycotts due to uninhabitable building quality in conjunction with the inability of the most vulnerable to pay (see figure 3.15). 160

During the early post-apartheid years, there was a strong movement which pushed for the restructuring, reintegration and concentration of South African cities. ¹⁶¹ In an attempt to manage the incredible urban inequality left in the wake of apartheid, the African National Congress (ANC) government created the 1994 *Reconstruction and Development Program* (RDP). The RDP included an ambitious housing program which facilitated the building of 1.8 million units by 2005 (see figure 3.16). Despite these impressive statistics, the waiting list continues to grow at an unmanageable rate, and many of those who were systemically disenfranchised during apartheid continue to wait for government housing. ¹⁶²

¹⁵⁷ De Angelis, "Social Revolution and the Commons," 303.

¹⁵⁸ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 17.

¹⁵⁹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 100.

¹⁶⁰ Ibid, 67

¹⁶¹ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa. 130.

¹⁶² Barry et al., "Land Conflicts in Informal Settlements: Wallacedene in Cape Town, South Africa," 172.



Figure 3.15 Apartheid-era state housing, Khayelitsha Township, Cape Town. 2021. Photo by author.



Figure 3.16 Post-apartheid RDP housing, Imizamo Yethu settlement, Cape Town. 2021. Photo by author. Informal "backyarder" structures often fill in yards to provide additional space.

In another step towards a more equitable future, the new *South African Constitution*, established in 1996, entrenched socio-economic and human rights into South African law, including the right to adequate housing, protection from arbitrary eviction, security, and freedom of movement.¹⁶³ However, the enduring use of eviction for social ordering continues to be justified through the assertion of private property rights against illegal land occupations, health and safety concerns (akin to the sanitation narrative in the colonial era), as well as environmental and conservation discourses.¹⁶⁴ Although there are constitutional protections for informal occupiers, these rights exist in constant tension with the right to private property.¹⁶⁵

Despite the progressive pro-poor Constitution, and the initial push for redistribution by the Reconstruction and Development Program, the exclusion of the poor and racialized from access to land and housing remains deeply embedded in Cape Town's culture and in its urban space. "This legacy has meant that the vast majority of those living in [Cape Town] tend to occupy the blank zones created by colonial urban planning practices... either liv[ing] in vast squatter camps on the urban periphery to, in even more extreme cases, occupy[ing] interstitial spaces in the city centre such as abandoned lots and sidewalks."166 In defending established colonial property rights such as "the right to use, possess, exclude, devise, alienate, etc."167 the state protects a property owner's 'freedom' to use their property in any way they wish (see figures 3.17 and 3.18). But when harm is perpetuated and caused by protecting these rights, the question arises: Whose concept of freedom is being protected? And why? Brenna Bhandar poses the questions: "what happens if we consider the dominant field of perception that continually posits black bodies as a threat to the security of others? Is it possible that freedom to use property, to alienate it, and to freely enter contractual relations, and the other side of that coin, security from harm, are both still enmeshed in the racial and colonial legacies of property law formation in settler colonies"? 168 White privilege means that people of colour are expected to assimilate into white institutions and systems. Therefore, racialized people in Cape Town are required to conform to the systems of enclosure and property law which set the ground-work for their repeated dispossession and subordination.

Growth Employment and Redistribution

Within two years, the RDP was silently replaced with the *Growth Employment and Redistribution Program* (GEAR), which shifted government strategy away from pro-poor policy and towards neoliberal values of economic empowerment, while avoiding mention of the structural barriers inhibiting the bootstrap development they promoted.¹⁶⁹

¹⁶³ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions law in Post-Apartheid South Africa." no. 4, 428.

¹⁶⁴ Ibid, 431

¹⁶⁵ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions law in Post-Apartheid South Africa," no. 4, 429.

¹⁶⁶ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 19.

Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 20.

¹⁶⁸ Ibid, 21.

¹⁶⁹ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 130.



Figure 3.17 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 3.18 Fortified estate, Bishops Court, Cape Town. 2021. Photo by author.

In Harris' paper *Whiteness as Property*, she points to South Africa as emblematic of the ways in which the association of whiteness, property, and power can be dismantled. The affirmative action measures which were introduced by the ANC government were hopeful, promising "directly the distribution of property and power, with particular regard to the maldistribution of land and the need for housing... what is implied by this conception of affirmative action is that existing distributions of property will be modified by rectifying unjust loss and inequality."

The ANC had initially set their land redistribution target at thirty percent by 2005. However, by "2008, of the approximately 80 to 85 percent of land in white ownership, only 4 percent had been redistributed to blacks." The white noise of the new legislative language enables the white and wealthy to point at ways in which the country is changing, without submitting to a true redistribution, which would result in a disruption to their architecturally protected lifestyle.

3.4 Social Censorship: City Improvement Districts

Neoliberalization

The years between 1985 and 1994 were pivotal in establishing private sector interests in Cape Town. The city was reeling from a recession, the apartheid government was in financial disarray, and neoliberal principals required the state to begin structuring and functioning like a business.¹⁷¹

The post 1994 years brought new vitality to the city as the democratic election of the ANC marked a transition towards a pro-poor government. However, after almost four decades of apartheid legislation and racial welfarism which exclusively benefitted white South Africans, the country made a dramatic shift towards "trade liberalisation, financial deregulation, export-oriented growth, privatisation, full cost recovery and a general rolling-back of the state" 172— all of which continued to benefit the white and wealthy. This change in policy framework was completed without consultation, repeating apartheid patterns of silencing and suppression. This represented "a significant swing to the right for the ANC" and in many ways the party did not remain true to their revolutionary roots. 173

In the *Journal of International Sociology*, Asef Bayat comments that; "It is generally agreed that the economics of globalization, comprised of a global market 'discipline', flexible accumulation and 'financial deepening', has had a profound impact on the post-colonial societies."¹⁷⁴ In the early years of transition, labour intensive industries which had required a large workforce fuelled by township residents fell away in the face of globalized financial markets, and unemployment statistics began to rise. ¹⁷⁵ For those living in informal settlements and Black townships, this resulted in an increased reliance on informal economies and networks developed within

¹⁷⁰ Harris, "Whiteness as Property," 1790.

¹⁷¹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 108.

¹⁷² McDonald and Smith, "Privatising Cape Town: From Apartheid to Neo-Liberalism in the Mother City," 1461.

¹⁷³ Ibid, 1463.

¹⁷⁴ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South," 534.

¹⁷⁵ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 138.

precarious commons.¹⁷⁶ The emerging neoliberal government and their valourization of the 'worker citizen' stood in stark contrast to their failure to produce a city which accommodated the everyday worker.¹⁷⁷

Those who promoted globalization suggested that the trickle-down effect was justification for the mass accumulation by the top few percent of the population. This trickle-down hypothesis would mean that the initial costs to the life and well-being of the poor would be a temporary condition, but in the end, all would benefit.¹⁷⁸ However, it has now been widely accepted that wealth does not actually redistribute from the rich to the poor, as the accumulation of capital increases exponentially at the top. Although the colonial and apartheid regime's racial-spatial controls set the groundwork for inequality in the city, it is the neoliberalization of policy that furtively retains and solidifies the apartheid hierarchy of space.¹⁷⁹

City Improvement Districts

In the shift towards neoliberal governance, the City of Cape Town was tasked with creating a marketable city that is desirable to both international tourists and investors. This image of a 'world class city' relies on a surface level experience of the urban sphere, which can only be achieved through the social censorship and sanitation of 'white' public space. As a result public spaces in the Central Business District, the City Bowl, and its surrounding suburbs became subject to privatization through the implementation of City Improvement Districts (CIDs), also known as Business Improvement Districts (BIDs), Community Improvement Districts (also CIDs), or Special Rating Areas (SRAs). This model of urban revitalization has been employed in many northern global cities and popularized by their supposed success in New York City. 180 "CIDs [, BIDs and SRAs] create special zones within the city that receive additional, privately funded public services and that enforce the city's bylaws regulating the uses and users of public space."181 CIDs and SRAs in Cape Town "contradict the ideal of a post apartheid city based on solidarity between neighbourhoods at the metropolitan scale. The old struggle motto 'one city, one tax base' no longer appears as a priority." 182 Property owners are allowed to funnel funds collected by the local government, and which appear in the municipal budget, back into the 'improvement' of the specified area. 183

CIDs and SRAs are a secondary form of the *anemic commons*, and create an additional furtive layer of *silent enclosure* in the city of Cape Town. CIDs and SRAs enclose not only private property, but public urban space within the decided boundary (see figure 3.19). "Compared with other boundaries in Cape Town, such

¹⁷⁶ Ibid.

¹⁷⁷ Ibid,146

 $^{178\,\,}$ Bayat, "From 'Dangerous Classes' to 'Quiet Rebels' The Politics of the Urban Subaltern in the Global South, 535.

¹⁷⁹ Strauss and Liebenberg, "Contested Spaces: Housing Rights and Evictions law in Post-Apartheid South Africa," no. 4.

 $^{180\,}$ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," $602.\,$

¹⁸¹ Ibid, 603.

¹⁸² Bénit-Gbaffou, Didier, and Morange, "Communities, the Private Sector, and the State," 704.

¹⁸³ Ibid.



Figure 3.19 View of Muizenburg Improvement District, Cape Town. 2021. Photo by Nigel Edwards.



Figure 3.20 Private police officer in Muizenburg Improvement District, Cape Town. 2021. Photo by author.

as walls and electric fences, this territorial boundary remains relatively invisible to those social groups (tourists and consumers) that CIDs aim to attract. However, for those enforcing or experiencing displacement, the 'invisible boundary' is a tangible presence." 184 CIDs (and all of their counterparts) create identity-based commons around which a clear (yet invisible) boundary is formed; preventing expansion or infiltration from the outside unless those who enter agree to embrace and mimic the (white) values and behaviours of the *anemic commoners*. 185 What results is an exclusive 'white', or *anemic* space which is *silent* in its enclosure due to the lack of public participation and voice in the process.

As described in Harris' work, *white space* becomes defined by "white supremacy rather than mere difference." ¹⁸⁶ The CID is successful as a business model in the neoliberal city precisely because of its silent exclusivity, and subtly perceived 'whiteness'. Those who appear to not belong, which in this case is largely people of colour, informal traders, or those without housing tenure, are swiftly removed by the privately funded security personnel (see figure 3.20).

The Central City Improvement District

The first, and most controversial CID in Cape Town is the *Central City Improvement District* (CCID) (see figure 3.21). "The CCID is an initiative of the *Cape Town Partnership* [CTP], a not-for-profit company founded in 1999 by the City Council and the local business community. The main aim of the partnership is to reverse urban decay and capital flight from the city centre to surrounding suburbs and business parks." Since its inception in 2000, the CCID has expanded to include neighbouring inner-city districts. Within its first 10 years, the CCID was collecting a 15 million rand annual levy (approximately \$1.26 million CAD) for private services which would exclusively benefit residents and businesses within the defined territory. Of that 15 million, approximately 50% is allocated to private security, dramatically increasing the presence of armed security guards patrolling the district by foot. This disproportionate allocation of funds results in a city centre in which private security guards, with private interests in mind, vastly outnumber public police (see figures 3.22 and 3.23). 189

The CCID is unique in its entanglement with the municipal government, as 30% of the *Cape Town Partnership* (CTP) is made up of City Council members. Additionally, 'Securicor,' the private security company of choice for the CCID, regularly collaborates with local police on their patrols. "The CCID is in effect a large-scale partnership policing effort aimed at making central Cape Town safe and secure, an international city and a first-class tourist destination." ¹⁹⁰ The CCID

¹⁸⁴ Paasche, Yarwood, and Sidaway, "Territorial Tactics: The Socio-Spatial Significance of Private Policing Strategies in Cape Town," 1566.

¹⁸⁵ De Angelis, "Social Revolution and the Commons," 309.

¹⁸⁶ Harris, "Whiteness as Property," 1707–91.

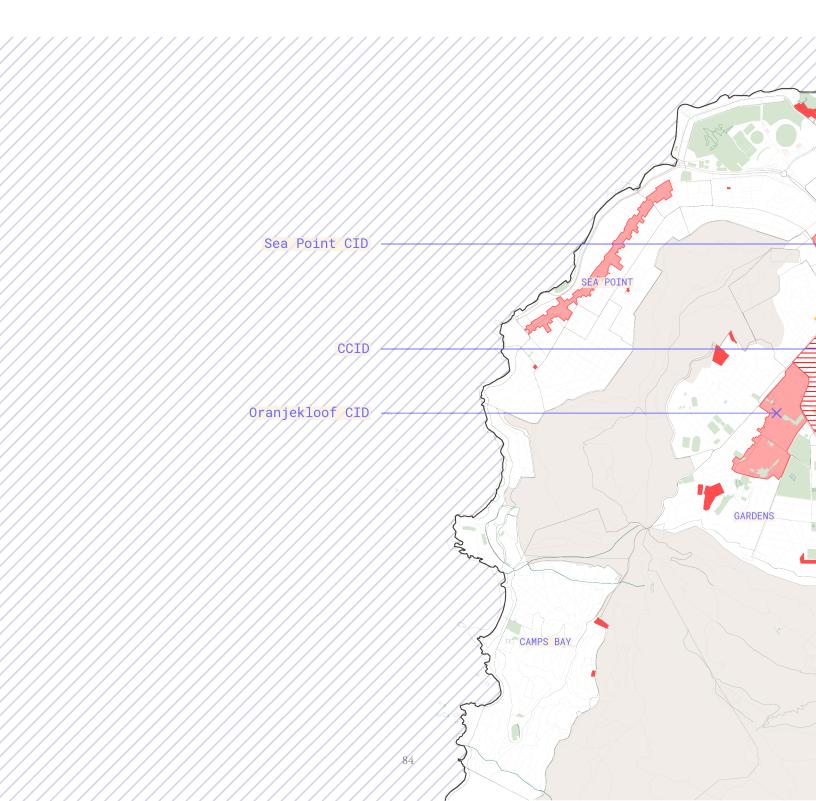
¹⁸⁷ Abrahamsen and Williams, "Securing the City: Private Security Companies and Non-State Authority in Global Governance," 246.

¹⁸⁸ Bénit-Gbaffou, Didier, and Morange, "Communities, the Private Sector, and the State," 709.

¹⁸⁹ Abrahamsen and Williams, "Securing the City: Private Security Companies and Non-State Authority in Global Governance," 246.

¹⁹⁰ Ibid.

Figure 3.21 Map of the Central City Improvement District [CCID], Cape Town 2021. Map by author.



Furtive Commons Informal Settlements Gated Community CIDs + SRAs

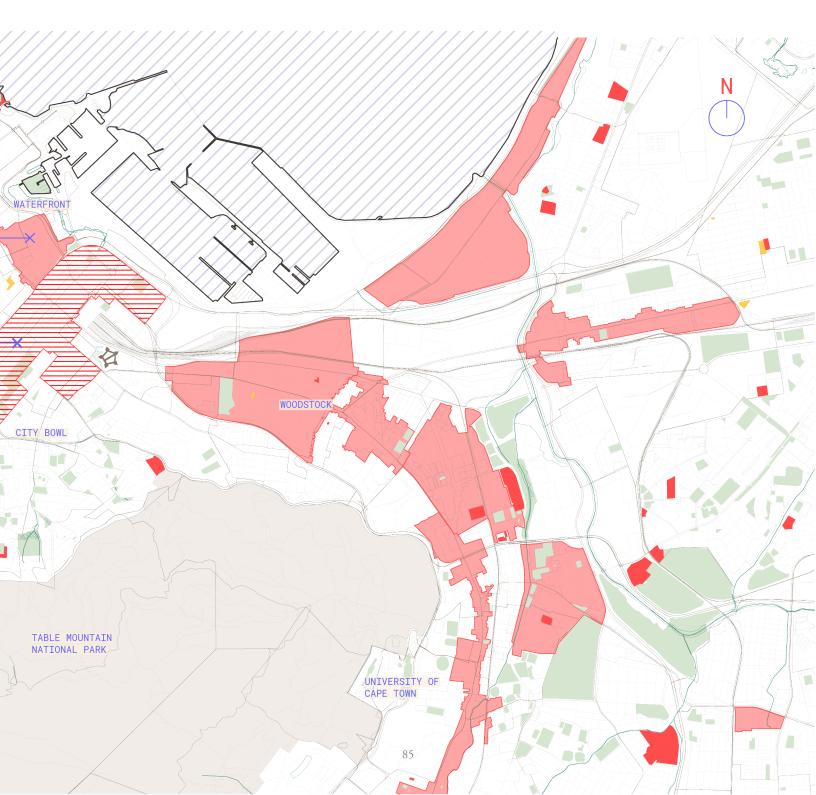




Figure 3.22 CCID security cart, Central Business District, Cape Town. 2021. Photo by author.



Figure 3.23 CCID private security officer, Central Business District, Cape Town. 2021. Photo by author.

is celebrated for its relative success in reducing crime in the city and in stemming capital flight from the area, but a lack of consideration is given to the exclusionary practices of property owners, whose actions are sanctioned by the state, and enforced through powerful private security companies.

Since its establishment, the CCID has become the model for smaller CIDs which have been "introduced in concentric rings" emanating from the city centre.¹⁹¹ This escalation of *silent enclosure* has made CIDs the most significant security scheme implemented since the fall of apartheid.¹⁹²

Residential Community Improvement Districts(CIDs) and Special Rating Areas (SRAs)

The City Improvement District (CID) model, born from business-focused BIDs, is no longer restricted to central and commercial areas of the city as the rational of *location creation* has bled into the suburbs of Cape Town (see figure 3.24). Residents in specific neighbourhoods, who may not live within a gated community but desire the same level of security, exclusivity, and real-estate benefit, ban together in order to group resources for improved services and to employ private security companies to patrol the area.¹⁹³

The justification for the presence of residential Community Improvement Districts (CIDs) and Special Rating Areas (SRAs) relies heavily on discourses of safety based upon white fear of violent and property crime (see figure 3.25). "In the promotional material, social and physical sanitation are merged through the slogans such as 'CIDs defeat crime and grime' or that 'BIDs clean up!' These are accompanied by an image of waste collectors and police officers working hand-in-hand." While improved services of waste collection and general upkeep of the area are funded by levies collected within the CIDs boundary, it is common practice to allocate a majority of the monthly fees towards private security presence in the area (see figure 3.26). Although 'undesirables' are not limited from entering this space by a physical wall or barrier, they are efficiently and furtively expelled from public spaces within the bounds of the CID. Therefore, the "grime" referred to in these slogans does not exclusively refer to waste removal, but also insinuates the removal of the homeless, informal traders, and beggars from the streets.

This underhanded racism and anti-poor mentality is what makes *silent enclosure* so effective. The white and wealthy do not explicitly state that the goal is to remove unwanted poverty from their areas of domesticity, leisure, and consumption, but the result of their furtive strategies of enclosure remain the same: fragmentation and exclusion for the purposes of protecting wealth and lifestyle.

¹⁹¹ Paasche, Yarwood, and Sidaway, "Territorial Tactics: The Socio-Spatial Significance of Private Policing Strategies in Cape Town," 1562-7.

Bénit-Gbaffou, Didier, and Morange, "Communities, the Private Sector, and the State," 695–98.

¹⁹³ Paasche, Yarwood, and Sidaway, "Territorial Tactics: The Socio-Spatial Significance of Private Policing Strategies in Cape Town," 1568.

¹⁹⁴ Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa," 297.

¹⁹⁵ Paasche, Yarwood, and Sidaway, "Territorial Tactics: The Socio-Spatial Significance of Private Policing Strategies in Cape Town," 1568.



Figure 3.24 Scott Estate Special Rating Area, Hout Bay, Cape Town. 2021. Photo by author.



Figure 3.25 Scott Estate Special Rating Area, Hout Bay, Cape Town. 2021. Photo by author.

Private Policing of CIDs

The discourse around creating a modern 'world class city' has been central to the success of establishing CIDs, but the practices employed to create this image are reminiscent of strategies of oppression used throughout Cape Town's violent history. The by-laws interpreted and enforced by private security companies, and ignored by local-public authorities, are often remnants from the apartheid era and are exploited in order to serve the interests of property owners. These bylaws, in conjunction with additional contemporary neoliberal legislation, effectively empower heavily armed security guards to 'clean-up' Cape Town. 196 As a result, poverty, homelessness, or behaving outside of the established (silent-white) social norm is criminalized and deemed a public offence. 197

While the state police are ideally tasked with the safety and security of the city as a whole, private security personnel employed by a specific CID view their territory as an isolated container within which they are responsible and within which they have the authority to assert control. The public spaces within CIDs are often surveilled 24 hours a day; the overwhelming police presence is entirely funded through the levies paid to the municipal government, and the level of security exists without relation to actual need. This over-policing yields "a patch-worked public space associated with private enclaves of consumption." The widespread use of the CID model means that people without tenure, as well as informal traders who operate outside of the formal market are excluded from the inner CCID. They are then pushed to a second and third strata of residential CIDs, SRAs, and gated communities, repeating the exclusion until they are pushed out to the Cape Flats on the periphery. CIDs are ultimately tools to displace poverty and to concentrate wealth. 200

Property as Political Power in Neoliberal Cape Town

Although CIDs have been criticized, much of the rhetoric remains squarely in apartheid and post-apartheid terms, with little attention given to both the colonial roots of property ownership in relation to political power over urbanization, and the key role of neoliberal principles in perpetuating this pattern in the contemporary city.²⁰¹ "The decision to join a [Community or City Improvement] District is made exclusively by the property owners. Once 50 percent +1 of the owners with more than half of the value of properties in an area adopt this strategy, all are subject to the additional fees. The zone has a private, nongovernmental governing entity to oversee the service delivery and to enforce bylaws about the zone's use and the users of its public space".²⁰² Therefore, the greater the number and value of properties

¹⁹⁶ Abrahamsen and Williams, "Securing the City: Private Security Companies and Non-State Authority in Global Governance," 249.

¹⁹⁷ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 612.

¹⁹⁸ Paasche, Yarwood, and Sidaway, "Territorial Tactics: The Socio-Spatial Significance of Private Policing Strategies in Cape Town," 1559.

¹⁹⁹ Ibid, 1568.

 $^{200\,}$ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," $611.\,$

²⁰¹ Didier, Morange, and Peyroux, City Improvement Districts and "Territorialized Neoliberalism" in South Africa (Johannesburg, Cape Town), 121.

²⁰² Miraftab, "Colonial Present: Legacies of the Past in Contemporary Urban Practices in Cape Town, South Africa," 295.

Figure 3.26 Atlas of CIDs and SRAs. 2021. Drawing by author.

	L	_		L
7	Zwaanswyk budget:R1 000 390 policing:59.9%	Sea Point budget:R4 877 406 policing:60.1%	Salt River budget:R3 039 781 policing:61.1%	Oranjek budget: policin
-	Stikland Industrial budget:R3 077 339 policing:53.9%	Llandudno budget:R433 587 policing:55.4%	Tygervalley budget:R2 974 046 policing:55.8%	Paarden budget: policin
	Triangle Farm budget:R2 009 285 policing:50.8%	Observatory budget:R4 731 253 policing:52.8%	Brackenfell budget:R2 556 638 policing:52.9%	Groote budget: policing
7	Claremont budget:R8 702 958 policing:44.6%	CCID budget:R52 977 266 policing:44.7%	Strand budget:R1 009 293 policing:45.3%	Athlone budget polici
	Beaconvale budget:N/A	Northpine budget:N/A policing:N/A	Boston budget:N/A	Montagu budget:
+	Mitchells Plain budget:N/A policing:N/A	Overkloof budget:N/A policing:N/A	Penzance budget:N/A policing:N/A	policin Mount budge polic

	-		<u> </u>	-	L
loof R4 779 254 g:61.5%	Kalk Bay + St. James budget:R1 383 009 policing:62.0%	Greenpoint budget:R5 635 244 policing:62.9%	Vredkloof budget:R2 894 829 policing:67.5%	Zeekoevlei budget:R445 908 policing:93.4%	
Island R3 779 193	Woodstock budget:R4 772 059 policing:57.3%	Somerset West budget:R2 434 614 policing:57.7%	Elsies River budget:R2 239 272 policing:57.9%	Airport budget:R3 377 278 policing:58.6%	
Schuur R5 575 994 g:52.9%	Maitland budget:R2 757 392 policing:53.0%	VRCID budget:R17 825 156 policing:53.2%	Wynberg budget:R4 406 701 policing:53.6%	Parow Industria budget:R4 005 747 policing:53.6%	- 50%
e :R900 969 ng:47.0%	Muizenberg budget:R1 662 288 policing:48.7%	Glosderry budget:R1 307 844 policing:49.6%			Policing Budget
e Gardens N/A g:N/A	Welgemoed budget:N/A policing:N/A	Blackheath budget:R1 943 939 policing:16.4%	Fish Hoek budget:R895 875 policing:41.6%	Epping budget:R8 227 106 policing:44.0%	
Rhodes t:N/A ing:N/A	Kenilworth Lower budget:N/A policing:N/A	Hugheden Meadows Oakwood budget:N/A policing:N/A	Little Mowbray + Rosebank budget:N/A policing:N/A	Scott Estate budget:N/A policing:N/A	_



Figure 3.27 Llandudno Special Rating Area, Cape Town. 2021. Photo by author.

owned, the more political power an individual has over the development of urban space (see figure 3.27). This reality sits in direct relationship with the policy of Cape Town's colonial government, who granted votes based on the number and value of buildings owned, skewing the delivery of services and infrastructure towards wealthy areas of the city. The tying of the availability of services to a property owner's ability to pay, results in a territorialization of space along colonial-apartheid lines of division, where class takes the place of race in determining one's political voice and access to the city.

The delineation of CID and SRA zones within the city, which have superior access to services and security, harkens to colonial practices of *location creation*. "While colonial practices of location creation segregated those at the bottom of the social hierarchy (the non-Europeans) to secure access to cheap labor, the creation of BIDs, CIDs, or SRAs, construct special locations for those higher up in the social hierarchy to secure and promote spaces of consumption. In both eras, 'fear' is mobilized to justify creation of special location and segregation." ²⁰³ As described in chapter two, the language of public health, sanitation, and safety were used to rationalize segregation in the Cape Colony, as outbreaks became trigger-points for intensified distance between racial groups. "What fear of disease did at the turn of the previous century, the fear of crime has accomplished at the turn of the present century." ²⁰⁴ Although disease and cleanliness are no longer attributed to racial identity, the language of 'crime and grime' as the rationale behind the need for exclusive, policed spaces in the city mirrors colonial and apartheid rhetoric, and what results is a social-spatial censorship, and general 'whitening' of affluent areas.

3.5 Silent Enclosure of Housing and Infrastructure

Silent Enclosure of Public Housing

The singular focus of state programs on providing housing located in disconnected areas of Cape Town to fulfill promises of post-apartheid redistribution, fails to consider the ways in which apartheid shaped South African cities. Building inadequate state-subsidized housing and services on the urban periphery repeats apartheid era patterns of warehousing people of colour on the Cape Flats with over-burdened and impermanent site-and-service infrastructure. As a result of this continued spatial ordering, 'Group Areas' remain largely intact and government-subsidized and formalized developments mimic the architecture of apartheid era townships.²⁰⁵

The substandard building practices which triggered rent and mortgage boycotts in the late apartheid era were repeated in the post-apartheid era.²⁰⁶ State-subsidized houses are crudely built and measure just over 160 square feet (15-17 square metres), which is too small for many poor Black families who do not conform to

²⁰³ Ibid, 284.

²⁰⁴ Ibid.

²⁰⁵ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 112-3.

²⁰⁶ Ibid, 114.

the white ideal of a nuclear family structure (see figure 3.28).²⁰⁷ The insufficiency of post-apartheid public housing can largely be traced back to the one time "shallow subsidies" provided by the government, which were then mobilized by private developers.²⁰⁸ The privatization of public housing delivery was put into motion without public consultation, and with the assumption that structures would be provided more efficiently. However, private developers failed to meet adequate housing standards, placing profit above the well-being of beneficiaries and the quality of their product.²⁰⁹

The silent privatization of public housing results in the continued eviction of poor people of colour due to rent, and mortgage non-payment.²¹⁰ "Eviction, as opposed to removal, takes us squarely into the juridical realm of ownership and property relations. Eviction is incidental to the ownership right, the logical corollary of the right to exclude others from your property, and the right to possess your property exclusively."²¹¹ The continued prioritization of colonial property rights over land redistribution, and the application of neoliberal cost recovery principles to post-apartheid housing programs, means that not only is historically white land near the city centre off-limits to the poor, but that even housing legally granted to the poor outside of the urban centre is precarious and subject to eviction due to late- or non-payment.

Silent Enclosure of Services

Under the apartheid regime, local governments had little to no responsibility for the welfare and service provisions in Black townships. With the transition to democracy, "South African municipalities are now expected to ensure an equitable and sustainable provision of water, sanitation, energy, waste management, roads, libraries, recreation and a host of other important services, and to engage residents in the decisions that are being made."²¹² However, GEAR and general trends towards neoliberalism have manifested in the reduction of pro-poor policy and public participation, and in the increase of privatization and outsourcing of public services in the name of efficiency and cost recovery (see figures 3.29 and 3.30).²¹³ The result is the *silent enclosure* of previously public services. Processes of corporatization and privatization are completed without public consultation or knowledge, fueling widespread and frequent protests throughout Cape Town's poorer neighbourhoods.

Although service provisions for people of colour in South Africa have increased substantially since the time of apartheid, the ability of poor residences to afford the enclosed-services now available has decreased. According to Spocter, this *silent enclosure* through privatization "was seen to be a yoke around the necks of

²⁰⁷ Smith, "The Murky Waters of the Second Wave of Neoliberalism: Corporatization as a Service Delivery Model in Cape Town," 386.

Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 115-6.

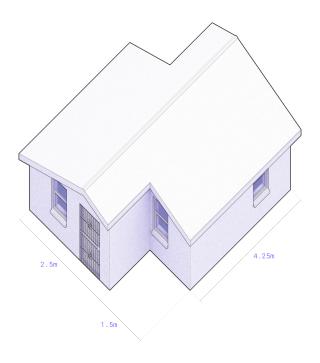
²⁰⁹ Miraftab and Wills, "Insurgency and Spaces of Active Citizenship," 203.

²¹⁰ Ibid, 204.

²¹¹ Bhandar, "Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership," 189.

²¹² McDonald and Smith, "Privatising Cape Town: From Apartheid to Neo-Liberalism in the Mother City," 1463.

²¹³ Ibid; Miraftab and Wills, "Insurgency and Spaces of Active Citizenship," 203.



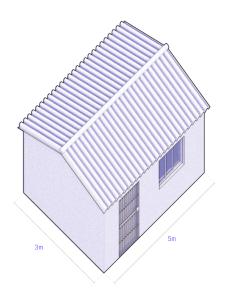


Figure 3.28 RDP housing typology with measurements. Drawings by author.



Figure 3.29 Shared standpipe and toilet facilities, and illegally connected electrical lines, Imizamo Yethu, Hout Bay, Cape Town. 2021. Photo by author.



Figure 3.30 Uncollected garbage, public housing, Westlake, Cape Town. 2021. Photo by author.

the urban poor and marginalized who cannot afford to pay, or who battle to pay for basic services such as water and sanitation, thus encouraging and facilitating the perpetuation of, not only the socio-economic polarisation between urban communities, but also increasing the fragmentation of service delivery in the urban sphere."²¹⁴ Services often require pre-payments in the form of pre-loaded cards in order to unlock access to public taps, and electricity, with no alternative if the pre-payment is unaffordable.²¹⁵ This means that even those without access formal housing, who rely on impermanent site-and-service infrastructure, are subject to service cutoffs due to unpaid fees.

Silent Enclosure of Public Police

In the post-apartheid transition, the ANC made a commitment to significant police reform.²¹⁶ The 'revolutionary' 1994 Reconstruction and Development Program (RDP) not only promised to house the dispossessed, it also included a "provision that unequivocally defined violence as a mental health problem. Victims of apartheid era violence were seen as needing comprehensive care predicated on individual reconstitution and empowerment."217 While the resulting 1996 National Crime Prevention Strategy (NCPS) did little to acknowledge the violent and inequitable distribution of police force during the apartheid era, it did shift focus away from traditional forms of policing and towards the development of security networks, which would involve more than just the police resources. The document also recognized the expanding role of the private security industry, and implied that this phenomenon contributed to the inequitable access to security across racial and socio-economic lines (see figures 3.31 and 3.32).218 However, the increase of violent crime in the post-apartheid transitional years, in conjunction with mounting pressure from the white hegemonic elite to control 'crime and grime,' led to a retreat and general scaling back of reformative action. Just as the RDP has failed to fundamentally change access to housing in the city, it again fell short in reimagining policing, safety, and security in Cape Town.²¹⁹

Over the period between the first democratic election of the ANC in 1994, and the campaign for re-election in 1998, the party changed focus from the social conditions which predicate crime, to the economic ones, stating that crime is rooted in issues such as unemployment and poverty (rather than their initial focus on mental health).²²⁰ This shift to neoliberal language was largely established due to the inclusion of the *Business Against Crime* (BAC) group. The BAC group was uninterested in true police reform, but was rather concerned with making the police

²¹⁴ Spocter, "The 'Silent' Closure of Urban Public Space in Cape Town: 1975 to 2004," 157.

²¹⁵ Miraftab and Wills, "Insurgency and Spaces of Active Citizenship," 203.

²¹⁶ McMichael, "Police Wars and State Repression in South Africa," 9.

²¹⁷ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 135.

²¹⁸ Shaw and Shearing, "Reshaping Security: An Examination of the Governance of Security in South Africa," 6-7.

²¹⁹ McMichael, "Police Wars and State Repression in South Africa," 9.

²²⁰ Dawson, Geography of Fear: Crime and the Transformation of Public Space in Post-Apartheid South Africa, 137.



Figure 3.31 Neighbourhood private security hut, Bishops Court, Cape Town. 2021. Photo by author.



Figure 3.32 Private security vehicle, Bishops Court, Cape Town. 2021. Photo by author.

force more "efficient and effective" by running it like a business.²²¹ This neoliberal approach to policing merely made the prosecution of the criminalized more streamlined, abandoning the original goals of reducing crime through expanded and more equitable social services.²²²

The NCPS was silently dismissed in favour of the 2000 *National Crime Combating Strategy*. This strategy was designed internally, with no attempt to listen to the feedback from the public, perpetuating patterns of *silent enclosure*. The result of the shift in policy was a state declared *war on crime*— which involved a general hardening of policing measures as special police and militarized units were deployed in poor Black townships.²²³

Cycles of Enclosure

In Cape Town, an original enclosure movement occurred during its violent colonization, when the Indigenous Koisan peoples were dispossessed of their land and cattle. The enclosure movement continued as slaves' bodies were categorized as property to be owned and sold in the city, and repeated when land was later divided into racially defined 'Group Areas'. Another cycle was sparked when the enclosure of the 'Group Areas' failed in the late 1980s and citizens took it upon themselves to *silently enclose* and fortify 'white' spaces in the city. The most recent cycle occurred with the neoliberalization of state policy and the privatization of public housing, services, and police. The continuous cycle of enclosure in Cape Town has repeatedly and systematically bolstered the capital and land accumulation of the white colonial elite.

3.6 The Potemkin City

Tourism and Performance

As the new regime of neoliberalism came to rule, the state turned to the exploitation of Cape Town's natural beauty in order attract international tourists and consumers (see figure 3.33).²²⁴ Cape Town was quickly turned into a 'Potemkin' city, "a city that hid its true identity, its nature, its class reality, under the clothing, the rags made for it by its architects…"²²⁵ Behind this enduring yet thinly masked layer of touristic delight, lies not only the repercussions of violent colonial and apartheid regimes, but also the current pervasive inequities which continue to widen at the hand of the neoliberal state.²²⁶

The country's first attempt to enter the world stage as a desirable tourist destination was a failed bid for the 2004 Summer Olympics. A second attempt was made for the 2010 Fifa World Cup. This time the bid was successful, and between 2004 and 2010, money was poured into beautifying and securitizing Cape Town. Interventions in

²²¹ Shaw and Shearing, "Reshaping Security: An Examination of the Governance of Security in South Africa," 7.

²²² Ibid, 8.

²²³ McMichael, "Police Wars and State Repression in South Africa," 9.

²²⁴ Tomer, "Cape Town: Negotiating the Public in the Neoliberal City," 1.

²²⁵ Damisch, "L'Autre 'Ich,' L'Autriche- Austria, or the Desire for the Void: Toward a Tomb for Adolf Loos," 27.

²²⁶ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 128.



Figure 3.33 Camps Bay, Cape Town. 2021. Photo by Nigel Edwards.

Camps Bay has become a favourite destination for international tourists and European snowbirds.



Figure 3.34 V&A Waterfront, Cape Town. 2021. Photo by author.



Figure 3.35 FIFA World Cup stadium, Cape Town. 2021. Photo by author.

the city were designed to minimize possible tourist encounters with poverty, while expensive stadiums and facilities were built to host events for those who could afford the performance. Harvey describes this neoliberal urban shift: "Quality of urban life has become a commodity, as has the city itself, in a world where consumerism, tourism, cultural and knowledge based industries have become major aspects of the urban political economy." Rather than stimulating the economy or creating jobs, in the year leading up to the event, 1.3 millions jobs were lost. However, in the eyes of the state, they succeeded in their goal of transforming Cape Town into a city of performance, ripe for tourists and global capital investment.²²⁸

The white noise of renovated shopping centres, oversized stadiums, fortified and gentrifying neighbourhoods, and increased private security was weaponized by the neoliberal state to drown out the poor, creating a facade of whiteness and exclusivity in the city centre (see figures 3.34 and 3.35).

The N2 Gateway Project

The N2 highway, and more specifically the stretch between the airport and the waterfront, has become a hurdle in Cape Town's aspiration to become a 'world class city' (see figure 3.36). The media has branded the N2 highway the "'hell run' — a corridor of motorist anxiety and middle-class paranoia — one sees a blurring of the categories of pedestrian, protestor and criminal [see figure 3.37]."²²⁹ The N2 highway was one of the first areas to be targeted for development in the years leading up to the 2010 World Cup.

The N2 Gateway Project was established as a flagship project for the state's Upgrading of Informal Settlements Program as part of the Breaking New Ground (BNG) housing strategy. The program made clear the distinction between informal settlements visible from the highway which were to be replaced with formal housing (see figure 3.38), and non-visible informal settlements which would receive some additional services.²³⁰ It was pitched as a starting solution to the 400,000 government housing backlog, which persisted ten years into the RDP housing program. However, the fast-tracking of the Gateway Project after the successful FIFA World Cup bid reveals the true intentions for the project: a 'Potemkin' beautification strategy in preparation for the mass tourism that comes with mega sporting events (see figure 3.39).

Joe Slovo is an informal settlement wedged between the township of Langa and the N2 highway (see figure 3.40). Langa is one of the oldest Black townships in Cape Town and was established when the middle class pushed for the segregation of African port workers in the 1920s. Joe Slovo informal settlement was first occupied through strategies of *quiet encroachment*, when children living in their parents' homes in Langa began starting families of their own and wished to continue leveraging the networks they depended on for survival, while remaining

²²⁷ Harvey, "The Right to the City," 32.

²²⁸ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 128.

²²⁹ Twidle, "N2: Reading, Writing, Walking the South African Highway," 62-63.

²³⁰ Huchzermeyer, Cities with Slums: From Informal Settlement Eradication to a Right to the City, 121.



Figure 3.36 The N2 highway, leaving the CBD and driving towards the airport, Cape Town. 2021. Photo by Nigel Edwards.



Figure 3.37 Pedestrians walking along the shoulder of the N2 highway, Cape Town. 2021. Photo by Nigel Edwards.



Figure 3.38 Informal settlements lining the N2 highway, Cape Town. 2021. Photo by Nigel Edwards.

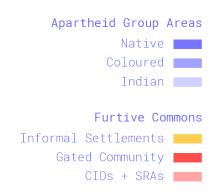


Figure 3.39 Portion of the N2 Gateway Project, Cape Town. 2021. Photo by Nigel Edwards.

Figure 3.40 Map of the N2 Highway between the Waterfront and Delft Township. 2021. Map by author.







within a manageable distance from employment opportunities.²³¹ The social and familial networks of mutual aid between the township and informal settlement have developed and solidified over generations, forming a long-standing *precarious commons*.

The *Gateway Project* forcefully severed these networks, relocating six-thousand shack dwellers from Joe Slovo informal settlement, to a formalized *Temporary Relocation Area* (TRA) in Delft. The *Temporary Relocation Area* sits east of the airport, beyond the typical tourist route along the N2 highway which connects the airport to the South Suburbs, City Bowl, and Atlantic Seaboard (see figure 3.40).²³² These relocations were completed in an attempt to remove visible poverty, and were also a strategy to silence and suppress the poor who often protested by blocking the N2 route — strategically stopping traffic to be heard in their demands for adequate services.

Delft is a formally planned township on the outskirts of Cape Town, which includes *Temporary Relocation Areas* and pockets of informality. Delft is known as a dormitory town and as a "dumping ground for the urban poor."²³³ The government-designed impermanency of the TRAs in Delft, in addition to residents' lack of access to employment, services, and established networks of care, has prevented the area from developing into a *precarious commons*. Those living in TRAs exist in a perpetual state of anticipation, waiting decades for their promised permanent housing elsewhere.²³⁴

The Joe Slovo demolitions and relocations became a painful reminder of the apartheid era forced removals and were met with audible protest and criticism.²³⁵ The *N2 Gateway Project* cannot be viewed as a legitimate effort by the government to fulfill the constitutional right to housing when the project merely hugs "the highway in a narrow swath... a façade of permanent housing, hiding behind it scores of townships, informal settlements and shack dwellers..." The housing project does little to challenge the order of the segregated city as it is located in an area designated for people of colour by the apartheid government, and functions to continue fixing poor and racialized populations on the Cape Flats.²³⁶ Additionally, only a small proportion of the original Joe Slovo residents were awarded housing as part of the *Gateway Project*, and of those residents who were offered a spot, few were likely to be able to pay the rental and service costs of the new privatized units.

The *Gateway Project* is a project of *silent enclosure*; a formalization and privatization of the *precarious commons* for the purposes of control and suppression (see figure 3.41). Just as in the late apartheid era, formalizations are not a sincere attempt to house the poor, but are rather a poorly veiled strategy to absorb that which was informal, illegible, and uncontrollable into white frameworks of understanding.

Newton, "The N2 Gateway Project in Cape Town: Relocation or Forced Removal?," 9.

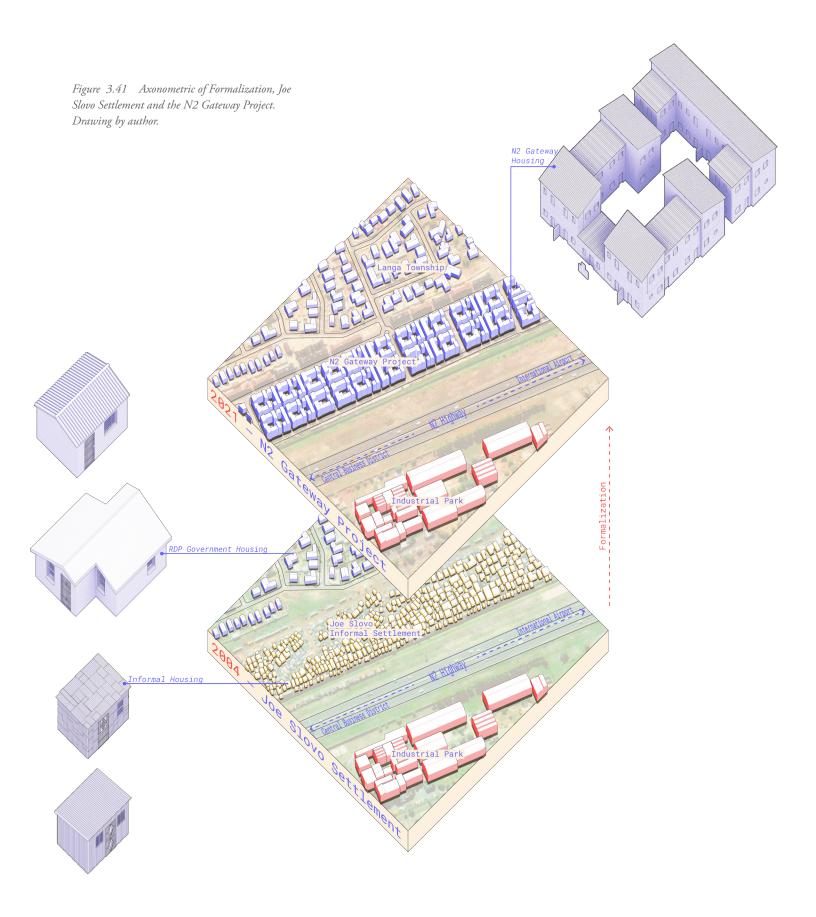
²³² Miraftab, "Insurgent Planning: Situating Radical Planning in the Global South," 32–50.

²³³ Millstein, "If I had My House, I'd Feel Free: Housing and the (Re)Productions of Citizenship in Cape Town, South Africa."

Newton, "The N2 Gateway Project in Cape Town: Relocation or Forced Removal?," 14

²³⁵ Ibid, 7

²³⁶ Tomer, "Cape Town: Negotiating the Public in the Neoliberal City," 6.



3.7 Conclusion: Neoliberal Fragmentation and Unification

The post-apartheid city has changed in many ways in response to the resistance and refusal of the poor and racialized, but the colonial-foundations in white supremacy and capital accumulation remain intact as the white and propertied search for alternative ways to silently safeguard their wealth. The employment of CIDs and the ongoing development of gated communities represents the deep neoliberalization of the city of Cape Town, and the willingness of those in power to abandon post-apartheid values of redistribution and reparation in exchange for fiscal discipline and an invitation to the world stage.

What results is an urban patchwork of fortified estates, enclosed neighbourhoods, and heavily surveilled zones of consumption. Figure 3.42 illustrates the fragmentation of the city due to the *silent enclosure* of the *anemic commons*. Figure 3.43 goes further, combining GIS data with Google Earth street view and aerial imagery to produce a map which reflected the extents of the fortification of 'white' space in the city. This map makes clear the unification and architectural homogenization of areas historically reserved for white-Europeans. Properties which are not enclosed within gated communities or improvement districts are often individually fortified. In wealthy areas, this results in the architectural enclosure of acres of land for individual use and enjoyment. Individual enclosure strategies have similar urban and architectural consequences as gated communities. The wall of one property meets the wall of the next, producing long residential streets flanked by blank facades, topped with electrified wires, and ornamented with security cameras. Ultimately, huge swaths of land in the city centre and its surrounding suburbs become inaccessible to the informal and the unhoused.

It is no longer solely the state government who controls urban conditions in Cape Town, but rather a network of public-private partnerships. "This network of actors governs spatiality through a complex set of values, fantasies and practices that blur the distinctions among the interests of the public sector, the private sector and civil society."²³⁷ The Constitutional rights to adequate housing, political voice, freedom of movement, and security of person have been commodified and made available only to those with financial means.²³⁸

The neoliberal privatization of the City of Cape Town makes the upward mobility and integration of the poor nearly impossible. While the state continues to push narratives of boot-strap development, they ironically disallow informal vendors from entering the city, and continue to build housing and site-and-service schemes in the peripheral Cape Flats, far from opportunities of employment. Despite the abolition of state enforced segregation, and post-apartheid efforts at reintegration, the privatization of public housing and services, and the employment of private security firms to enforce the *silent enclosure* of valuable open and public space, continues to prevent true urban shifts.

²³⁷ Miraftab, "Governing Post Apartheid Spatiality: Implementing City Improvement Districts in Cape Town," 618.

²³⁸ Lemanski and Oldfield, "The Parallel Claims of Gated Communities and Land Invasions in a Southern City: Polarised State Responses," 640.

The *silent enclosure* of urban land into the *anemic commons* makes the residual spaces less safe by abandoning those excluded from the privatized world to scramble for places of domesticity through the *quiet encroachment of the precarious commons*. The ongoing *quiet encroachment* of the poor has morphed into a practice of refusal of neoliberal policies; "Demands for the decommodification of basic needs are one expression of growing dis-content, building homes illegally another."²³⁹ The result is a spiral of increased fortification and surveillance emanating from the historically 'European Group Areas' and the continued proliferation of informal settlements on the Cape Flats (see figure 3.43).

²³⁹ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 15.

Figure 3.42 Map of the contemporary furtive commons and 1950 Group Areas. Cape Town, South Africa. 2021.

Map by author.

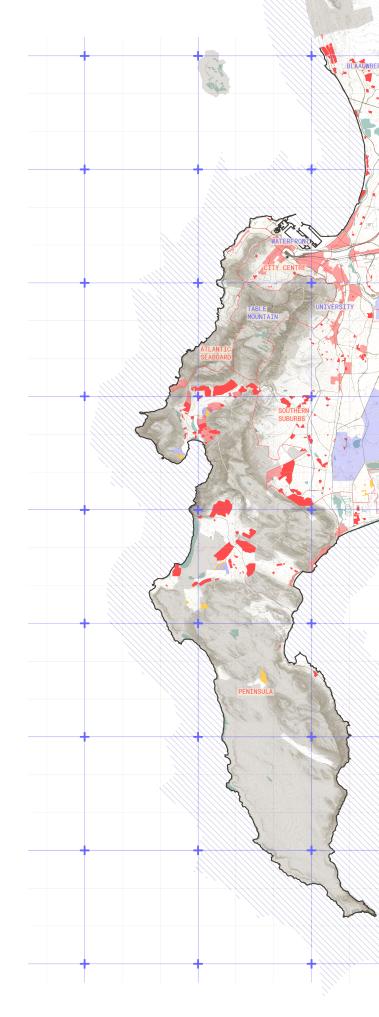
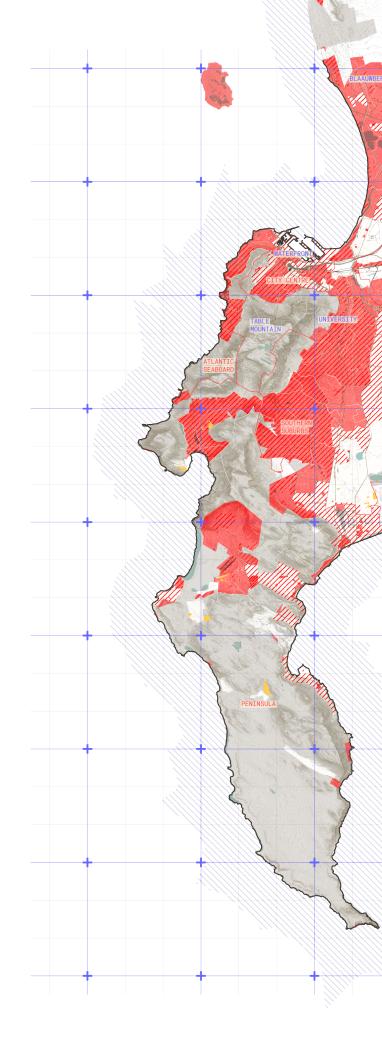


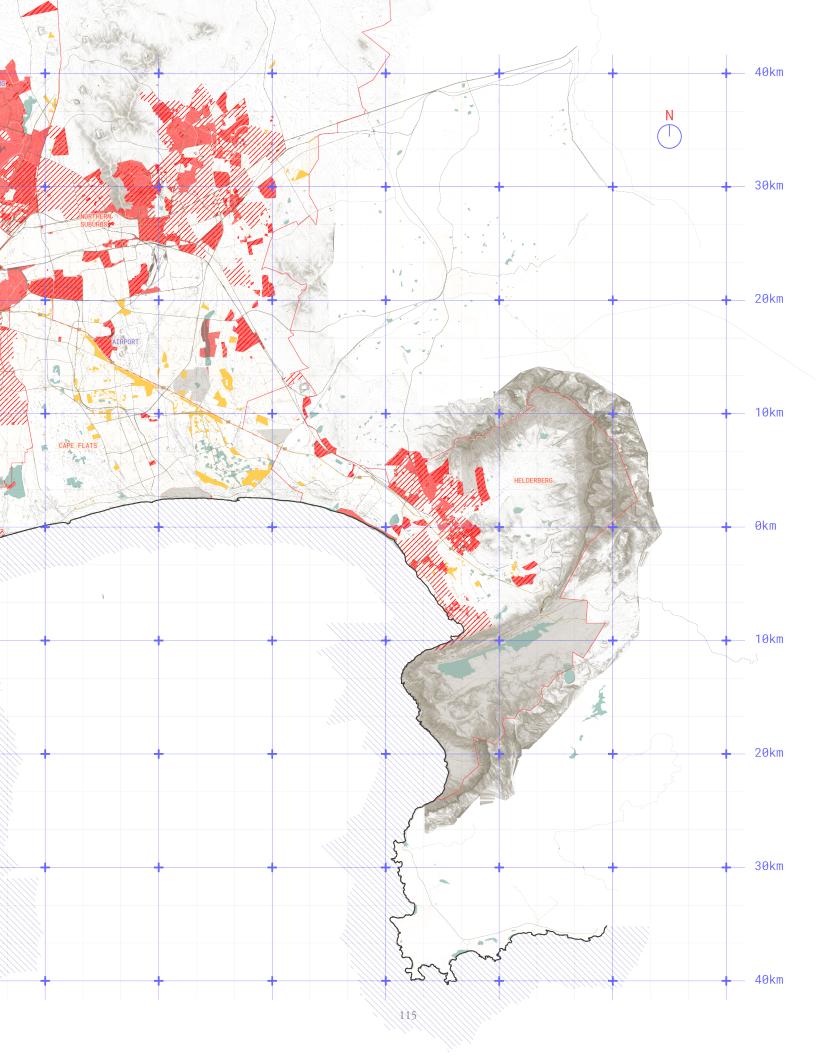


Figure 3.43 Map of contemporary fortification and informal settlements. Cape Town, South Africa. 2021. Map by author.



Fortification by Neighbourhood

Highly Fortified Fortified Partially Fortified Informal Settlements

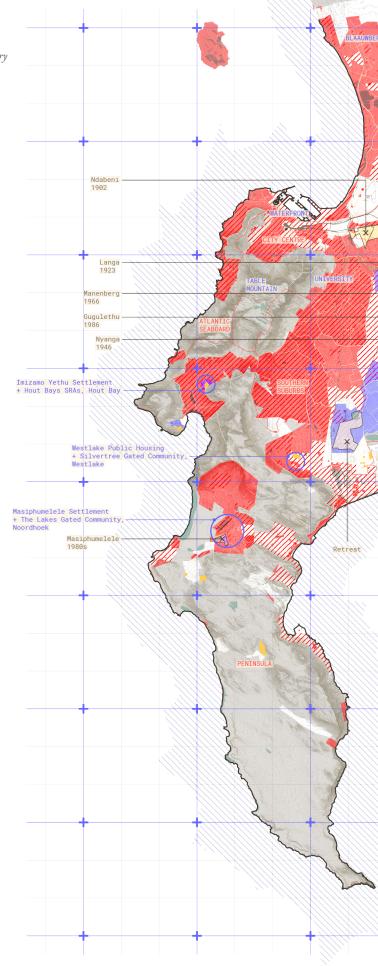


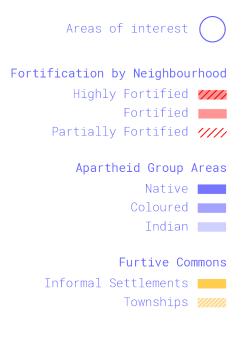
In the process [of colonial and apartheid urbanization], the arts of city building and of inhabiting the city became synonymous with the creation of an illusory harmony and purity based on the fiction of racial distance. This led to the emergence of diverse urban worlds within the same territory—strange mappings and blank figures, discontinuous fixtures and flows, and odd juxtapositions that one can still observe in the present-day South African urban landscape.

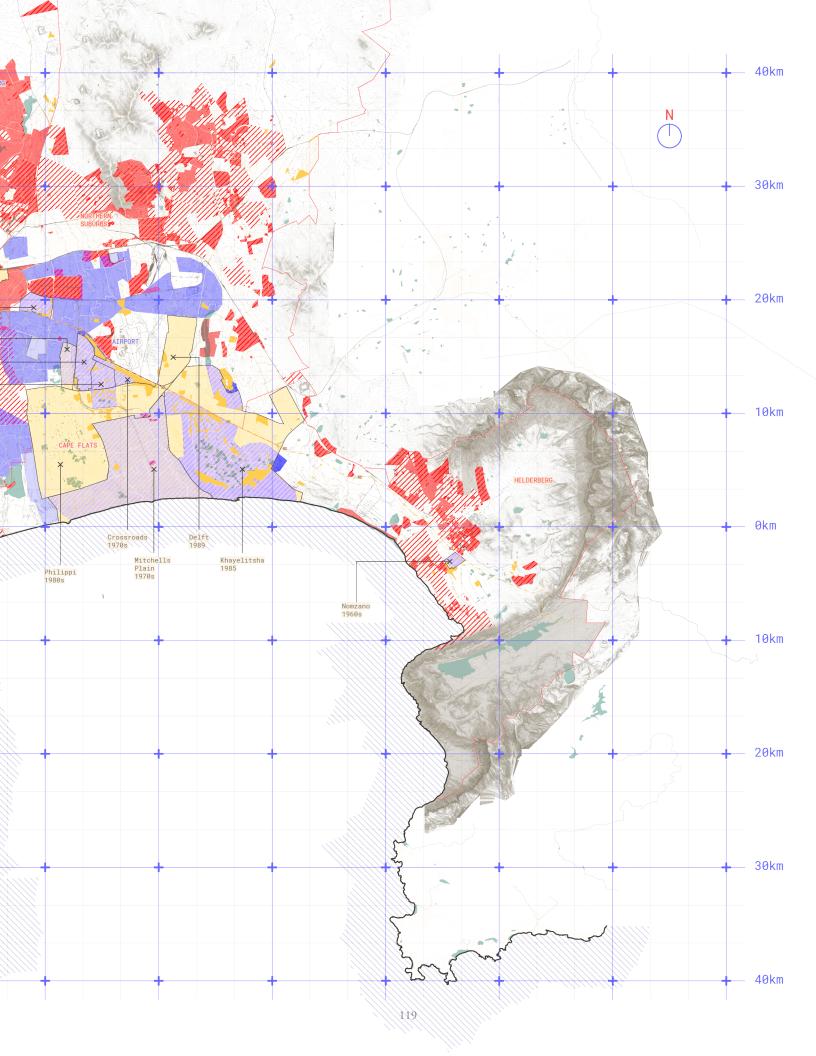
— Achille Mbembe, Aesthetics of Superfluity

4.0 Furtive Commoning in Contemporary Cape Town

Figure 4.1 Map of fortification, 1950 Group Areas, townships, and contemporary informal settlements. Cape Town, South Africa. 2021. Map by author.







4.1 Introduction

Contemporary Cape Town is contending with expanding 'illegal' informal settlements, in conjunction with an urban centre which is increasingly fortified and inaccessible to the poor and unhoused (see figure 4.1).²⁴⁰ The consequence is deteriorating infrastructures and overcrowding in historically Black areas.²⁴¹ The current inadequate provision of housing is a predictable outcome of hundred of years of dispossession and subjugation, compounded by contemporary modes of neoliberal development. According to African social historian, Leopold Podlashuc;

From European settlement to the present, the relations of primitive accumulation underpinning South Africa have gone unchallenged at a structural level... Today the division of the city continues via the dompas [passbook] of money. Through housing title, the ruling class incorporates key sections of the urban poor into consenting to live on the periphery. In these formal townships, like the locations of old, the poor find themselves again on the outskirts as permanent urban subalterns. Secondly, the burgeoning informal slums recreate internal hinterlands that house the bulk of the flexible labour force so necessary to the functioning of capital. The apartheid categories of included and excluded are recreated anew to fuel the need for cheap labour.²⁴²

Chapter four brings the *silent enclosure* of the *anemic commons* and the *quiet encroachment* of the *precarious commons* into the present moment. Small scale axonometric maps are used to illustrate the ways in which urban space is densifying, and the methods by which architectural interventions are used to retain socio-spatial separations.

The architectural typologies of the *precarious* and the *anemic commons* persist as the poor and Black residents of Cape Town attempt to express their *right to the city,* while the wealthy continue to build internal worlds in an effort to maintain the status quo. The *precarious commons* are constructed as sites of spatial solidarity, which facilitate quotidian practices of refusal and robust networks of mutual aid, filling in the gaps of care left by the neoliberal state. The *anemic commons* are spaces in which the white and wealthy look to recreate their nostalgic lifestyles of apartheid past, this time protected by architectural fortification and private police rather than state enforced segregation.

²⁴⁰ Podlashuc, "The South African Homeless People's Federation: Interrogating the Myth of Participation," 3.

²⁴¹ Lemanski, "Houses without Community: Problems of Community (in)Capacity in Cape Town, South Africa," 396.

²⁴² Podlashuc, "The South African Homeless People's Federation: Interrogating the Myth of Participation," 2.

4.2 The Right to the Contemporary City

The Right to the City

In the post-apartheid contemporary context, both groups— the white and wealthy, and the Black and poor— feel as though their place in the city is tenuous.²⁴³ The historically oppressed recognize a repetition in patterns of exclusion and suppression, while the white and propertied fear a future with lowered property values and the loss of their exclusive lifestyle. In response, both groups try to stake their claim through the creation, and protection, of *furtive commons*.²⁴⁴ According to David Harvey;

The question of what kind of city we want cannot be divorced from that of what kind of social ties, relationship to nature, lifestyles, technologies and aesthetic values we desire. The right to the city is far more than the individual liberty to access urban resources: it is a right to change ourselves by changing the city. It is, moreover, a common rather than an individual right since this transformation inevitably depends on the exercise of a collective power to reshape the processes of urbanization. The freedom to make and remake our cities and ourselves is, I want to argue, one of the most precious yet most neglected of our human rights.²⁴⁵

Black people have long been excluded from this right, only being granted limited access to the city for the purposes of providing a cheap labour force (see figure 4.2). With the fall of apartheid there was a brief moment of hope for equity, however, as described in chapter three, this image of the inclusive city was short lived; the most precarious continue to be barred from the urban sphere, either limited by unobtainable property values, or removed by public and private police forces. According to cultural anthropologist Anne-Marie Makhulu, when "Lefebvre first conceived of the right to the city in Le droit à la ville (1968), he was not speaking simply of access to the urban environment but to a full life within it (however defined)."²⁴⁶ The ability of those who occupy the *precarious commons* to live a full life within the city continues to be suppressed by widespread *silent enclosure* (see figure 4.3).

As the white and wealthy furtively defend their position of dominance in the city, with the goal of securing their level of access to property, they in turn perpetuate the exclusion and silencing of the racialized, prohibiting those without tenure from expressing their right to inhabit and shape the city. "It is for this reason that the *right to the city* has to be constructed not as a right to that which already exists, but as a right to rebuild and re-create the city as a socialist body politic in a completely different image— one that eradicates poverty and social inequity... For this to happen, the production of the destructive forms of urbanization that facilitate

²⁴³ Lemanski and Oldfield, "The Parallel Claims of Gated Communities and Land Invasions in a Southern City: Polarised State Responses."

²⁴⁴ Ibid, 634.

²⁴⁵ Harvey, "The Right to the City," 23.

²⁴⁶ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 16.



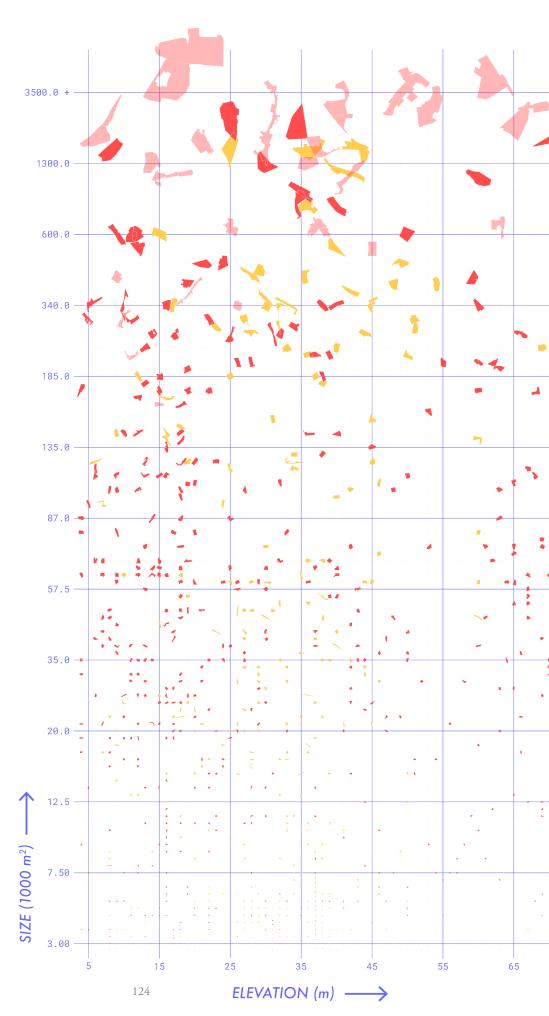
Figure 4.2 Labourers' side-entrance to Silverhurst Estate, Constantia, Cape Town. 2021. Photo by author.



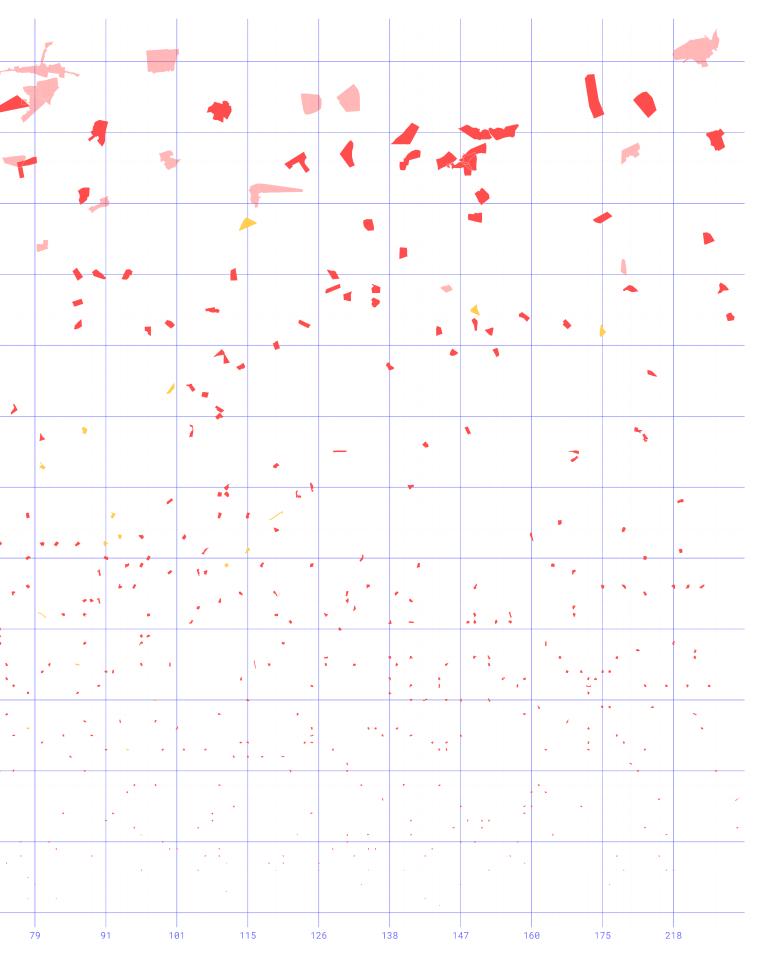
Figure 4.3 Residents' entrance to Silverhurst Estate, Constantia, Cape Town. 2021. Photo by author.

Figure 4.4 Atlas of the Furtive Commons. 2021. Drawing by author.

The footprints of CIDs and SRAs, gated communities, and informal settlements organized within a matrix. The x-axis measures sea level, while the y-axis measures area. In Cape Town, wealthier, white areas, have historically been located along the banks of Table Mountain, at a higher elevation. This matrix is an attempt to measure and compare the dominance of the anemic versus the precarious commons in their claim to land in Cape Town.



Furtive Commons
Informal Settlements
Gated Community
CIDs + SRAs



perpetual capital accumulation has to be stopped."²⁴⁷ For an equitable *right to the city* in Cape Town, gated communities and improvement districts need to be dismantled and recognized as exclusionary and repressive spatial mechanisms.

When the fundamental organization and hierarchy of the city mirrors the oppressive past, those who have cumulated power and property over generations will continue to dominate, and the inequitable battle of the *furtive commons* continues (see figure 4.4).

Enclosers and Encroachers

Diverse groups can participate in the act of constructing a commons, however, the ease, power, and privilege of doing so within the bounds of the city is dependent on race, property ownerships, and socio-economic status.²⁴⁸ The neoliberal privatization of public property, policing and services has created an environment in which the *anemic commons* are able to be *silently enclosed* by the wealthy through exclusionary architectures, as a means of protecting real estate values, under the guise of maintaining sanitation and safety (see figure 4.5).²⁴⁹ As public housing and services for the poor decline due to this privatization, they are forced to respond and self-organize in the creation of their own commons, the *precarious commons* (see figure 4.6).

Urban geographers Charlotte Lemanski and Sophie Oldfield differentiate between those who occupy informal settlements and gated communities by labelling residents as either 'invaders' or 'gaters'. For the purposes of continuity, I will rename 'invaders' who occupy informal settlements and the *precarious commons* as *encroachers* and 'gaters' who occupy gated communities and the *anemic commons* as *enclosers*.

According to Lemanski and Oldfield, *enclosers* ('gaters') and *encroachers* ('invaders') claim land with the common goals of home, security and autonomy; however, *enclosers* are often labelled as logical residents of a crime ridden city, while *encroachers* are categorized as criminals threatening urban order and safety. *Precarious commoning* is therefore met with violent 'slum' clearances and evictions, while the fortified homes and privatized enclaves of the *anemic commons* are accepted as rational responses to fear of crime, and for their attraction of tourists and international investors.²⁵⁰

In relation to state's post-apartheid goals of integration, equity, and reparation; *enclosing*, private policing, and surveillance limits the access of the poor to their constitutional rights to freedom of movement, security, services, and adequate housing. On the other hand, *encroaching* reinforces aspirations toward an integrated and cohesive dense city which 'works for all' (as previously touted in Cape Town's marketing material). So while the state expends resources to thwart squatters from

²⁴⁷ Harvey, "The Right to the City," 138.

²⁴⁸ Harvey, Rebel Cities: From the Right to the City to the Urban Revolution, 74.

²⁴⁹ Ibid. 87.

²⁵⁰ Lemanski and Oldfield, "The Parallel Claims of Gated Communities and Land Invasions in a Southern City: Polarised State Responses," 634–48.



Figure 4.5 Entry to gated community in Hout Bay, Cape Town. 2021. Photo by author.

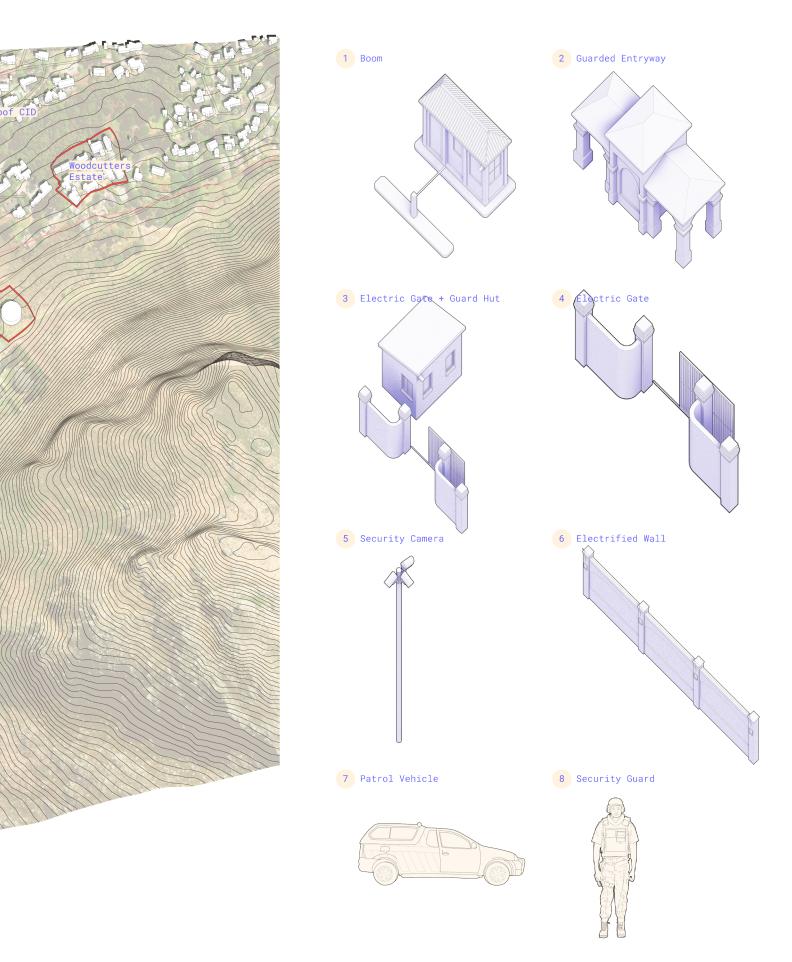


Figure 4.6 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.

Figure 4.7 Axonometric of the Furtive Commons: Imizamo Yethu and Hout Bay CIDs / Gated Communities. 2021. Drawing by author.

The axonomtric (left) maps the urban conditions when the precarious and anemic commons confront each other. Walls are depicted in red and the numbers correlate to the legend (right), which illustrates typical apparatuses of furtivity. These apparatuses facilitate the exclusivity of the anemic commons.





expressing their *right to the city* through self-help strategies, the goal of a unified city is simultaneously undermined by the proliferation of state legitimized gated communities and CIDs.²⁵¹

Encroachers are residents trying to survive and organize mutual-aid networks in under-utilized space, while *enclosers* are middle- and upper- class elites creating an uninhabitable city due to fear of difference.²⁵²

Imizamo Yethu and Hout Bay

Figure 4.7 illustrates a contemporary urban condition in the city of Cape Town; *encroachers* who occupy the *precarious commons* of Imizamo Yethu are faced with the *silent enclosure* of various *anemic commons* in the wealthy suburb of Hout Bay.

Imizamo Yethu began as a relocation area in the 1990s, but has expanded rapidly with the increase of migration back into the city from rural areas since the fall of apartheid.²⁵³ The response from affluent residents in Hout Bay has been to employ multiple layers of *silent enclosure* in the area. The settlement is flanked on the north and the south sides by CIDs and gated community, limited on the east by mountains and on the west by a major road and enclosed farmland. These lines of architectural fortification and spatial buffering are maintained by apparatuses of furtivity; monitored entry ways, electrified wires, surveillance technologies, and private police; all of which are employed as additional deterrents to *encroachers* entering 'white' space.

What results is a densifying Black area in a historically European zone of the city (see figure 4.8). The settlement is spatially, socially, and architecturally isolated, despite its large population. Many domestic labourers and service employees, who are vital to the running of Hout Bay and the surrounding suburbs, commute from Imizamo Yethu daily, yet the community continues to be rejected and labelled as a site of crime and urban blight.

This pattern of *silent enclosure* in reaction to post-apartheid urbanization and *quiet encroachment* repeats throughout the city, and will be mapped within this chapter (see figure 4.1).

4.3 Urban Legality and Illegality

Architectural Kettling

Kettling is a policing tactic used to both control and provoke a crowd. Armed police line up to create a wall and begin to press in and "literally encircle protesters, prohibiting them from moving." When enacted by police, the violence is justified "by making the claim that property had to be protected." The *silent enclosure* of open space in Cape Town, enforced by both public and private police, results in an

²⁵¹ Ibid, 635.

²⁵² Ibid, 634–48.

^{253 &}quot;Imizamo Yethu, Hout Bay."

²⁵⁴ Walcott, On Property, 50.

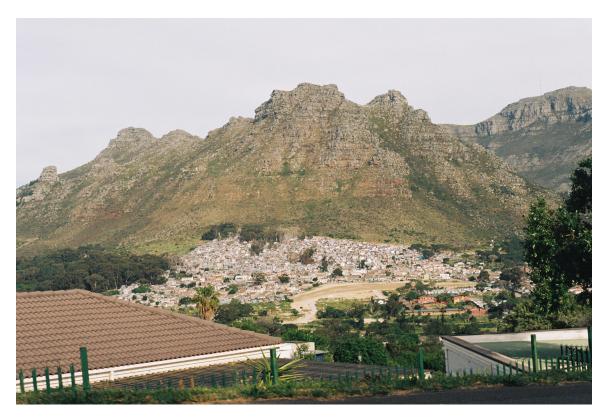


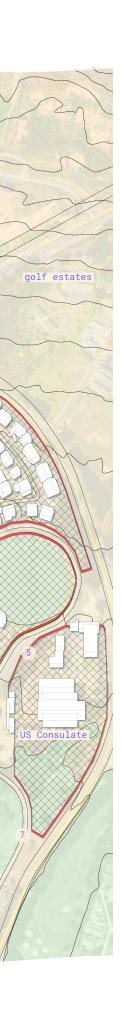
Figure 4.8 View of Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by Nigel Edwards.

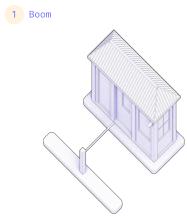


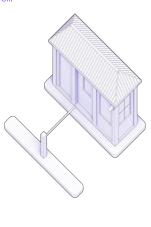
Figure 4.9 Private security vehicle, Hout Bay, Cape Town. 2021. Photo by author.

Figure 4.10 Axonometric of the Furtive Commons: Westlake Public Housing and Silvertree Gated Community. 2021. Drawing by author.

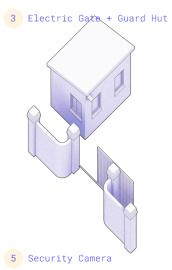
The axonomtric (left) maps the urban conditions when the precarious and anemic commons confront each other. Walls are depicted in red and the numbers correlate to the legend (right), which illustrates typical apparatuses of furtivity. These apparatuses facilitate the exclusivity of the anemic commons. gated community golf club fice park prison

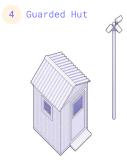


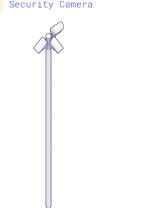


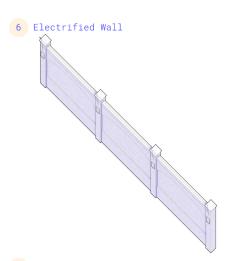




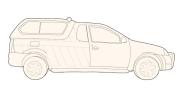








7 Patrol Vehicle



8 Security Guard



Figure 4.11 View from Silvertree gated community onto Reddam House Constantia private school, Westlake, Cape Town. 2021. Photo by author.



Figure 4.12 United States Embassy, Westlake, Cape Town. 2021. Photo by Nigel Edwards.

architectural kettling; a spatial confinement of the poor and racialized to limited, disconnected, and under serviced areas, with increasing density, limited mobility, and declining living conditions. What results is an escalation in unrest, protests, criminalization, and reactionary violent policing in densely populated poor Black areas.

Black diaspora cultural theorist, Rinaldo Walcott, explains that with increases in crime statistics in Black areas comes the rational that "Black people are always out of place, always suspect, always potentially up to no good." In reality, crime "tends to find Black people; or, to put it another way, the police find Black people and in doing so find crime... Black transgression is assumed and sought out and expected. What constitutes crime, and how criminality is assessed by those 'trained' to find it, is most often centered on Black people."255 What results from this racist formulation of criminality in Cape Town is the expectation that informal settlements and *precarious commons* are locations of pervasive violent crime; ganglands with residents who are not to be listened to; areas to be controlled and isolated from the civilized elite (see figure 4.9). This stereotype of illegality and criminality justified the creation of the *Western Cape Anti-Land Invasion Unit*, which is currently the largest sector of the *South African Police Services*.

Westlake Public Housing and Silvertree Gated Community

Figure 4.10 illustrates this phenomenon of architectural kettling in the suburb of Westlake. In the late 1980s a group of employees at the Westlake Golf Club began to squat on a government owned tract of land nearby. Within ten years, the community ballooned and became known as Die Bos informal settlement.²⁵⁶

The area was flagged for re-development in the late 1990s, and the process of enumeration and formalization commenced in order to make way for the master plan, which included an exclusive gated community, a private school, retail zones, office parks, and the United States consulate (see figures 4.11 and 4.12). Residents of Die Bos were moved to an adjacent plot of land with state-subsided one bedroom houses, measuring 27m² in size.²57 Silvertree Gated Community, a luxurious development with extensive security infrastructure, began construction next door.²58

The novel proximity of the rich and poor within the new development did little to overcome apartheid spatial divides, as architectural boundaries effectively erase the visual presence of the public housing project (see figures 4.13 and 14).²⁵⁹ The marketing material for Silvertree makes no mention of the poorer community next door, but rather works to extricate the estate from the suburb of Westlake all together. Silvertree is labelled by residents and realtors as a community within the nearby suburb of Constantia, an area known for its affluence. In reality, it sits firmly within Westlake, and was designed as a central feature of the Westlake masterplan.

²⁵⁵ Ibid, 81

²⁵⁶ Lemanski, "Houses without Community: Problems of Community (in)Capacity in Cape Town, South Africa," 396.

²⁵⁷ Ibid, 399.

²⁵⁸ Lemanski, "Spaces of Exclusivity or Connection? Linkages between a Gated Community and Its Poorer Neighbour in a Cape Town Master Plan Development."



Figure 4.13 Silvertree gated community, Westlake, Cape Town. 2021. Photo by author.



Figure 4.14 Silvertree gated community, Westlake, Cape Town. 2021. Photo by author.



Figure 4.15 Public housing, Westlake, Cape Town. 2021. Photo by author.



Figure 4.16 Public housing, Westlake, Cape Town. 2021. Photo by author.

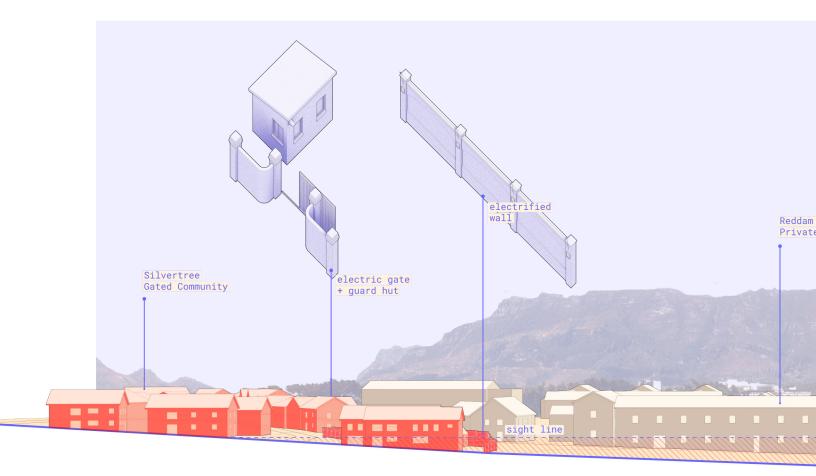
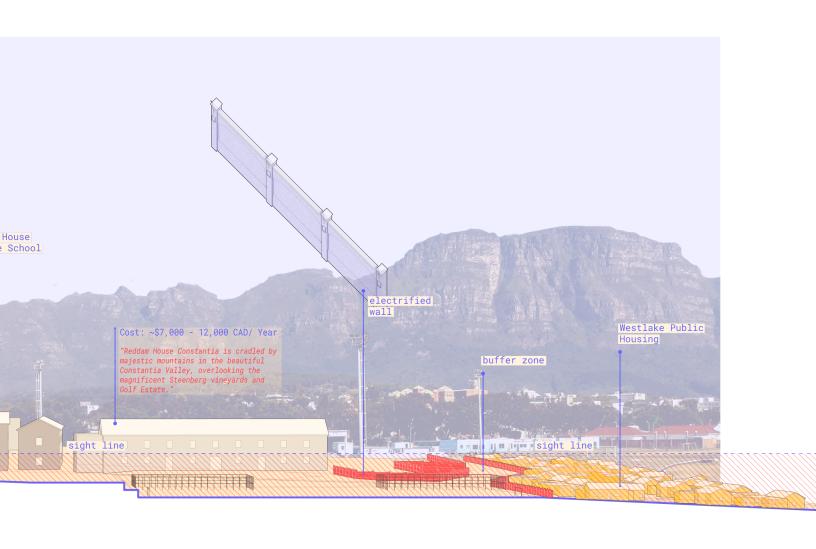


Figure 4.17 Section of the Furtive Commons: Silvertree Gated Community and Westlake Public Housing. 2021.

Drawing by author.

Although the proximity of Silvertree gated community and Westlake public housing could be viewed as a transgression of and progression from apartheid segregationist urban planning, the axonometric and section drawings illustrate the ways in which poor communities continue to be spatially and visually isolated. Westlake and Silvertree were conceived of and developed in tandem, with the design intent to position Silvertree at a higher elevation, ensuring that the sight-line of those who paid to live within the exclusive community would not be obstructed by the poor subsidized section of the development. The two commons are buffered by an exclusive public school, as well as multiple lines of walls and fencing.



As a visitor to Cape Town, I have driven through Westlake many times, and was completely unaware of the housing project, only identifying the community through aerial imagery in Google Maps once beginning my research. As seen in figure 4.17, this is by design. The state-subsidized development of RDP housing is built on low-lying land, and is concealed on all sides; by a private school and business park on the south, a college on the east, the United States consulate on the west, and a prison on the north; all of which mobilize layers of architectural fortification to uphold their exclusivity or enclosure.

This urban spatial condition results in what I describe as architectural kettling. Westlake public housing has been unable to expand in any direction. The one-bedroom buildings were too few in number and too small in footprint to house the families who had been displaced from Die Bos, necessitating the use of informal 'backyarder' structures to house larger families (see figures 4.15 and 4.16). Additionally, the demand for housing has grown substantially in the area since its inception, leading to further densification (see figure 4.18). The development has become overburdened, infrastructures are deteriorating, and the services provided are inadequate for the number of resident. The growing informality is perceived as indicative of disorder and unruliness, and the area continues to be portrayed and rejected as a site of criminality.²⁶⁰

War on Crime = War on the Poor

In the colonial and apartheid periods, the police and military were unapologetically mobilized and deployed in order to silence and suppress Black resistance, and to protect white wealth and dominance in the city centre. In the neoliberal, contemporary era, the strategy of policing has shifted to a more discursive *war on crime*, which in actuality functions as a discreet *war on the poor* and Black.²⁶¹

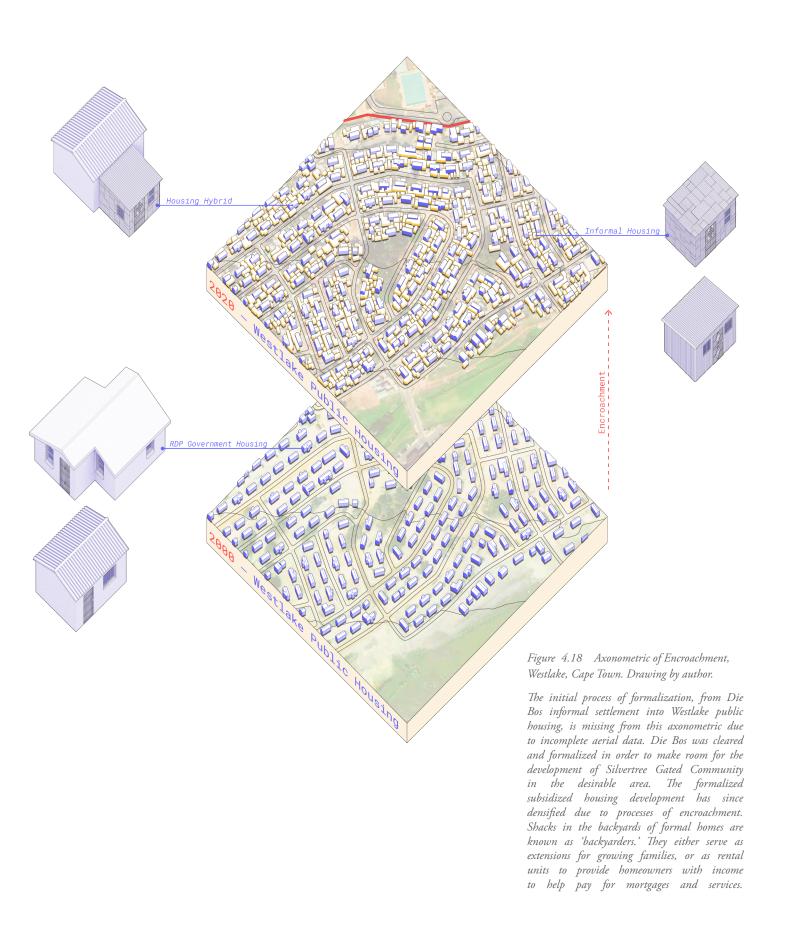
The current focus of the police is on 'public order,' functioning as backup in case of the failure of architectural fortification in maintaining the exclusivity of 'white' space in the city. "Police killings have been discussed as the physical edge of a state and elite lead *war on the poor* which includes the dehumanizing and brutal living conditions that many black people still endure in cities, townships and informal settlements." The precarity of the poor on the periphery, their lack of access basic services and housing, and the repeated removals of informal settlements fuel the frequent protests in Cape Town. Rather than addressing pervasive inequity, the state has responded with police crack-downs, which include the violent and indiscriminate use of rubber bullets and tear gas, justifying their action with media-propelled rhetoric which frames community organizations as criminals, and protest demonstrations as angry mobs. The state police in Cape Town are preoccupied with the controlling and silencing the frequent protests because they threaten the success of the neoliberal 'Potemkin' city, which capitalizes on feelings of order and exclusivity.

²⁶⁰ Ibid.

²⁶¹ McMichael, "Police Wars and State Repression in South Africa," 10.

²⁶² Ibid, 5.

²⁶³ Ibid, 11.



After all, we tell ourselves that the new order has made a decisive break with the essential logic of apartheid, as we are driving shack dwellers and street traders out of our cities at gunpoint. We tell ourselves that we have a new order founded on human rights and protected by the best constitution in the world as we exclude migrants and the poor from that order. We tell ourselves that building stadiums and 'eradicating' street traders and shack settlements will bring us into a new era of prosperity while we are actively and often violently making the poor poorer.

- Richard Pithouse, Hold the Prawns

The lack of nuance in contemporary, post-apartheid police tactics has been blamed on inadequate training in "democratic approaches," but less attention is given to the violent colonial and white-supremacist roots of the police force. Rather than a call for the demilitarization of the police, there has been "a populist call for the army, the South African National Defence Force, to be deployed in [Township] areas such as Lavender Hill, Khayelitsha and Hanover Park, that have come to be known as ganglands."²⁶⁴ Those who are more critical and call for deep police reform or abolition challenge the idea that the police are able to serve as neutral public servants, citing their role in upholding multiple systems of oppression, which have resulted in a highly inequitable society.

'Illegals'

In the post-apartheid city, the language of *land invasions*, *illegals*, or *illegal informal settlements* have deep meaning and real-world consequence.²⁶⁵ The choice to classify the Black and the poor as *invaders* or as *illegals* has direct roots to the colonial and apartheid city, when people of colour were forcibly removed, and deemed *illegals* if they were to re-enter the city without a state-administered pass. Even those with a pass were only allowed to enter the urban sphere in order to provide cheap labour, which upheld the lifestyle of the white-elite "The language of 'invasion' indicates how the state turns issues of housing and land into 'security' problems necessitating a punitive response."²⁶⁶ Tactics of criminalization, militarization, and the rendering of Black resisting voices as illegible and illegal noise, mirrors the 1980s states of emergency as the apartheid government scrambled to retain control.

The continued criminalization and eviction of those without secure land-tenure or formalized housing is an act of erasure, a forgetting and muting of not-so-distant histories. Policing in Cape Town is not simply a mechanism to dampen resistance and to control the subaltern, it is also a tool by which the status quo of the apartheid and colonial systems, in which the police have their origins, is upheld.²⁶⁷

While 'encroachment' refers to a transgression of property law, and could be categorize as illegal, I position *quiet encroachment* rather as a fugitive refusal of private property rights, which in Cape Town are rooted in histories of dispossession and racist mass removals. Structural encroachment refers to a built condition in which someone erects a structure within the boundary of someone else's property. The quiet building of informal structures on open and unoccupied land in Cape Town is a fugitive strategy of the poor to reclaim space, and to take advantage of post-apartheid legal loopholes which provide protection to squatters who have occupied land for over 48 hours.²⁶⁸ If colonial property rights are rendered obsolete by the refusing poor, then encroachment can no longer be placed in the realm of 'illegal'.

²⁶⁴ Makhubu, "Changing the City after Our Heart's Desire: Creative Protest in Cape Town," 695.

²⁶⁵ Fernandes, Illegal Housing: Law, Property Rights and Urban Space.

²⁶⁶ McMichael, "Police Wars and State Repression in South Africa,"11.

²⁶⁷ Ibid, 7.

²⁶⁸ Skuse and Cousins, "Spaces of Resistance: Informal Settlement, Communication and Community Organisation in a Cape Town Township," 982.

A universal *right to the city* cannot exist in tandem with urban illegality. Who is deemed illegal? And what systems forced them into a state of criminality? "While much has been written about the problems the urban poor face and the problems they cause, few studies have asked why it matters that it is illegal, or what should be done about it." When the poor, racialized, and homeless continue to be silenced and criminalized in the language of the law, true structural change cannot occur. 270

4.4 Cycles of Commoning

The Furtive Commons in Cape Town: Inner and Outer Commons

The *silent enclosure* of the *anemic commons* and the *quiet encroachment* of the *precarious commons* can be further understood in terms historian Allan Greer's concepts of the 'outer' and the 'inner commons'. In European agrarian communities, the 'inner commons' or the 'colonial commons' was usually wet, heavy soiled land near a body of water, typically used for raising livestock and growing crops. These communal pastures were often literally enclosed by walls and fences, and only available for 'common' use by an exclusive group of people. Conversely, 'outer commons', which are similar to Indigenous commons, were areas on the periphery of the village where resources were open to all, often referred to as 'the waste'. This space was less desirable and therefore less exclusive and was a place for the poor to gather resources for survival.²⁷¹

The commons and their resources are "not a universal commons, but rather territory and resources belonging to a particular community." ²⁷² In Cape Town, the 'outer' and the 'inner commons' become constructed spaces. Just like the 'inner commons' of the agrarian communities, the *anemic commons* are often physically enclosed by walls or fences, or they have a furtive border maintained by private police and surveillance apparatuses, and are reserved for the most privileged (see figure 4.19). The 'outer commons', or the *precarious commons*, become dense, constructed, and boundaried spaces as informal structures are built, and as 'backyarders' begin to fill in the gaps between structures (see figure 4.20).

The 'outer' and 'inner commons' created a patchwork of land-use based upon class group, which mirrors the current spatial and architectural fragmentation in the city of Cape Town.

Masiphumelele and The Lakes Gated Community

Figure 4.21 illustrates the concept of the 'outer' and 'inner commons' in the context of Cape Town. Site 5 (now Masiphumelele) was originally occupied by squatters in the 1980s, however residents were forced out by apartheid authorities and moved back to the overcrowded township of Khayelitsha. In the early 1990s a second group attempted to claim the open land; squatters set up camp, quickly growing in numbers through *quiet encroachment*, until they were 8000 people strong.²⁷³

²⁶⁹ McMichael, "Police Wars and State Repression in South Africa," 7.

²⁷⁰ Fernandes, Illegal Housing: Law, Property Rights and Urban Space, 232.

²⁷¹ Greer, Property and Dispossession, 248-9.

²⁷² Ibid, 252.

^{273 &}quot;About Masiphumelele."

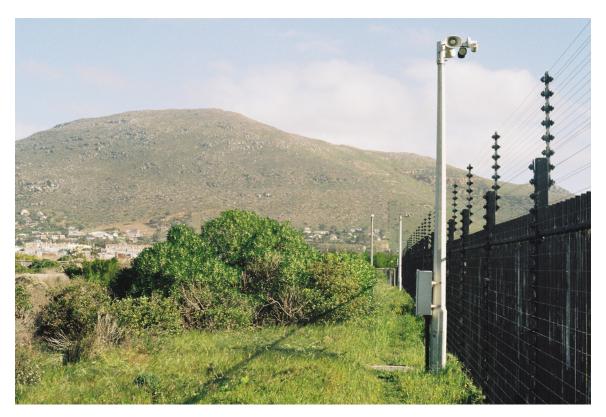


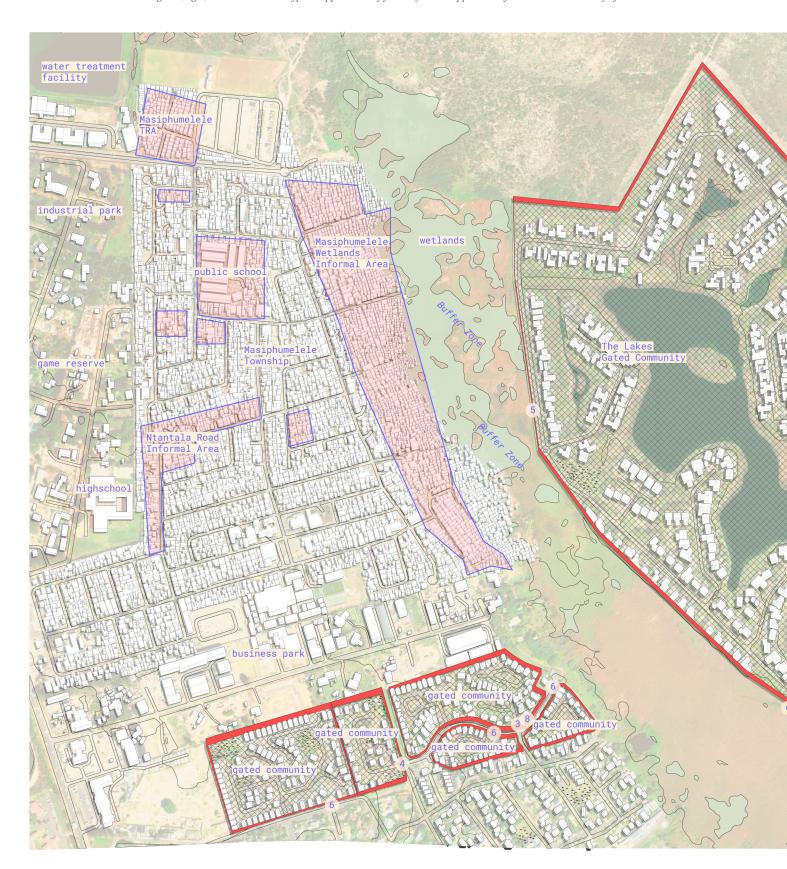
Figure 4.19 The Lakes gated community, Noordhoek, Cape Town. 2021. Photo by author.



Figure 4.20 Masiphumelele informal settlement, Noordhoek, Cape Town. 2021. Photo by author.

Figure 4.21 Axonometric of the Furtive Commons: Masiphumelele settlement and The Lakes gated community. 2021. Drawing by author.

The axonomtric (left) maps the urban conditions when the precarious and anemic commons confront each other. Walls are depicted in red and the numbers correlate to the legend (right), which illustrates typical apparatuses of furtivity. These apparatuses facilitate the exclusivity of the anemic commons.



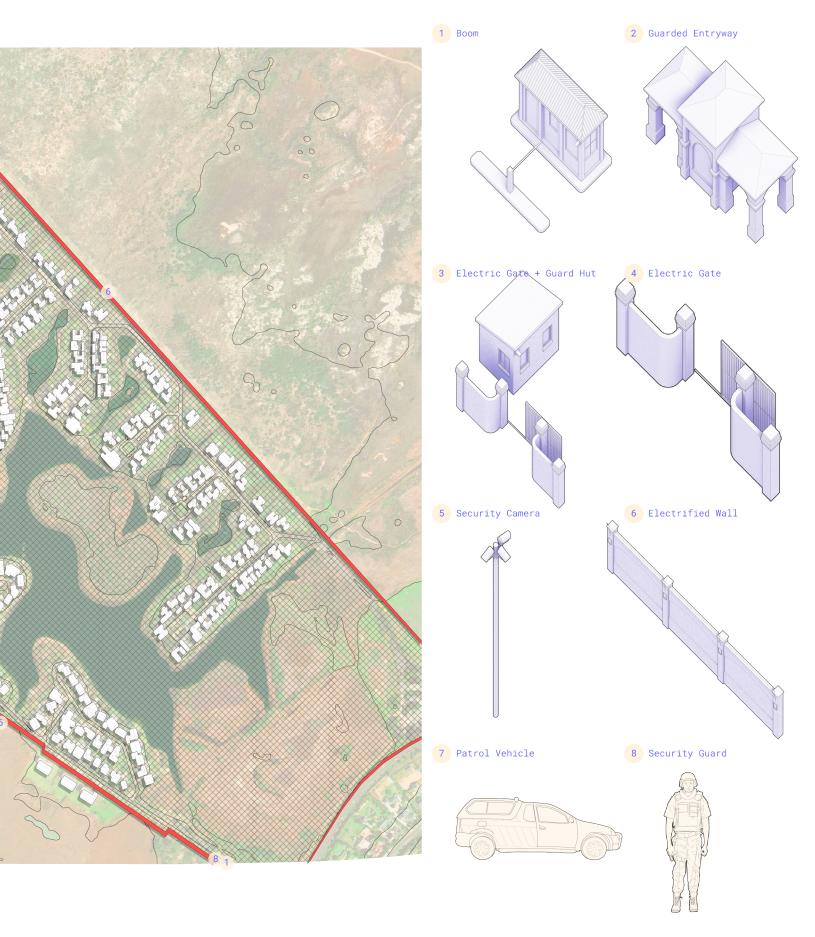


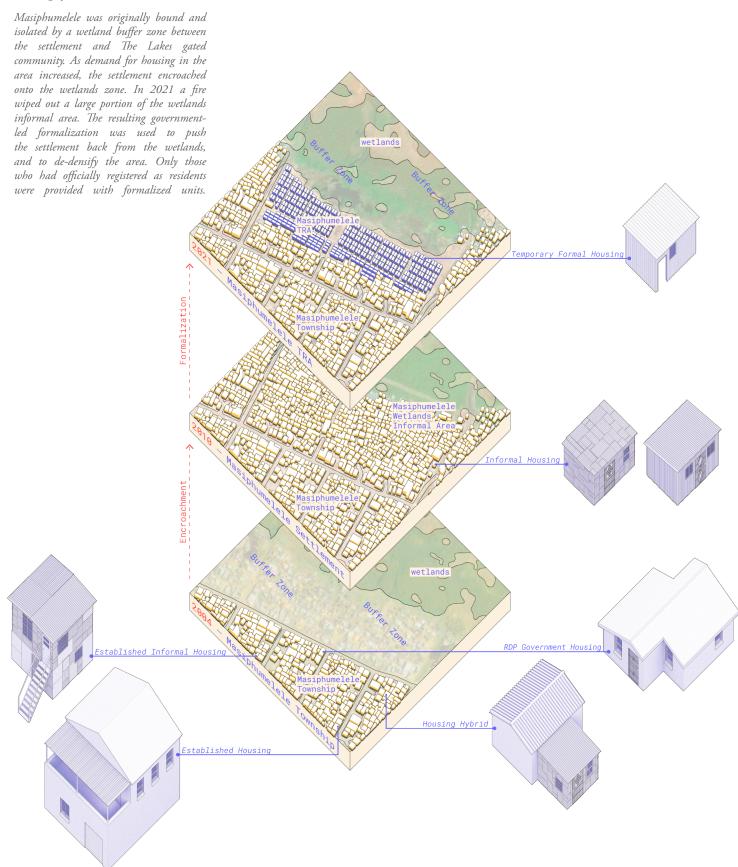


Figure 4.22 The Lakes gated community, Noordhoek, Cape Town. 2021. Photo by author.



Figure 4.23 View from The Lakes to Masiphumelele, Noordhoek, Cape Town. 2021. Photo by author.

Figure 4.24 Axonometric of Encroachment and Formalization,
Masiphumelele, Noordhoek, Cape Town.
Drawing by author.



The informal settlement was located on land prone to strong winds and frequent flooding, but was still able to mature into a *precarious commons*, and was named Masiphumelele.

'The Lakes' gated community was established around the same time, but is situated on a much more desirable piece of land. The community encloses an entire body of water, around which the houses are oriented. The marketing material for the 'inner commons' of the 'The Lakes' boasts opportunities for fishing, sailing, swimming, and biking.²⁷⁴ The property is extensively landscaped, with constructed pathways which curate the affluent residents' view of the property (away from the poverty next door) (see figure 4.22). With the image of highly maintained homes nestled amongst thriving gardens, it becomes easy to forget that you are contained within an electrified fence, and only a few hundred meters away from extreme poverty in the 'outer commons' (see figure 4.23).

Over the last 30 years, Masiphumelele has exploded in size and density. As open space in the settlement became sparse, the boundary expanded onto the marshland, which previously acted as a buffer between the impoverished zone and the exclusive gated community (see figure 4.24). The vast 'outer commons' has few discernible 'property lines,' rather appearing as a complex, and overlapping ecosystem of land uses; formal and informal infrastructures, shared domestic spaces, and family dwellings (See figures 4.25 and 4.26). This flexibility has enabled the community to contract and expand over time, adapting to external forces and threats, while accommodating the increase in population.

Formalization

As the white and wealthy continue to skew urban development dollars towards European areas through *silent enclosures*, the poor are forced to fend for themselves through ongoing practices of *quiet encroachment*. What result in an ever increasing 'illegal' and informal population on the outskirts of the city of Cape Town.

While *quiet encroachment* onto the city's edge had been subtly tolerated for the purposes of supplying cheap labour throughout much of Cape Town's history, this continued infringement became unacceptable in the post-apartheid neoliberal era, as squatting areas developed into unsightly deterrents to the tourist and consumer citizen. Urban illegality has not been recognized as a consequence of generation of oppression, subjugation, and dispossession, and squatters are increasingly viewed with disdain, categorized as a threat to urban order.²⁷⁵ Those who occupy the *precarious commons* live outside of state regulation and control, and do not participate in the formal market. This externality and imperceptibly has triggered responses which fall in line with apartheid era enumeration, formalization, and deportation strategies of control.

^{274 &}quot;Lake Michelle Eco Estate."

²⁷⁵ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 158.



Figure 4.25 Masiphumelele informal settlement, Noordhoek, Cape Town. 2021. Photo by author.



Figure 4.26 Masiphumelele informal settlement, Noordhoek, Cape Town. 2021. Photo by author.

Just as the apartheid government sought to control the growing population on the periphery through formalized housing projects, the neoliberal state seeks to transform *precarious commons* into legible, penetrable, and law-abiding communities (see figures 4.27 and 4.28) When occupants are enumerated and accounted for, rent, mortgages, services, and taxes can be charged in full. In addition, formalized spaces are more easily traversed by state officials and police units, with controlled entry and exit points and mappable roads in and out of the settlement (see figure 4.29).

Processes of formalization have repeatedly failed in turning the tide on poverty in the post-apartheid city. Families who are granted subsidized formal housing have been forced into poverty for generations, and are without savings. Property ownership becomes expensive and houses are sold quickly and at low prices on the informal market to cover emergency expenses. Therefore, the "attribution of (individual) property titles does not guarantee, in itself, the fulfillment of the main objective of regularization policies— namely, the integration of illegal areas and their residents into the broader urban economy and society." Rather than benefiting the poor, formalization has been used as justification for the retreat of the neoliberal state in their promises of redistribution and reconciliation, placing blame back on the poor for their inability to capitalize on opportunities provided by private land ownership."

In the apartheid era, formalization was used to gain favour with particular factions of the Black population, and to diffuse and silence political opposition. Today, selective formalization by the democratic government divides and weakens the political resolve of the *precarious commons*. Token upgrading and formalization results in a breaking down of the long standing networked of care, entrenching the poor into capitalist institutions, which function based on possessive individualism rather than community respect and reciprocity.²⁷⁸ What ultimately transpires is a dampening of the *quiet* refusal of the poor, as the formalization of the *precarious commons* results in their enclosure and ultimate breakdown.

Hypercycle of the Commons

The furtive competition for open space in Cape Town results is a what DeAngelis refers to as "'double movement' of enclosure and commons creation." This process of enclosure, encroachment, commoning, formalization, and cooption occurs in a repeating and intensifying 'hypercycle'. The need for the *quiet encroachment* of the *precarious commons* is predicated on processes of enclosure and exclusion. Any progress achieved by *quiet encroachment*, is met with increased intensity of *silent enclosure* and *anemic commons* creation. *Enclosing* uses capital forces to fracture urban space and to silence social and political movements of the poor. This suppression results in the further need for the poor, racialized, and oppressed to re-organize and

²⁷⁶ Fernandes, Illegal Housing: Law, Property Rights and Urban Space, 241.

²⁷⁷ Podlashuc, "The South African Homeless People's Federation: Interrogating the Myth of Participation," 6.

¹ Ibid; Harvey, Rebel Cities: From the Right to the City to the Urban Revolution, 21.

²⁷⁹ De Angelis, "Social Revolution and the Commons," 300.

²⁸⁰ De Angelis, "Migrants' Inhabiting through Commoning and State Enclosures. A Postface," 633-4.



Figure 4.27 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.



Figure 4.28 Government housing in Imizamo Yethu, Hout Bay, Cape Town. 2021. Photo by author.

Figure 4.29 Axonometric of Formalization, Imizamo Yethu, Hout Bay, Cape Town. Drawing by author. Imizamo Yethu began as an informal settlement nestled between affluent communities in Hout Bay. In the early 2000s formalization began to occur in the settlement, causing internal conflict as the order and criteria by which residents were to receive formal housing was unclear. In 2017 a fire swept through a large section of the settlement. The Temporary Relocation Area (TRA) was built in order to house the displaced residents. Informal Housing Housing Hybrid Established Housing 156

re-formulate the commons in order to carve out their place in the city and in society. The ongoing *quiet encroachment* triggers an acceleration of *silent enclosure*, and the hypercycle continues. The precarity of the *precarious commons* is generated by this hypercycle of commons creation and enclosure, which places informal settlements under constant threat of removal, formalization, and police crack-downs.

4.5 Conclusion: Urban Stasis

The hypercycle of commons creation and enclosure in Cape Town produces an urban stasis. According to Tina Campt's definition, "stasis is neither an absence nor a cessation of motion; it is a continual balancing of multiple forces in equilibrium." ²⁸¹ Cape Town is a divided city that exists in a state of racial tension between the historically oppressed seeking to finally express their *right to the city*, and the wealthy white defending their position of privilege and dominance from the banks of Table Mountain. ²⁸² This urban stasis manifests as a kind of spatial uneasiness, a reverberating suspension between opposing groups claiming land through furtive processes of commoning. Rather than continuing to place blame on the poor and racialized for disrupting urban order and development, the responsibility for this urban stasis, and the general stagnation of the city should be placed back upon the wealthy who create spaces that are inaccessible and hostile to perceived 'others' (see figures 4.30 and 4.31).

Though informal settlements were demoted to a marginal position in the retelling of the history of resistance against the apartheid regime, squatters and their quiet politics of staying put were central to the system's undoing. "Securing daily, hourly victories in the bid for stands and shacks, land and lots, squatters eluded state prescriptions and disciplinary strategies, laying the groundwork of democracy." 283 Squatting as a form of refusal and as a strategy to produce a commons for the poor and the Black continues to be relevant in the fight for equity in Cape Town as the neoliberal state adopts and repackages the apartheid regime's anti-poor and anti-Black ideals.

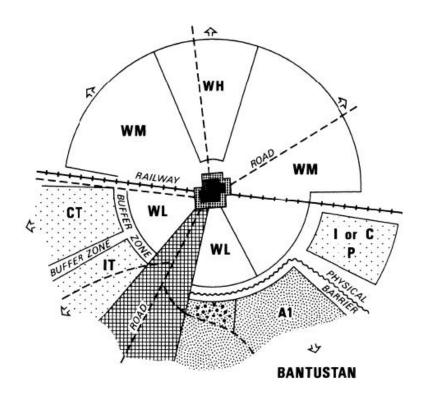
Although much has changed since the colonial and apartheid eras in Cape Town, social, spatial, and economic inequity continues to largely fall along racial lines (see figure 4.32), and lawful segregation has donned a new mask, taking on the exclusionary tactics of neoliberal development; delineated and enforced through architectural interventions. With the continuation of pervasive inequities, with roots firmly grounded in the colonial and apartheid pasts, Cape Town cannot yet be considered a post-colonial or post-apartheid city (see figure 4.33).

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²⁸¹ Campt, Listening to Images, 9-10.

²⁸² Lemanski and Oldfield, "The Parallel Claims of Gated Communities and Land Invasions in a Southern City: Polarised State Responses," 634–48.

²⁸³ Makhulu, Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home, 92.



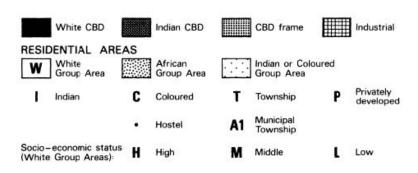


Figure 4.30 Diagram of the Spatial Formation of the Apartheid City. 1981. Diagram by R.J Davis. Retrieved from: GeoJournal Supplementary, Issue 2, 1981: 59-72, p. 69

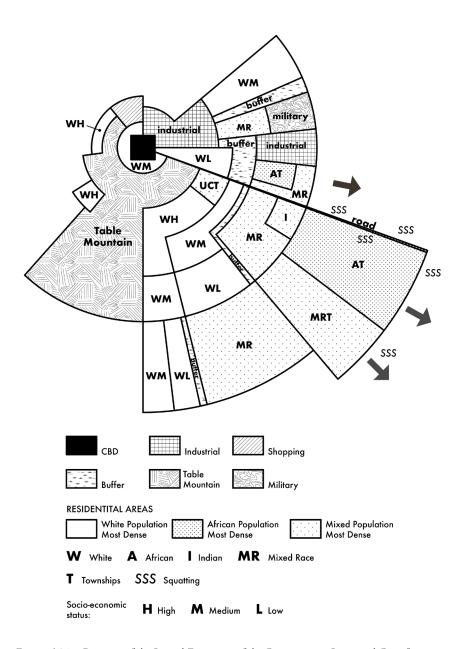
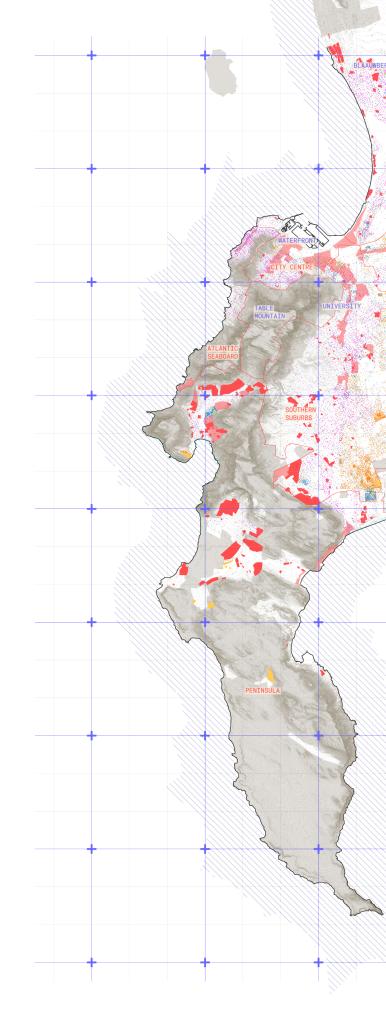
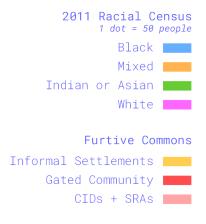


Figure 4.31 Diagram of the Spatial Formation of the Contemporary Segregated City of Cape Town. 2021. Diagram by author.

Figure 4.32 Map of the contemporary furtive commons and 2011 racial distribution. Cape Town, South Africa. 2021. Map by author.





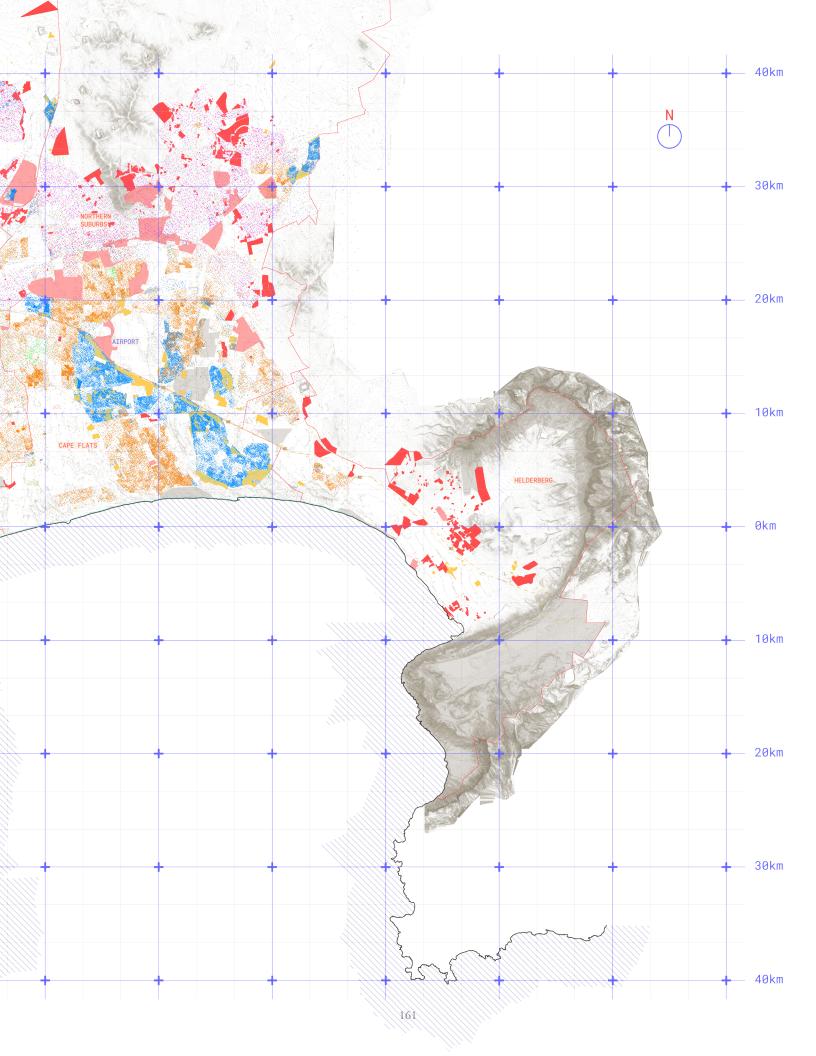
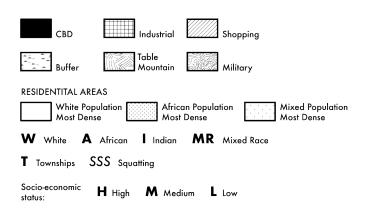
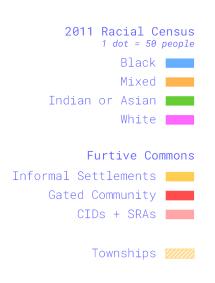
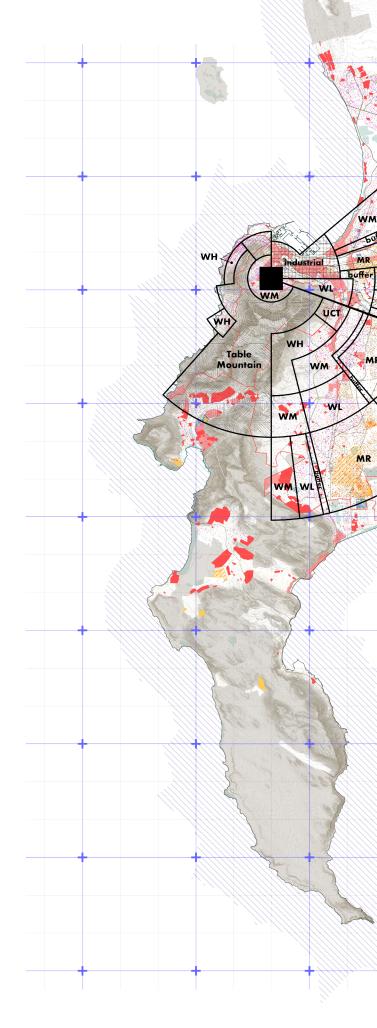
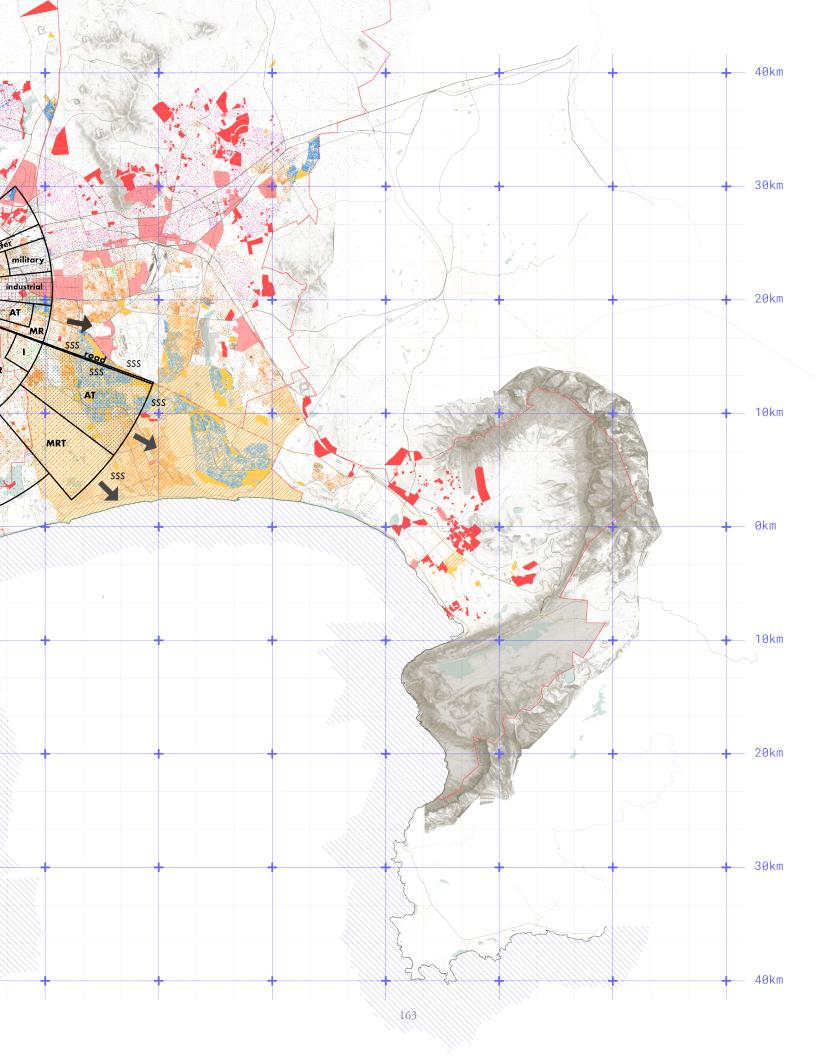


Figure 4.33 Map of the segregated city of Cape Town, South Africa. 2021. Map by author.









5.0 Conclusion: Fugitivity and Enclosure

Enclosure

The silent enclosure, privatization, and fortification of Cape Town for the purposes of white comfort and touristic delight has morphed the city centre into a 'little Europe'. The attachment of the white and wealthy to a colonial and apartheid past results in a mimicking and recreation of nostalgic architectures (see figures 5.1 and 5.2), as Cape-Dutch-style homes, shops, and wineries "forge a 'pristine' white public." 284 White plaster walls, dense hedges and carefully manicured gardens curate internal worlds which actively work to distract from, and dampen the realities of living in post-apartheid Cape Town; maintaining an illusion of distance between the European-elite and the rest of the city (see figures 5.3 and 5.4). Ironically, it is not the wealthy who physically participate in the daily practices of maintaining this alternate reality, but the hired precarious worker travelling from informal settlements on the periphery into exclusive white areas of the city. The poor and criminalized Black labourer remains vital to the upkeep of the white and wealthy's aesthetic desires (see figures 5.5 and 5.6). This relationship between white employer and Black labourer, and the resulting landscapes, perpetuates a fiction of white mastery and control over the urban environment.

This architectural erasure ignores the foundations of the city, which were established on stolen Indigenous Khoi-Sans land, built by slaves, and then paid for with the money slaveholders were awarded by the British Queen as compensation for their loss of 'property'. Unfettered white access to land and cheap labour was then upheld by the apartheid regime, and has been perpetuated by the neoliberalization of the post-apartheid state.

In the contemporary neoliberal city, access to public housing, security, and services has been enclosed and commodified, underhandedly solidifying the existing racial-spatial order. Those who are unable to pay, or to conform to white prerequisites for inclusion, are subject to removal, eviction, and service cut-offs. Those who have the means are then able to purchase open land, and to concentrate services and security in historically affluent zones of the city; repeating cycles of enclosure for the benefit and further capital accumulation of the white-European elite. When the poor and the Black continue to be forced to inhabit poorly-serviced, peripheral, and precarious spaces outside of the city, and the *anemic commons* work in hypercycles to enclose open, public, and valuable land within the city for the purposes of excluding those who do not adhere to the white 'status quo', urban banishment via eviction becomes racial banishment.

285 Ibid.

²⁸⁴ Makhubu and Ruiters, "'This Land Is Not for Sale': Post-1994 Resistance Art and Interventionism in Cape Town's Precarious Publics," vol. 23, 4.



Figure 5.1 Statue of Sir George Grey in front of the National Library of South Africa in the Company Gardens, Cape Town. 2021. Photo by author.



Figure 5.2 Constantia Uitsig wine estate and market, Cape Town. 2021. Photo by Nigel Edwards.



Figure 5.3 Hedge on the perimeter of a gated estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 5.4 Kirstenbosch Botanical Garden, Cape Town. 2021. Photo by author.



Figure 5.5 Labourer maintaining gated estate, Bishops Court, Cape Town. 2021. Photo by author.



Figure 5.6 Labourers maintaining Kirstenbosch Botanical Garden, Cape Town. 2021. Photo by author.



Figure 5.7 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.



Figure 5.8 Imizamo Yethu settlement, Hout Bay, Cape Town. 2021. Photo by author.

Fugitivity

The white performance of mastery over the urban environment, and the tendency of the wealthy to remake the city in the image of the nostalgic past through processes of purification, ordering, and policing, reinstates the racial-spatial categorization of insiders and outsiders, or in the terminology of this thesis, of *enclosers* and *encroachers*.²⁸⁶ This pattern fixes the poor and the Black in a constant state of fugitivity; a life outside of the accepted structures and formalized spaces of the white-colonial urban sphere. It is within this reality of repeated exclusion in which Black people persistently refuse white conceptions of property, which represent and facilitate their ongoing suppression and subordination.²⁸⁷

Moten describes fugitivity as "a desire for and a spirit of escape and transgression of the proper and the proposed. It's a desire for the outside, for a playing or being outside, an outlaw edge proper to the now always already improper voice or instrument. This is to say that it moves outside the intentions of the one who speaks and writes, moving outside their own adherence to the law and to propriety."²⁸⁸ According to Campt, Black fugitivity is "not an act of flight or escape or a strategy of resistance. It is defined first and foremost as a practice of refusing the terms of negation and dispossession."²⁸⁹ The Black and poor in Cape Town furtively construct domestic spheres of fugitivity through the *quiet encroachment* of the *precarious commons*.

Quiet encroachment is achieved through practices of building informal dwellings. This stealthy, understated, and often overlooked architectural practice is strategic and necessarily honed by the dispossessed, who refuse to submit to processes of subjection, removal, and criminalization. The precarity of the precarious commons means that the informal settlement and its architecture is constantly being demolished, removed, and relocated or rebuilt; while also adapting to frequent floods, fires, and heavy winds in the low-lying Cape Flats. Homes and infrastructures are made and remade, layered, repaired, and modified by their residents in a fugitive attempt to remain in place (see figure 5.7). The participatory nature of making the precarious commons produces an architecture in motion; it quietly encroaches and expands, becomes paired-back through formalization, and then encroaches and densifies again. The maintenance of structures, infrastructures, and land within the commons becomes a daily practice (see figure 5.8). These quotidian practices of fugitive commoning are a refusal by the poor to submit to the colonial attitudes of the state and white elite, who desire informality in the city to be removed, refined, and co-opted into systems of capital.

²⁸⁶ Roy, "Dis/Possessive Collectivism: Property and Personhood at City's End," 8.

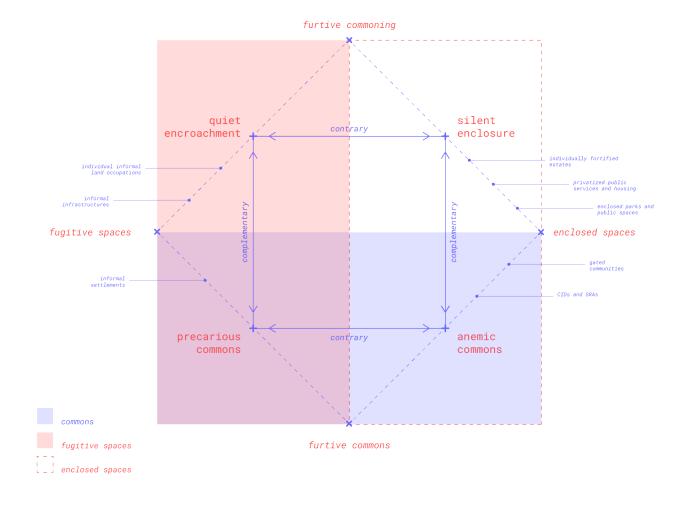
²⁸⁷ Makhubu and Ruiters, "'This Land Is Not for Sale': Post-1994 Resistance Art and Interventionism in Cape Town's Precarious Publics," vol. 23, 4.

²⁸⁸ Moten, Stolen Life, 131.

²⁸⁹ Campt, Listening to Images, 96.

Figure 5.9 Fugitive and Enclosed Spaces in Cape Town. Diagram by author.

An interpretation of the semiotic square diagram, relating the quiet encroachment of the precarious commons and the silent enclosure of the anemic commons to fugitive and enclosed spaces in Cape Town.



Enclosed and Fugitive Spaces

The precarity of Black spaces in the city of Cape Town has been produced and reproduced through the control and commodification of space by the successive colonial, apartheid, and neoliberal regimes. These regimes of exclusion created a bifurcated expression of citizenship; one which is formal, enclosed and exclusive; the other which is fugitive and informal in nature.²⁹⁰

Urban globalization theorist, Faranak Miraftab, delineates between spaces of participation and refusal in South Africa with the categorization of 'Invited' and 'Invented spaces'. 'Invited spaces' are "state led spaces of participation frequently heralded by international aid agencies." These spaces are legitimized by donors and government intervention, yet often work to silence the populations they claim to serve—only working within the normative neoliberal version of 'good citizenship.'292 'Invented spaces' are "grassroots-led forms of collective mobilization functioning in confrontation (rather than in concert) with authorities."293 According to Miraftab the distinction between 'invited' and 'invented spaces' "lies in the fact that actions taken by the poor within the invited spaces of citizenship, however innovative, aim to cope with systems of hardship... within the invented spaces, grassroots actions are characterized by defiance that resists the status quo."294 Within the context of this thesis I categorize 'invited spaces' as *enclosed spaces* and 'invented spaces' as *fugitive spaces* (see figure 5.9).

Enclosed spaces of participation are not designed to amplify the voices of the poor, but merely function to superficially fill in the gaps of care left by the successive colonial, apartheid, and neoliberal states (see figure 5.10). Movements by the poor to claim individual plots of land and state-subsidized formalized housing disrupts, but also maintains the racially divided city and the apparatus of property at its core; they are an attempt to be included and to be heard within already enclosed spaces (see figure 5.11). According to international development scholar Ananya Roy, they are looking to claim "rightful occupation and legitimate ownership. In doing so, they often shed light on the inherent illegality of assured, state-sanctioned property relations, but they also assert rights to those very same property relations." In other words, they reveal the ways systems of enclosure are broken and oppressive, but organize to be included in those same systems. Within this struggle lies the desire of those who have been historically denied the right to own property to reclaim the city, as the chasm between the rich and the poor along racial and geographical lines continues to deepen.²⁹⁶

²⁹⁰ Makhubu and Ruiters, "'This Land Is Not for Sale': Post-1994 Resistance Art and Interventionism in Cape Town's Precarious Publics," vol. 23, 1-2.

²⁹¹ Miraftab, "Feminist Praxis, Citizenship and Informal Politics: Reflections on South Africa's Anti-Eviction Campaign," 194–218.

²⁹² Lemanski, "Unequal Citizenship in Unequal Cities: Participatory Urban Governance in Contemporary South Africa," 15.

²⁹³ Ibid, 18.

²⁹⁴ Miraftab, "Feminist Praxis, Citizenship and Informal Politics: Reflections on South Africa's Anti-Eviction Campaign," 195.

²⁹⁵ Roy, "Dis/Possessive Collectivism: Property and Personhood at City's End," 6.

²⁹⁶ Makhubu and Ruiters, "'This Land Is Not for Sale': Post-1994 Resistance Art and Interventionism in Cape Town's Precarious Publics," vol. 23, 4.



Figure 5.10 CCID security guard and sanctioned vendors in Green Market Square, Central Cape Town. 2021. Photo by author. The square was established in 1696 and originally served as a market for slave owners to buy and sell slaves. Today it is a formalized space for the trading of African goods, and a popular tourist destination to pick up souvenirs.



Figure 5.11 Formalized public housing in Westlake, Cape Town. 2021. Photo by author.



Figure 5.12 Informal traders, Masiphumelele informal settlement, Noordhoek, Cape Town. 2021. Photo by author.



Figure 5.13 Emerging informal area, Khayelitsha Township, Cape Town. 2021. Photo by author.

Practices of Furtive Commoning in the [Post]Apartheid, [Post]Colonial City of Cape Town, South Africa

Black criminality as discord and disorder—or as the gathering of an ensemble that works outside of normative harmony; the atonality of another totality—is figured as a sign that black people need to develop social skills, as it were, to engage in already established normative modes of publicity that include not only high-minded social and political organization devoted to racial uplift but also wholesome forms of popular amusement that would form a vital supplement to respectable private domesticity.

— Fred Moten, Stolen Life

According to Moten; "To be black, to engage in the ensemblic—necessarily social—performance of blackness, is to be criminal." Black fugitive voices, bound by spatial solidarity into an ensemblic social discourse, are translated within *enclosed spaces* into illegible, illegal noise. According to African-american cultural theorists Saidiya Hartman and Stephen Best, "Black noise represents the kinds of political aspirations that are inaudible and illegible within the prevailing formulas of political rationality; these yearnings are illegible because they are so wildly utopian and derelict to capitalism." When Black voices are not speaking to uphold existing and dominant structures of white supremacy, they fall outside of the recognized dialect of *enclosed spaces*. A refusal to participate within *enclosed spaces* is not an indication of apathy or passivity, but rather a fugitive response to spaces which undermine the voices and participatory practices of the Black and poor."

The white expectation for the Black, poor, and historically oppressed to conform within formalized and *enclosed spaces*, which have repeatedly denied Black life in the city, is an expectation for compliance in their continued oppression and criminalization. *Fugitive spaces* create new spaces of participation, designed by and for the poor, operating outside of suppressive colonial structures formulated by the state. *Fugitive spaces* are constructed without government or developer intervention, and with the purpose of servicing and supporting the daily lives and livelihood of its inhabitants. *Fugitive spaces* in Cape Town span from individual informal structures built in the bush or in interstitial urban spaces, to established *precarious commons* (see figures 5.12 and 5.13). The ongoing and pervasive criminalization of Black fugitivity and the persistent removals of *fugitive spaces*, is a denial and muting of Black voices of refusal.

The poor who organize to produce a *precarious commons* through networks of 'gossip' and practices of *quiet encroachment* are imagining a different kind of citizenship— a fugitive citizenship which engages with the democratic process in their own voice and language. To participate in quotidian practices of fugitivity within the *precarious commons* is to produce a life which functions outside of *enclosed spaces*. *Fugitive spaces* fulfill the desire of the poor to be heard and recognized in their claim to the city.

²⁹⁷ Moten, Stolen Life, 128.

²⁹⁸ Best and Hartman, "Fugitive Justice," 9.

²⁹⁹ Wiliams, "Community Participation," 206.



Figure 5.14 Hout Bay International School, Hout Bay, Cape Town. 2021. Photo by author.



Figure 5.15 Fortified Estate, Bishops Court, Cape Town. 2021. Photo by author.

Black Futurity in Cape Town

According to Campt, Black futurity is an attachment to what is not currently, but what *must* be; "It strives for the tense of possibility that grammarians refer to as the future real conditional or that which will have had to happen." It is a living in the future, right now. The *precarious commons*, despite their short-comings, are *fugitive spaces* for the poor to be heard, to live domestic lives within the city, and to build networks of mutual aid; here and now. The *quietness* of the *encroachment* of the *precarious commons* is a subtle circumvention of processes of silencing and erasure being enacted by the state, by the elite, and by private and public police. It is a strategy for Black futurity in a city which continues to function to suppress and subjugated people of colour.

Fugitive architecture is informal, flexible, communal, and layered; it is constructed of recycled and found materials; it shares walls with neighbours, and provides cover for passers by; it does not conform to property lines or formal planning schemes. Practices of *fugitive commoning* open up a possibility for a commons constructed for and by the Black and poor, which are no longer precarious or peripheral in nature. However, for this space of Black reciprocity, stewardship, and freedom to become a reality, the spatial hierarchy and systems of property in the city of Cape Town need to be fundamentally reimagined. *Anemic commons* must be repositioned as spaces which are outdated, exclusionary, and detrimental to the progress of the post-apartheid city; colonial architectures, medieval-esque walled compounds, and militarized public and private police forces need to be abolished, and relegated to shameful relics of Cape Town's exclusionary history.

If the city of Cape Town is allowed to continue on its current trajectory the segregated city will remain frozen in time, and the urban fabric will become a grid-lock of *anemic* and *precarious commons*. The white and wealthy will eventually live their entire lives behind walls and security personelle; conducting their day-to-day routines within fortified estates, business parks, and private schools; while spending their social lives within privatized and bounded shopping centres, parks, gardens, and sports fields (see figures 5.14 and 5.15). The secondary city will be left to the Black and poor, who will either be forced to inhabit the sprawling settlements on the Cape Flats, or to compete for open space within already dense, isolated, and limited urban settlements near the city centre.

What would be possible if this trajectory were to be interrupted, and the inequitable competition for open space in the city suspended? What would true redistribution look like in a city as bounded and divided as Cape Town? Is it up to architects to imagine a newly constructed future, or is it the 'visionary' power of architects and planners which has propelled Cape Town into its current state of fragmentation? Perhaps it is time for the architectural profession to take a step back, to evaluate our position in systems of dispossession and erasure, and to learn from the informal, adaptive, and fugitive architectures of the poor.

³⁰⁰ Campt, Listening to Images, 17.



Figure 5.16 Group of dancers and singers, Gardens, Cape Town. 2021. Photo by author.

Afterwards: A Short Reflection

In thinking about futurity in the city of Cape Town, it was natural to begin contemplating the possible futures for this research. The graduate thesis is necessarily limited in scope, length, and subject, and as a consequence, many experiences, stories, and details are left unwritten or unexplored. My hope is that this thesis proves to be an introduction to a larger body of work; a framework from which to springboard into deeper inquiries and further fieldwork.

The binary nature of focusing on groups classified as white-European, and as Black-African or Native in the apartheid era allowed me to succinctly discuss the roles of *anemic* and *precarious commons* in the development of the city of Cape Town. However, the reality of race in the city is much more nuanced and complex. Race was not treated as a binary in apartheid Cape Town, but rather as a gradient. The diversity in skin tones and correlating experiences shapes the way people inhabit the city, their cultures and practices, and how they relate to and perceive one another.

In a post-pandemic world, my ambition would be to revisit Cape Town to document the more intimate and human operations of the commons, and my experience as a visitor and outsider within them. The commons function because of human-to-human relationships of care, empathy, and attunement. Understanding these quotidian relations and networks of solidarity would perhaps reveal the possible futures of the commons in Cape Town.

Ultimately, the job of architects is to make spaces for humans, and in order to do so in an empathic, equitable, and ethical way, we need to comprehend a multitude of experiences, psychologies, and histories. Re-grounding myself as a researcher and as a designer within spaces in Cape Town would only strengthen this work and my understanding of the city.

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