Reclaiming Cape Town:
Spatial Justice and the (Post)apartheid City

By

Tessa Ann Eidelman

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Approved:

Sara E. Safransky, Ph.D.

Sandra L. Barnes, Ph.D.

Paul W. Speer, Ph.D.

Marzia Milazzo, Ph.D.

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Abbreviations

AA	Advice Assembly
AKH	Ahmed Kathrada House
ANC	African National Congress
CGH	Cissie Gool House
CoCT	City of Cape Town
DA	Democratic Alliance
MPT	Municipal Planning Tribunal
NP	National Party
NU	Ndifuna Ukwazi
PIE	Prevention of Illegal Evictions from and Unlawful Occupation of Land Act
PISA	Prevention of Illegal Squatting Act
RED TT	Resisting Evictions and Displacement Task Team
RHT	Rental Housing Tribunal
RTC	Reclaim the City
SPLUMA	Spatial Planning and Land Use Management Act
TDA	Transport and Urban Development Authority

Transcription notes

…	Pause
[…]	Words removed to enhance clarity
Italics	Emphasis

NOTES ON LANGUAGE USE

At the outset, it is important to make some notes on my use of language around race and racial categories. During apartheid, the Population Registration Act (1950) designated four "populations groups" namely White, Coloured, Indian/Asian, and African (or Black African). "African" or "Black African" broadly refers to people who speak a Bantu language (such as isiXhosa). "Coloured" refers to a broad range of people including people of mixed race, of Malaysian descent (brought to the Cape as slaves), descendants of the Indigenous people of the Cape (Khoe-San), among others (Thompson & Berat, 2014). Racial groups were hierarchically arranged during apartheid. The White group was believed to be superior to all other races and "the darker the skin tone, the lower a person's rung on the social ladder" (Teppo & Millstein, 2015, p. 424).

These racial designations, although rooted in colonial and apartheid ideology, are still used in South Africa today. The South African census identifies the same four racial groups (officially still called "population groups") and also has an "other" category. According to the 2011 census, 79.2 percent of residents identify as Black African, 8.9 percent as Coloured, 8.9 percent as White, 2.4 percent as Indian or Asian, and 0.5 percent as other. The Western Cape, which is the province where Cape Town is located, has a higher proportion of Coloured people as compared to the rest of the country owing, in part, to area's Indigenous inhabitants as well as its history of slavery. In Cape Town, 38.6 percent of people identity as Black African, 42.4 percent as Coloured, 15.7 percent as White, 1.4 percent as Indian or Asian, and 1.9 percent as other.

Given that these racial categories are used and continue to have social, material, and political relevance in South African society, I use them in this dissertation. There are, however, some exceptions. First, as I describe in my methods chapter (Chapter 2) I asked participants in this study to racially identify themselves. As a result, participants identified various categories not necessarily represented in the census (such as Khoe-San or simply, South African). When referring to all categories of people other than White, I do not use the term "non-White" because it problematically re-centers Whiteness and defines people by what they are not. Instead, I use the term "Black," unless it is specifically important to distinguish between Black African, Coloured, and Indian/Asian people. This is sometimes important given the differing histories of these groups and their differing treatment by the apartheid state (see Chapter 1). I have also chosen to retain the South African spelling of Coloured. I do this simply to recognize this as a South African term with a particular meaning in the South African context.

Finally, I note that I have elected to capitalize the names of all racial groups including White. I recognize that there is debate about this practice. In the United States, large news outlets such as The New York Times and Associated Press capitalize Black but not White. Capitalizing Black is a sign of respect and recognition of a shared culture and history among Black Americans (Coleman, 2020; Explaining AP style on Black and white, 2020). Their choice not to capitalize White, is partly because it is a practice of White supremacists to do so and because some argue that White "doesn't represent a collective identity and history in the same way that Black does" (Yang, 2020, para. 3). I choose to follow scholars such as Nell Irvin Painter (2020) and Eve L. Ewing (2020) who argue for capitalizing White. Doing so, they suggest, points out that White people also have a racial identity and occupy a social category that has real and measurable advantages. Capitalizing White thus disrupts a tendency amongst White people to not think of ourselves as raced. In South Africa, White may not represent a shared culture but it certainly represents a powerful social category, a point I emphasize through capitalization. When writing about White people, I include myself (using we/our/us) because I am White.

Figure 1

Map of South Africa showing the nine provinces.

Note. Map from mapsource.com

Figure 2

Maps of the City of Cape Town highlighting the City Center, Green/Sea Point, Woodstock, and the location of Reclaim the City's building occupations (Ahmed Kathrada House and Cissie Gool House).
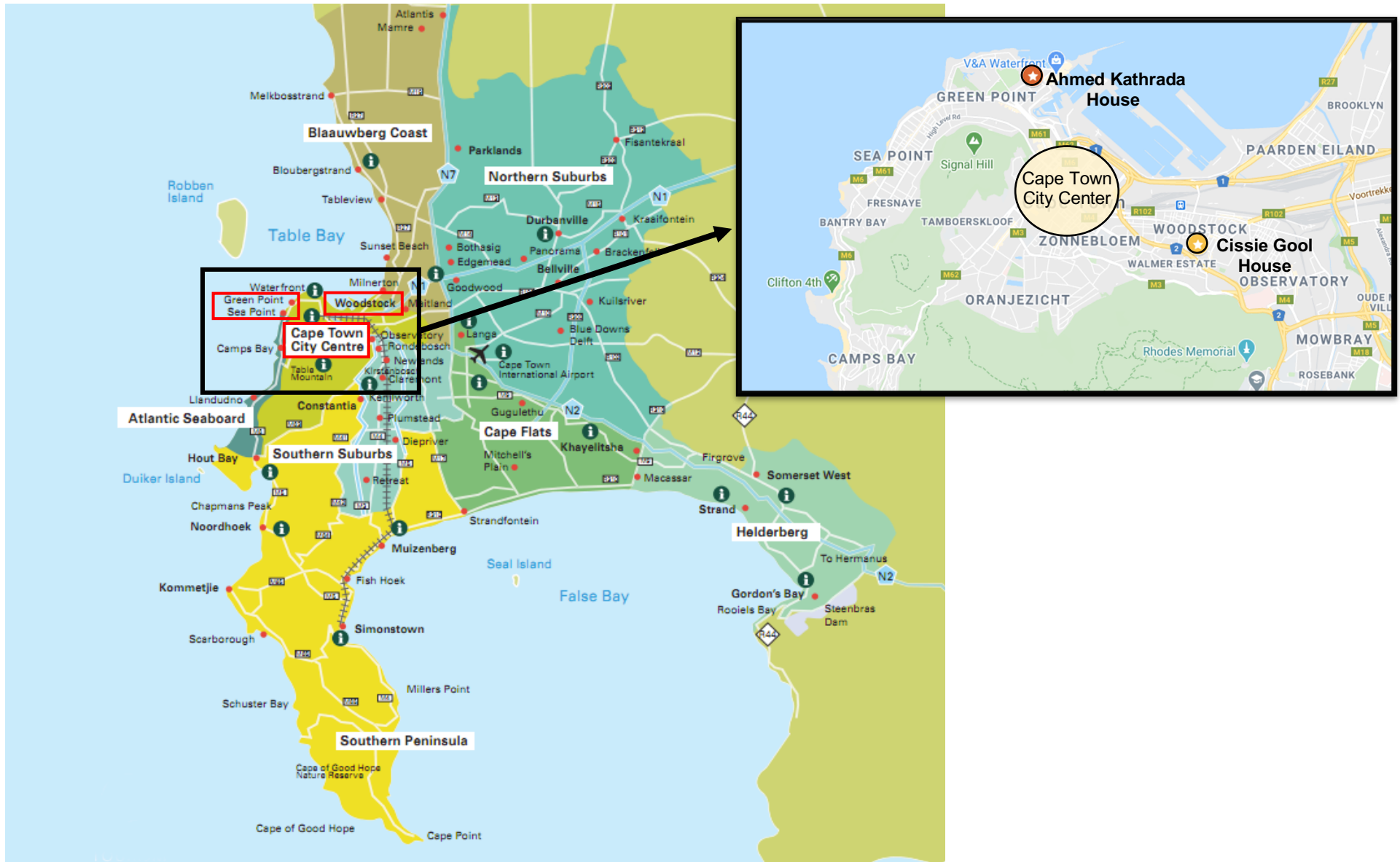
Note. Left map from Cape Town Tourism https://www.capetown.travel/travel-wise/maps-guides/ and right map made with Google MyMaps

CHAPTER 1

INTRODUCTION

"All spheres of government have failed us!" said Mandla, a 26-year-old Black organizer and housing activist, while addressing a group of about 350 protesters and members of Reclaim the City (RTC). A small movement of predominantly Black, poor and working-class people, RTC has been fighting for "spatial justice" and affordable housing in Cape Town since 2016. Located on the southwest tip of the continent, Cape Town is South Africa's oldest city and as such is also known as the "Mother City." Although it is racially and culturally diverse, Cape Town is also racially segregated and extremely economically unequal, owing to its colonial and apartheid history as well as the unfulfilled promises of the democratic era (McDonald, 2008; van Rooyen & Lemanski, 2020). On this sunny day in March 2019, a public holiday celebrating human rights, RTC members marched onto the Rondebosch Golf Club, located on 110 acres of public land that is leased to the club's private owners for a measly R1,000 (about $70) per year (Figure 3). The protesters contested this use of public land, arguing that the land should be reclaimed for government subsidized housing and used to address racial segregation in the city. Their contestation was based on the land's location in an historically White area, its proximity to the economically active central city, and the fact that no government subsidized housing has been built in such areas since the end of apartheid. Mandla continued in his address:

> And this is what has made us today to come and protest *maqabane*,[1] because all spheres of government are ignoring our pain, are ignoring our struggles!

Turning his attention to the golfers who had retreated into the club house when RTC marched onto the course, he explained:

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[1] *Maqabane* or *amaqabane* is isiXhosa for comrade(s)

> Some of our comrades who are here today are living in shacks. They have occupied wetlands because there's not land redistributed for the purposes of housing. Some of us here have occupied a building next to the Waterfront. We've sustained it for two years. Some of us here have occupied a building at the old Woodstock Hospital. We've sustained that one for two years as well. And we're sending a message to all golf clubs, to the City of Cape Town, to private developers that we will stop the access of our land being made available to them. We want our land to be used for housing! […] It cannot be that this Mother City has no place for its children.

Mandla's words and RTC's golf club protest bring the conflicts over urban land-use in Cape Town into sharp relief. On the one hand, the golf club has occupied this public land for over 100 years and is a profitable business offering a salubrious space of leisure and relaxation for its members. On the other hand, the golf club represents the enclosure of public land and its reservation for the exclusive use of a predominantly White wealthy few. As Mandla's words reflect, the persistence of such an enclosure in the post-apartheid era is emblematic of the government's failures to remedy past racially exclusive urban land-use decisions. It reflects a failure to prioritize the redistribution of urban land "for the purposes of housing" for the city's predominantly Black, poor and working-class residents.

This dissertation is an ethnographic study of such conflicts over urban land in Cape Town and an analysis of their racial politics. I follow RTC's spatial justice activism that includes protests and contestations of land-use decisions, tenants' rights advocacy and resistance to unlawful and unjust evictions, and the long-term occupation of disused government buildings for the purposes of shelter. I ask, what does spatial justice mean to RTC members? How are spatial injustices entrenched in Cape Town? And what alternative social relations and relations to urban land emerge through RTC's spatial justice activism?

Figure 3

Reclaim the City members march onto the Rondebosch Golf Course (March 21, 2019).

The United Nations has estimated that 87 percent of the world's cities are unaffordable, that globally 1.6 billion people live in inadequate housing (1 billion in "slums"), and that by 2030 three billion people will need access to adequate and affordable housing (UN Habitat, 2015, 2019; United Nations, 2021). RTC emerges in the midst of this reality and at a time when housing-related campaigns and movements are proliferating in cities around the world as a result. For example, in the United States, the Homes for All campaign is calling for recognition of housing as a human right and lobbies for policies to protect tenants and public housing residents. And in Brazil, *Movimento dos Trabalhadores Sem Teto* (Homeless Workers' Movement) occupies abandoned public buildings for housing. In Spain, *Plataforma d'Afectats per la Hipoteca* (Platform for People Affected by Mortgages) is resisting evictions and crippling mortgage indebtedness. Collectively, such movements and campaigns contest the commodification and financialization of housing, the use of market-based solutions to address housing "problems," and the rise of neoliberal urban

agendas that fail to center people and their access to the basic necessities needed to survive and thrive.

South Africa ranks as one of the world's most unequal countries on multiple measures including income, wealth, and opportunity (World Bank, 2018). Over half of the population lives in poverty (Sulla, 2020) and 1.89 million households lack adequate housing (Centre for Risk Analysis, 2019).[2] In Cape Town, a city of roughly 4.5 million people, around 5,000 people are considered homeless or unsheltered while over half a million more live in "informal" dwellings (shacks), primarily located on the city's periphery (Figure 4; ismaps, n.d., Sinclair-Smith & Turok, 2012; Stats SA, 2018; Western Cape Government, 2019).[3] Almost all of the people who live in such conditions – 99.9 percent – are Black (Stats SA, 2018).[4] In contrast, the largely housed White population is overwhelmingly concentrated in Cape Town's most attractive, accessible, and well-resourced areas in the northern and southern suburbs and in areas close to the inner city, around Table Mountain, and the coast (Figure 2 and 5). Despite the city's housing programs, the demand for government subsidized housing continues to outpace its supply, often explained by the city's high levels of unemployment, poverty, as well as its growing population and limited resources (Francis & Webster, 2019; Turok & Scheba, 2018). At the same time, inflated land and property prices and exclusionary lending practices, effectively shut poor people out of the city's private housing markets (Besteman, 2008; Migozzi, 2019).

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[2] Poverty level referred to here is the national "upper bound" poverty line (about ZAR 1,000 or USD 70 per person per month).

[3] The city has 204 recognized informal settlements, but 437 individual pockets. They range from small clusters of a few dwellings to large blocks of hundreds of homes (ismaps, n.d.)

[4] More specifically: 91.9 percent Black African and 8 percent Coloured

RTC is one of several housing and land related movements to form in South Africa since apartheid formally ended.[5] In Cape Town, however, the movement is among the first to focus on issues of housing and urban land-use in the city's central and historically White areas as opposed to its informal settlements. In so doing, they are highlighting the struggle of poor and working-class Black residents to access these areas as well as the struggle of those who do live there to remain in place. In the predominantly Coloured area of Woodstock adjacent to the city center, RTC contests the gentrification of the once affordable area, pointing to the proliferation of upmarket developments, the steady rise in property prices and rents, and the increasing number of long-time, low-income residents facing eviction and displacement. In the affluent, historically White area of Sea Point, RTC builds on years of grassroots organizing primarily among domestic workers, highlighting workers' exceedingly long commutes to their places of work or their otherwise substandard living conditions in the area. Working in collaboration with the nonprofit activist and law center, Ndifuna Ukwazi (NU), RTC argues that the government should prioritize the development of subsidized housing in such areas, particularly on public land, as a way to address racial segregation in the city. They also call for private development to be regulated for community benefits and for greater protections from eviction and displacement from inner city areas.

I argue that RTC's resistance to exclusionary urban development practices, racial segregation, as well as displacement and eviction represents an unfinished freedom struggle rooted in a long and ongoing history of racialized dispossession. It is a struggle that demonstrates how colonialism-apartheid continues to structure socio-spatial relations in meaningful ways, but also how people come together to imagine and enact more just, liberating urban futures. Through

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[5] For example, Abahlali baseMjondolo, South African Homeless People's Federation, Landless People's Movement, Anti-Privatization Forum, and the Western Cape Anti-Eviction Campaign.

RTC's ideas and slogans such as "where people live matters" and "land for people, not for profit," I argue that the movement is *spatializing the politics of housing*, connecting issues of housing with those of urban land-use. The movement thus raises critical questions about how decisions are made about how valuable urban land should be used, in whose interest, who decides, and why. My analysis of these questions reveals how, in Cape Town, fighting for spatial justice is simultaneously a fight for racial justice and against what Ananya Roy (2017, 2019a) terms "racial banishment" – that is, punishing socio-spatial exclusion, dehumanization, and dispossession.

But how should we understand the reproduction of racial segregation and housing precarity in a country where housing rights are constitutionally protected? RTC's efforts to empower tenants to action the right to housing, I argue, points to conflicts between the right to housing and a right that has long been sanctioned in law– the right to property. Examining the dynamics of this conflict in evictions courts, I contend that legal systems work to preserve rather than transform the unjust racial/spatial order, a situation I frame as an instantiation of institutionalized racism.

Rather than accept Cape Town's racial/spatial status quo, RTC takes political actions to contest the exclusionary outcomes of the prevailing property regime. This includes the illegal occupation of disused government buildings for shelter that Mandla references in the opening story. I analyze one of these occupations as a *community of resistance* - a place where, through the actions of reclaiming urban land, movement building, and homemaking, RTC members dream and seek to live out alternative, more humanizing socio-spatial relations. Their actions, I argue, suggest the kind of effort required to bring a more racially/spatially just city into being and encompasses the work of creating spaces that center care, mutuality, and the affirmation of human life.

My analytical approach in this study calls for (re)centering the racial politics of urban land and housing struggles. Although urban studies scholars have paid close attention to issues of

housing and the interrelated forces that shape its inaccessibility for large swaths of the world's population, the production of class inequalities often forms the main analytical focus, giving less attention to issues of race, racialization, and colonization. As such, the deep entanglements between prevailing economic, spatial, social, and property relations with White supremacy and the structures of colonialism-apartheid are obscured. I follow emerging urban studies scholarship demonstrating how contestations of commodification, privatization, and enclosure can also be understood as anti-colonial and anti-racist struggles (Bonds & Inwood, 2016; Perry, 2013; Ramírez, 2020a; Safransky, 2014). I draw on decolonial, Black, and critical race studies, as well as liberation psychology to develop a theoretical framework that enables a confrontation with both a racist past and the ways in which racism evolves to work in new forms to entrench housing and urban land injustices.

Moreover, I follow scholars seeking to reframe contemporary housing crises as issues of "housing justice" (e.g., Listerborn et al., 2002; Maharawal & McElroy, 2018; Ramírez, 2020b; Roy & Rolnik, 2020) by making visible how capitalism is intrinsically racial capitalism (Melamed, 2015; Robinson, 1983) and how private property regimes are colonial regimes (Bhandar, 2018; Roy, 2019b). This approach enables reflection on naturalized ways of thinking about urban land and housing as property. It illuminates how ideas of property are bound up with colonial-apartheid structures and how these entanglements shape conflicting ideas about the best uses of urban land. This framework also emphasizes that as scholars, activists, and governments are called to engage the question of "what is to be done" about land and housing injustices, it is incumbent upon us to engage with those who live and struggle against housing precarity each day. This is not only an exercise in understanding how these issues impact individual lives. It is an effort to recognize and

learn from the visions of a radically different future that emerge when people come together to imagine and live out alternative socio-spatial relations that resist death, suffering, and unfreedom.

The remainder of this introduction proceeds in three parts. In the first, I locate current struggles for urban land and housing in Cape Town within a long history of racialized dispossession and exclusion of Black people from urban South Africa. I include a reflection on post-apartheid land and housing struggles, including critiques of post-apartheid land and housing policies. Second, I broadly outline some significant theoretical approaches to examining urban land and housing struggles in urban studies and justify my analytical approach. Third and finally, I detail the theoretical framework that I deploy in this study and outline three key ideas that together inform my effort to (re)center the racial politics of urban land and housing struggles: racial capitalism (Robinson, 1983), private property regimes as colonial regimes (Bhandar, 2018; Roy, 2019b), and relations of freedom.

Figure 4

Map showing the locations of Cape Town's "informal settlements" and their concentration in areas on the city's periphery.

Note. Map retrieved from: http://ismaps.org.za/desktop.html#
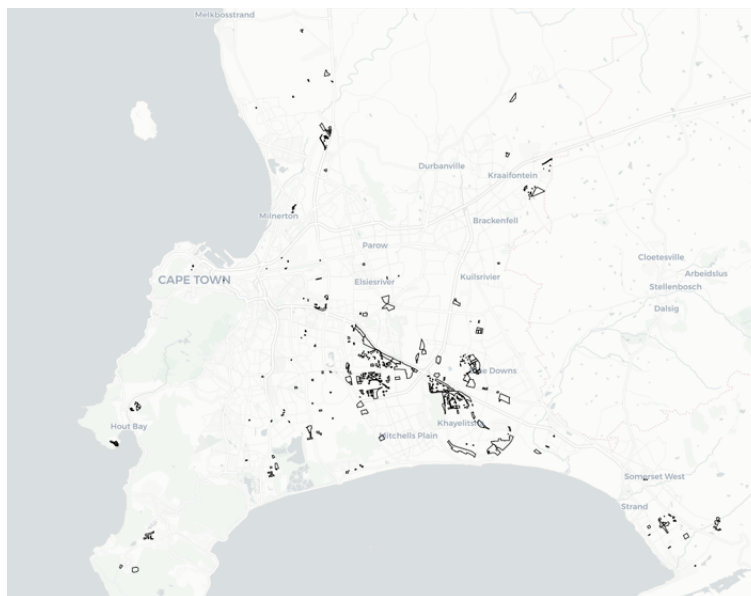
Figure 5

Map showing racial segregation and differences in population density in Cape Town.

Note. Map retrieved from: https://adrian.frith.dev/dot-maps/
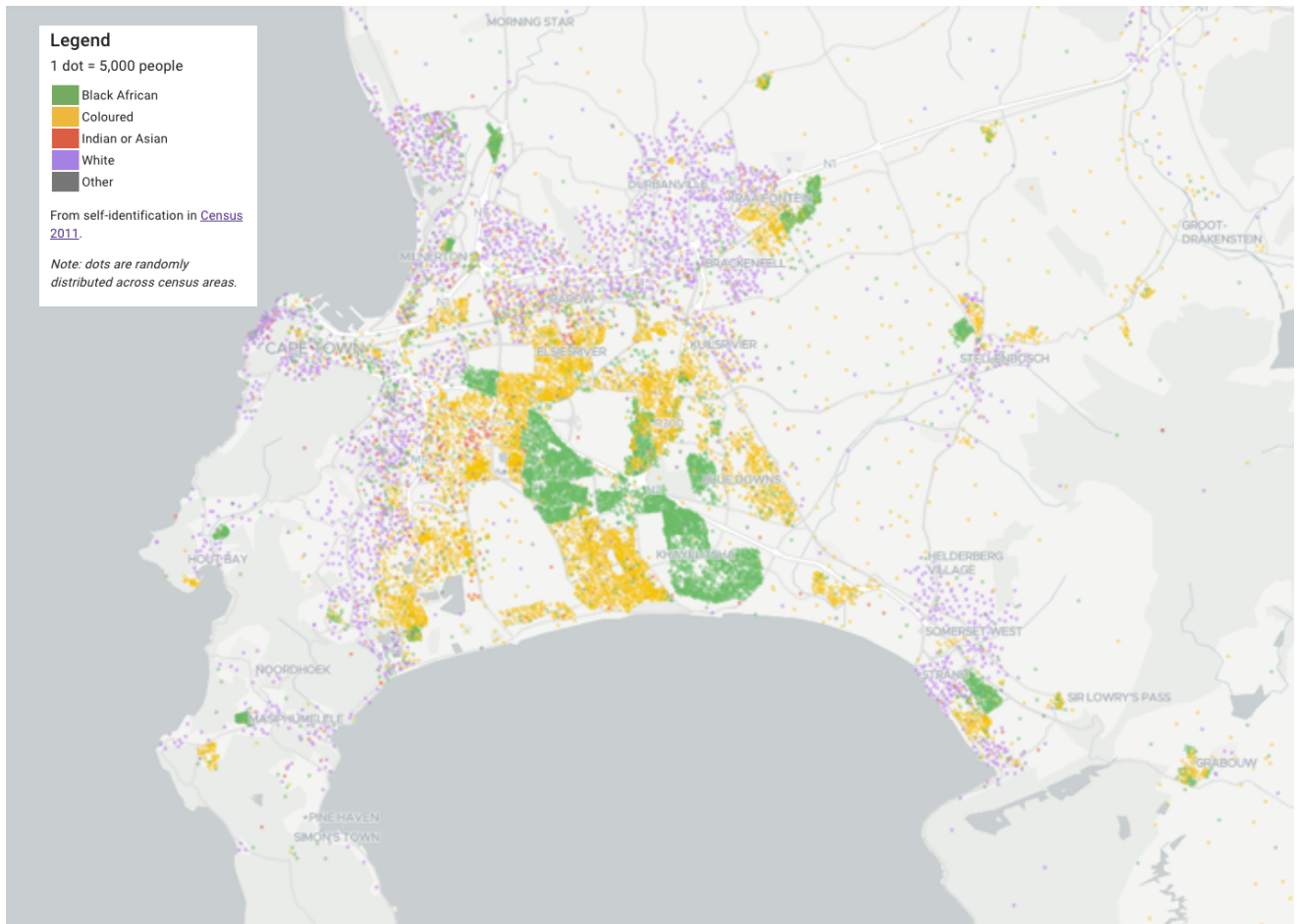
Background

A history of racial/spatial control

To understand the particular dynamics of land and housing issues in South Africa and the calls that emerge from contemporary social movements like Reclaim the City (RTC), it is critical to have some background to the development of the country's urban context. This includes the role of urban land and housing related legislation in supporting centuries of racialized dispossession, racial segregation, and White advantage. Dispossession of the country's Indigenous peoples by European settlers began in the mid-17th century and has been described as more extensive and prolonged than in any other African country (Lahiff, 2007). Colonization began in modern day Cape Town where Dutch settlers formed a refreshment station to supply ships of the Dutch East India company on their way to the East Indies.

The Indigenous people of the Cape, in the north/southwestern regions of Southern Africa, included the Khoekhoe and San (also referred to collectively as Khoe-San). The San were semi-nomadic hunter-gatherers with few possessions and the Khoekhoe, nomadic pastoralists whose chief forms of wealth included land and cattle. At the Cape of Good Hope (Cape Town), the Khoekhoe were accustomed to using the land to graze their herds, a centuries-old practice that would bring them into conflict with Dutch settlers who began enclosing land and seizing the Khoekhoe's cattle for their own use (Magubane, 1979; Thompson & Berat, 2014). Over the next 350 years, Dutch and then British colonial expansion stretched north and east, bringing settlers into contact with other African groups who inhabited the interior and eastern portions of Southern Africa. These groups, including the Nguni, Sotho, Pedi, and Tswana, had mixed economies that included swidden agriculture, pastoralism, and metallurgy. They had no concept of individual land

ownership, instead treating land as communally owned and land-use decisions as collective (Thompson & Berat, 2014).[6]

As colonial expansion progressed through the imposition of colonial laws, wars, theft, and cultural destruction, settlers systemically appropriated the vast majority of the country's land and gained control of its natural resources. Appendix A includes a table (Table 3) outlining some of the numerous laws that were enacted by successive White regimes to concentrate wealth and power in White hands. This power was exercised through legislation that racially and spatially divided the country, restricted Black land ownership, tied political power to property ownership, and tightly controlled Black people's movement, particularly into urban areas. When apartheid (in Afrikaans "apartness") was introduced in South Africa in 1948 by the National Party, South Africa was thus already a highly racially segregated society. The Black majority had experienced extreme land dispossession with almost 90 percent of the land reserved for White ownership (J. Gibson, 2009).

Apartheid, which was intended to create a racially segregated society, built on colonialism's racial/spatial legacy and instituted over a hundred land laws that criminalized land-use and occupation on the basis of race (van der Walt, 2009). "Native reserves" established earlier in the 20th century under the infamous Land Acts (see Appendix A) that limited Black African land ownership/lease to just 13 percent of the land, became the basis for the creation of ten Bantustans, envisioned by the apartheid state as self-governing, independent "homelands" where the majority Black African population would live. This "grand apartheid" vision sought to strip the Black African majority of South African citizenship and, through "influx control" laws, allow their

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[6] I note, however, that decision-making power and ownership were notably gendered. Men were considered to have ownership of cattle and agricultural produce and occupied positions of authority (as kings or chiefs), giving them power over women (Thompson & Berat, 2014).

presence in urban areas only insofar as it served White South Africa's labor needs. These laws were strongly enforced in the Western Cape (such as through deportation), owing in part to the region's designation as a "Coloured Labor Preference Area" or an area where employment preference was given to the region's Coloured majority over Black African people (Makhulu, 2015; Surplus People Project, 1983; Wilkinson, 1998).[7]

In urban areas, the Group Areas Act (1950) designated certain geographic areas for different state-defined racial groups, thus forming racialized zones where each group could live and enabling the state to forcibly remove anyone living in the "wrong" area (Thompson & Berat 2014). In Cape Town, valuable and scenic areas such as those close to the central city, Table Mountain, and the coast were reserved for Whites, resulting in several forced removals of Black people from areas such as District Six, Sea Point, Mowbray, Hout Bay, Simon's Town, and Constantia (Dewar, 2001; Field, 2001; Western, 1996). The Group Areas Act also gave the government control of all property transfers and cross-racial occupancy changes, preventing owners from selling or renting property to someone of the "wrong" racial group (Bickford-Smith, 2001). As cities and surrounding suburbs were increasingly declared zones for White people, Black people were forced to move to government provided accommodation in impoverished areas on the city's outskirts, bounded by highways, train tracks, and industrial areas (McDonald, 2008).

Not for the first time in South African history, the state also turned housing policy to the goals of racial segregation and White advantage, using the subsidized development of approximately a million racially segregated houses to overwhelmingly benefit Whites and confine

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[7] As Wilkinson (1998) notes: "The designation of the Western Cape as a 'coloured labour preference area'—eventually abandoned, along with the more general system of influx control in 1986 — was an attempt to systematically exclude Africans from employment within the region in order to give preference to 'coloured' job seekers, for whom the region was supposed to represent a sort of 'homeland'" (p. 229).

Black people to large satellite townships (Mabin, 2020; Nkambule, 2015; Parnell, 1989; Wilkinson, 1998). Furthermore, apartheid land-use management practices had vastly different regulations and requirements, depending on the racial zoning of the area and were used as a means to impoverish Black areas and increase White advantage. For example, continuing the legacy of the 1923 Native (Urban Areas) Act that created segregated residential "locations" for Black African people in urban areas (see Appendix A), such areas had no commercial zoning, thus requiring residents to fund their own urban development and forcing them to shop in (and thus contribute economically to) White areas (Lemon, 1991; Parnell, 2002; Parnell & Pieterse, 2010). When apartheid formally ended in 1994, three million households or 40 million predominantly Black African people (half in urban areas) were living in what was "officially regarded as inadequate shelter" (Wilkinson, 1998, p. 215). Black South Africans owned very little of the country's land and racialized and spatialized poverty and inequality were deeply entrenched (J. Gibson, 2009).

Urban land and housing post-apartheid

In 1994, South Africa held its first democratic elections. The African National Congress (ANC), a Black nationalist organization established in 1912 to fight for the rights of Black South Africans and banned by the apartheid state, was elected to rule nationally. As the leader of the ANC, Nelson Mandela became the country's first Black president. A new Constitution was adopted in 1996 and was widely praised for pledging to right the wrongs of apartheid through the principles of democracy and social justice. In particular, the Constitution was celebrated for including a progressive Bill of Rights that contains several justiciable (legally enforceable) civil as well as socioeconomic rights. This includes Section 26 or the right to housing (see Figure 6), which places a positive duty on the state to "progressively realize" this right and offers protection against the

kinds of "arbitrary evictions" (or forced removals) that took place during apartheid. Section 25 of the Constitution ("Property" – see Figure 7), while controversially protecting existing, largely White property holdings (a point I will return to later and in some detail in Chapter 4), also granted rights of redress to victims of past dispossession, providing a legal basis for a land reform program (Lahiff, 2009). The inclusion of these rights can be considered a response to the significant inadequacies in shelter and land dispossession that colonialism and apartheid engineered for the country's Black majority.

Figure 6

The Right to Housing - Section 26 of the Constitution of the Republic of South Africa (1996).

Housing

26. (1) Everyone has the right to have access to adequate housing.
     (2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.
     (3) No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

Since 1994, the state has implemented and reworked a number of programs aimed at addressing issues of land and housing and by extension, poverty and inequality (South African Government, 2019). In its 25-year review report, the state celebrated the delivery of 3.18 million houses/units in the two and a half decades after apartheid (South African Government, 2019). Yet, housing programs are full of contradictions. As RTC has suggested, post-apartheid housing programs have failed to disrupt the racial/spatial legacy of apartheid by continuing to locate housing on the city's periphery, often on land earmarked by the apartheid government for township development (Huchzermeyer, 2004; Lemanski, 2007; Levenson, 2017a; Pithouse, 2009). Scholars and practitioners have criticized such practices for entrenching racial segregation, contributing to

urban sprawl, and creating second-class suburbs on the outskirts of the city (Huchzermeyer, 2001;

Parnell & Pieterse, 2010; Socio-Economic Rights Institute, 2016; South African Cities Network,

2016; Turok, 2016).

Figure 7

*The Right to Property - Section 25 of the Constitution of the Republic of South Africa
(1996).*

Property

25. (1) No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.
    (2) Property may be expropriated only in terms of law of general application—
        (a) for a public purpose or in the public interest; and
        (b) subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.
    (3) The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including—
        (a) the current use of the property;
        (b) the history of the acquisition and use of the property;
        (c) the market value of the property;
        (d) the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
        (e) the purpose of the expropriation.
    (4) For the purposes of this section—
        (a) the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources; and
        (b) property is not limited to land.
    (5) The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.
    (6) A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress.
    (7) A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.
    (8) No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with the provisions of section 36(1).
    (9) Parliament must enact the legislation referred to in subsection (6).

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Additional concerns about housing programs include the state's emphasis on home ownership and titling, as such practices have not necessarily promoted security of tenure or meaningfully reduced poverty (Charlton & Kihato, 2006; Cousins et al., 2005). Institutional weaknesses, fragmentation, corruption, and political in-fighting have also been noted as negatively impacting the implementation of progressive housing policies (Olver, 2019; Parnell & Pieterse, 2010; Pieterse, 2009). Also, despite the enormous number of houses delivered by the state, the number of households in need continues to grow as demand consistently outweighs provision, which has also slowed since 2010 (BBC, 2019; Turok & Scheba, 2018). In the Western Cape around 600,000 households (of which 65 to 70 percent are in Cape Town) have registered their need for formal housing on the official "demand database" (Centre for Risk Analysis, 2019; Qukula, 2020). Urbanization, population growth, and significant unemployment are often cited as contributing factors to this growing demand (South African Government, 2019).

In terms of land, the post-apartheid state also instituted a land reform program that broadly encompasses the ability to lodge claims for land restitution; a land redistribution program where the government aids in the purchase of land (mostly for agricultural purposes); and a tenure reform program that aims to formalize informal land rights, particularly in the former Bantustans. Land reform has largely focused on rural and agricultural land although most claims for land restitution (80 percent) have been settled in urban areas (McCusker et al., 2016). Still, this process has not only been exceedingly slow, but its real impact has been questioned. Claims have generally been settled through limited monetary compensation, thereby undervaluing the properties that were lost during apartheid and (like housing programs) failing to disrupt apartheid geography (Beyers, 2013; McCusker et al, 2016). Given the failures of land reform, urban land ownership remains highly racially skewed. A land audit report examining individually owned land (versus corporate owned)

published in 2017 by the Department of Rural Affairs and Land Reform found that in the Western Cape, White people who make up just 15.7 percent of the population (Stats SA, 2011), own two thirds of agricultural land, 71 percent of erven (lots in towns/cities), and 57 percent of sectional title units (such as apartments or townhomes).

Adding to this picture is the way in which informally housed people and those awaiting state subsidized housing are viewed and treated by the state. Scholars, practitioners, and activists alike have noted how rather than engaging poor people as real stakeholders or partners in urban and housing development and fostering active citizenship, the state has tended to conceive of and deliver housing programs in a top-down fashion and treat those in need of housing as passive recipients of government services (Bradlow et al., 2011; Hendricks & Pithouse, 2013; Massey, 2013; Tissington, 2010; Zikode, 2011). Furthermore, people who occupy public and sometimes private land to build shelters for themselves have been pejoratively labelled by the state as "land invaders." News media frequently reports on poor people facing eviction from state-owned land and the demolition of informal homes by the city's dedicated "anti-land invasion unit" (Broughton, 2020; Nowicki, 2020; Sacks, 2013).

In occupying disused government buildings, RTC has similarly and predictably been labelled as "politically motivated criminals" (Hendricks et al., 2020, para. 5) and accused of obstructing the roll out of government housing programs (e.g., Booi, 2020; Zille, 2017a, 2017b). Movements that protest the slow delivery of housing or push for greater voice and involvement in housing and urban development have thus faced significant, sometimes violent repression by the state (Hart, 2013; Thorn & Oldfield 2011; Zikode, 2011). Although considerable attention has been given to examining post-apartheid land and housing policies and programs and the specific challenges of the South African context (Charlton & Kihato, 2006; Huchzermeyer & Karam, 2016;

McCusker et al, 2016; Myeni & Oken, 2020; Turok & Scheba, 2018), it is important to point out that housing struggles are not confined to South Africa but are taking place globally.

Theorizing global housing struggles

Cities all over the world are becoming increasingly unaffordable and unequal (Florida, 2017; Florida & Schneider, 2018; Galster & Lee, 2021; Nijman & Wei, 2020; UN Habitat, 2019). In many places, decent, affordable housing located in close proximity to economic activity and opportunities is scarce, public and social housing programs are underfunded or increasingly dismantled, and poor and working-class people face threats of displacement, eviction, and homelessness as previously affordable areas are "redeveloped" for the enjoyment and investment of wealthier classes (Farha, 2017; Forrest, 2014; Jacobs et al., 2010; Rolnik, 2014, 2019; Shinn & Khadduri, 2020; Wetzstein, 2017). Although housing inequities may vary from place to place, they can all be linked, at least in part, to broad economic changes, including "commodification practices and flows of investment capital that are a feature of contemporary capitalism" (Jacobs, 2019, p. xii; see also Rogers, 2017; Rolnik, 2019). In this regard, urban studies scholarship, particularly neo-Marxist critiques of capitalism and the production of class inequalities, has critically examined and theorized how capitalism structures the political, economic, social, and spatial organization of cities and how it is implicated in uneven urban development (Brenner et al, 2012; Harvey, 2006; Slater, 2013). Such analyses have demonstrated how capitalist modes of production have led to development approaches that disproportionately favor the interests of developers, speculative financiers, and other elites who profit from increasingly commodified, privatized urban spaces and resources, including urban land and housing (Fainstein, 2010; Harvey, 1973/2009, 2012; Logan & Molotch, 1987/2007; Rolnik, 2019; Smith, 2002).

An important aspect of such political economic analyses, including in South Africa, concerns the rise of neoliberal urban policies since the 1970s – that is, policies that emphasize privatization, marketization, deregulation or market-friendly regulation, and the deployment of market-based strategies and practices in government (Bond, 2000; Castree et al., 2013; McDonald, 2008; Narsiah, 2002). Such studies have crucially demonstrated that although economists, governments, or the World Bank tout such policy shifts as necessary for stimulating economic growth (i.e., capital accumulation) and addressing poverty and inequality, rarely do such transformations benefit the urban poor (Harvey, 2006, 2012; Jacobs 2019; Smith, 2002). In the South African context, scholars associate a shift toward neoliberal economic policies after apartheid with the failures of housing and other social policies to meaningfully address poverty and inequality (Bond, 2000; Bond & Tait, 1997; McDonald, 2008; McDonald & Smith, 2004; Peet, 2002). Focusing on Cape Town, David McDonald (2008) connects neoliberal policies with efforts to develop Cape Town as a "world city" that is "de-Africanized" and thus attractive to a network of local and global (largely White) elites including tourists and foreign investors. This effort has been observed, for example, in bids for international events and accolades (Steinbrink et al., 2011; Wenz, 2012), the proliferation of public-private partnerships (Didier et al., 2012; Miraftab, 2007), and disproportionate spending to "upgrade" already developed parts of the city (McDonald, 2008). Rather than benefitting the city's poor, the overinvestment of limited financial resources in such commitments has intensified race and class segregation, the criminalization of poverty, as well as eviction and displacement of the urban poor from central areas (Gibson, 2015; Lemanski, 2007; McDonald, 2008; Miraftab, 2007; Samara, 2010).

Since the global financial crisis in 2007/8, largely a result of predatory lending practices and deregulated markets, scholars have also turned attention to the financialization of housing –

that is, "structural changes in housing and financial markets and global investment whereby housing is treated as a commodity, a means of accumulating wealth and often as security for financial instruments that are traded and sold on global markets" (Rolnik, 2017, p. 3; see also Aalbers, 2015, 2020; Fernandez & Aalbers, 2016). Particularly in the Global North, scholarship concerning the financialization of housing has demonstrated how housing is increasingly disconnected from its social function of providing people with a safe and decent place to live. It has been associated with the loss of affordable housing, evictions and foreclosures, rising homelessness in the midst of rising housing vacancy rates, and increased corporate ownership of residential properties (Crosby, 2020; Fields, 2015, 2017; Lima, 2020; Rolnik, 2013, 2019). In South Africa, the financialization of housing has been linked to processes akin to redlining whereby specific, middle- and higher-income areas of cities like Cape Town are targeted for residential property development and mortgage allocation thus excluding the urban poor from housing markets and entrenching racial segregation (Migozzi, 2020). Scholarship focusing on the political economy of cities extends the more technocratic focus of housing policy studies, importantly drawing attention to the way capitalism (and the state actions that underpin it) are implicated in shaping exclusionary land and housing markets. It's through this lens that urban scholars have also analyzed how neoliberal urban transformations are contested and resisted.

Urban struggles, including those for housing and against gentrification, are often written about by scholars and activists as efforts to reclaim what sociologist and philosopher Henri Lefebvre (1968) called *le droit a la ville* or the "right to the city" (Earle, 2017; Pérez, 2017; Samara et al., 2013; Sinha & Kasdan, 2013). The right to the city encompasses claims to social, political and economic rights (e.g., to housing, education, or health) that enable the city and all its residents to thrive and develop but, further, is the right to access, live in, use, shape, and govern urban space

through autogestion which can be understood as self-management or direct democracy (Huchzermeyer, 2013; Purcell, 2002, 2003, 2013). The right to the city thus concerns the (anti-capitalist) transformation of social, political, and economic relations in the city, prioritizing use value over exchange value and contesting the privatization and commodification of urban space and resources (cf. Logan & Molotch, 1987/2007). It is a fight for an urban agenda that responds to the needs of all urban dwellers, not only the wealthiest and thus to create "cities for people, not for profit" (Brenner, et al., 2012), an idea echoed in RTC's slogan that calls for using "land for people, not for profit."

An important point made in the "right to the city" literature and which I echo in this study, is that urban struggles such as those for housing and against displacement, always represent much more than struggles for resources. As David Harvey (2008) argues, "[t]he 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" (p. 23). Or, as Lefevbre (1996) wrote, the right to the city is a "right to freedom, to individualization is socialization, to habitat and to inhabit" (p. 173). Thus, what is at stake in housing struggles has been conceived of as encompassing struggles for citizenship, for democratic ideals, human rights, and alternative social relations (Earle, 2017; Makhulu, 2015; Marcuse, 2009; Parnell & Pieterse, 2010).

Studies invoking the "right to the city" however, tend to give primacy to the political economy of cities and issues of class-formation, and give less attention to issues of race and colonization (but see Grandinetti, 2019; McCann, 1999).[8] Yet, as scholars drawing on critical race,

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[8] Here I do not mean to dismiss or obfuscate the radical potential of Lefebvre's work or the radical politics embodied in the "right to the city" concept. Lefebvre was not inattentive to issues of colonization and imperialism. As Kipfer and Goonewardena (2013) have shown, Lefebvre grappled with increasing depth with the meaning and implications of colonialism. For example, he considered the ways in which the territorial reorganization that is key to the (re)production of colonial power and capitalist relations are reproduced both inside and outside of former European colonies: "Organised capitalism now has its colonies in the metropoles and it deploys the colonial mode of control when it banks on the internal market. The double exploitation of the producer (as such and as consumer) transfers the

Black, feminist, and decolonial studies suggest, urban contestations of commodification, privatization, and enclosure can be alternatively understood as anti-colonial and anti-racist struggles (Bonds & Inwood, 2016; Park, 2016; Perry, 2013; Ramírez, 2020a; Safransky, 2014). Desiree Fields and Elora Raymond (2019), for example, examine housing financialization in the United States not as a new process, but as fundamentally connected to "the much longer history of the reliance of finance and financial technologies on Black and Indigenous spaces as frontiers for new rounds of capital accumulation" (p. 145; cf. McKittrick, 2011). From this perspective, contesting the financialization of housing is not only a struggle against commodification, but against on-going racialized dispossession, dehumanization, and unfreedom.

Rooting analyses of current housing struggles in long histories of specifically racialized dispossession is critical in the South African context where, as Miraftab (2007) points out, "dispossession from land and exclusion from urban areas have been at the center of people's struggle" (p. 602). Gillian Hart (2008) suggests that histories of racialized dispossession are always present in contemporary political struggles in South Africa. Protests for "service delivery," she asserts, are "simultaneously expressions of betrayal – intensified and sharpened by obscene and escalating material inequalities, and the crisis of livelihood confronting many South Africans today" (p. 692). Mandla's words that opened this chapter – "All spheres of government have failed us!" – speak to this sense of betrayal, that despite winning political and socioeconomic rights, Black South Africans continue to struggle for the basic necessities of life, including shelter (cf. Makhulu, 2015). However, provocations to situate present-day housing struggles "in the long struggle for freedom on occupied, colonized, and stolen land" (Roy, 2019b, p. 13), are not only

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colonial experience into the midst of formerly colonising peoples" (1968, cited in Kipfer & Goonewardena, 2013). Although Lefebvre's engagement with issues of colonialism may have been underdeveloped, they nonetheless exist to be further engaged and elaborated (Kipfer & Goonewardena, 2013).

calls to examine the ways these histories of dispossession shape the meanings attached to present day struggles for land and housing or the racialized outcomes of land/housing policies past and present. Rather, I understand this provocation as a call to examine the ways in which colonialism, apartheid, and their White supremacist ontologies and epistemologies continue to shape and structure contemporary society and institutions in enduring, though consistently evolving, ways (cf. Miraftab, 2012; Teppo & Millstein, 2015).

As philosopher Tendayi Sithole (2018) argues, understanding the apparent contradictions of the post-apartheid period requires apprehending the "racist-settler colonialist-segregationist-apartheid-constitutionalist apparatus" (n.p.). He pushes scholars to attend to the ways in which present day inequalities in South Africa are not simply a consequence of the past but are actively reproduced through structures and logics that are preserved and reinscribed in the constitutionalist, democratic present (Sithole, 2016). In an effort to adopt such an approach in my examination of Reclaim the City (RTC) and their spatial justice activism, I turn to multidisciplinary scholarship such as in critical race, decolonial, and critical property studies to develop a theoretical framework that centers the specifically racial politics of contemporary urban land and housing struggles in South Africa.[9] In the final section of this introduction, I outline this framework to highlight key concepts that form the foundation of my analysis of RTC and which I draw on in the chapters ahead.

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[9] I further note that recentering issues of race and racism, understanding them as inherent to and not separate from capitalism and the production of class inequalities is particularly important in the (post)colonial/apartheid context as it challenges the development of colorblind urban and social theory that disengages from debates about institutionalized racism and on-going White economic advantage, suggesting they are of declining relevance in the (post)apartheid period. As critiques by English scholar Marzia Milazzo (2015, 2019, 2021) point out, of particular relevance here is influential scholarship analyzing and/or discussing issues of inequality in South Africa. This includes scholarship which problematically positions class inequalities or rising inequalities within racial groups as primary (such as Seekings, 2008; Seekings & Nattrass, 2005). Or, which advocates for doing away with racial categories to achieve greater social equity (such as Maré, 2014) or completely ignores on-going and significant *racial* disparities in wealth in South Africa (such as Posel & van Wyk, 2019).

(Re)centering the racial politics of urban land and housing struggles: Racial capitalism, colonial property regimes, and relations of freedom

In the following framework, I outline three key concepts that ground my analytical approach in this study and through which I seek to (re)center the racial politics of urban land and housing struggles in South Africa. The first concept, *racial capitalism* (Robinson, 1983), concerns recasting the "lineages and futures of capitalism" (Roy, 2019b, p. 15) such that the significance of on-going racial segregation and the mechanisms contributing to its perpetuation can be viewed with more specific reference to histories of racial/spatial control and the rise of capitalism.[10] Second, I argue for giving explicit attention to ideas of property in housing studies and the need to connect present day ideas of private property with their origins in *colonial property regimes*. Finally, in *relations of freedom,* I attend to the impacts of racial capitalism on social relations and the ways in which social movements may work to confront its oppressive relations with alternative, more humane ways of living, being, and relating.

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[10] I note at the outset that a different conceptualization of racial capitalism was formulated by others prior to Cedric Robinson, notably emerging in the political and scholarly analysis of apartheid South Africa. In such writings (e.g., Alexander, 1979, 2002; Legassick & Hemson, 1976) racial capitalism refers to the specific trajectory or evolution of capitalism in South Africa and is used to describe the political economy of White supremacy in this context. Stated differently, racial capitalism is an idea that speaks to the racialized "form" that capitalism has taken in South Africa. This conceptualization of racial capitalism arises out of a Marxist critique of liberalism. Specifically, the liberal argument that apartheid represented an aberrant form of capitalism that could, in theory, be reformed to address racialized poverty and inequality by adopting a colorblind, market-led system (Cloete, 2014; Hudson, 2018). The Marxist argument, however, was that "apartheid in South Africa was a direct consequence of capitalism" (Cloete, 2014, p. 36) and that manifestations of racism were historically contingent, arising out of the need for cheap Black labor (particularly in mining and agriculture) to ensure the success of the White capitalist economy (Legassick & Hemson, 1976). These conceptualizations of racial capitalism differ from those of Cedric Robinson. As Hudson (2018) suggests, "[w]hile the South Africans particularize, Robinson universalizes" (para. 8). Thus, while South African scholars and political commentators deploy the term to grapple with the particularities of the South African situation and the relationship between race and class in this context, Robinson's analysis (which I follow in this study) asserts that racial capitalism is a global phenomenon.

Racial capitalism

How should we make sense of Reclaim the City's (RTC) framing of housing issues in Cape Town as a problem of *spatial* injustice? In Chapter 3 I argue that through this framing, RTC is developing a *spatialized politics of housing*, one that connects questions of housing with those of urban land-use, specifically how urban land should be used, in whose interests, who decides, and why. Important to RTC is using housing to address racial segregation in the city, but how are we to think about racial segregation, what it is, and why it matters? My approach argues for understanding segregation as a manifestation of racism and a fundamental component of social domination that creates and entrenches racialized inequities and dispossessions. This perspective emphasizes the ways in which race and space constitute each other and are fundamentally tied to the workings of capitalism and to the entrenchment of racialized inequities (Gilmore, 2002; Lipsitz, 2007, 2011; McElroy, 2020; Pulido, 2000, 2015).

In this study, I follow geographer Ruth Wilson Gilmore's (2002) definition of racism as "the state-sanctioned and/or extra-legal production and exploitation of group-differentiated vulnerabilities to premature death, in distinct yet densely interconnected political geographies" (p. 261). This definition first connects with the idea that racism is institutionalized and systemic (i.e., it is not confined to individual prejudices or acts of overt discrimination [cf. Bell, 2000; Bonilla-Silva, 1997; Feagin, 2009/2020; Ture & Hamilton, 1992; West, 1993]), and secondly that:

> geography is integral to understanding the practices of racism and white supremacy. Be it through the Trail of Tears that Native Americans faced or apartheid in South Africa, or more contemporary examples like immigration policies and police tactics, the control of space is inextricably linked to the practice of racism (Cheng & Shabazz, 2015, p. 5).

Gilmore's definition can be related to Frantz Fanon's exploration of colonialism which draws strong connections between processes of racialization and the production of space. In his book,

The Wretched of the Earth (1963/2004), Fanon describes the segregation or compartmentalization of the colonial world: there is the "European town" that is clean, strong, and plentiful and the "native town" that is overcrowded, hungry, and poor (Fanon, 1963/2004, p. 3). Fanon draws attention to the way colonialism reorganizes space and is experienced spatially by the colonized as confinement, constraint, and subjugation (N. Gibson, 2009). He ties the highly visible disparities of the colonial world to European settlers' economic and cultural exploitation of the Indigenous people, which relies on spatial control (including land and natural resource theft), the disruption of the existing social fabric, and dehumanizing/racializing labels of Indigenous people as immoral, animal, and other (cf. Chakravartty & da Silva, 2012). As Fanon describes it, the colonizer's classification/racialization of the Indigenous people as native/non-human (versus European/human) is inseparable from the functioning of the colonial (capitalist) economic structure, which requires racial difference to achieve its goals. Thus, the racially segregated organization of the city with its contrasting geographies of plenty/poverty, European/native is a manifestation of the power differences between the colonizer and the colonized.

Linking to Gilmore's definition, Fanon's analysis portrays how human groups and spaces are differentiated or made "distinct" (through racialization and segregation) but are also "densely interconnected" in the sense that the colonial economic system that delivers wealth to the settlers relies on the deprivation and exploitation of the Indigenous people and their land (creation of "vulnerabilities to premature death"). The spatial ordering of the colonial town constitutes the (re)ordering of social relations in ways that feed capital and, at the same time, the lie of racial difference (cf. Melamed, 2015). Fanon's analysis of the colonial situation has deep resonance with the colonial, then apartheid situation in South Africa which he himself pointed out (Fanon, 1952/2008; 1963/2004; cf. More, 2014; Sithole, 2018). Indeed, during the anti-apartheid struggle,

the South African Communist Party (1989) suggested that apartheid was "colonialism of a special type" or "internal colonialism," pointing to the perpetuation of the racial divisions and economic exploitation that are synonymous with colonization (Turok, 2018). [11, 12] Speaking specifically to the relationship between race and capital and writing about apartheid, anthropologist Bernard Magubane (1979) reads the racist, segregationist ideologies that developed in South Africa with reference to the development of global capitalism. He writes:

> [t]he ideology of racism, called into life and fed by expansionist and exploitative socioeconomic relations of capitalist imperialism, became a permanent stimulus for the ordering of unequal and exploitative relations of production along 'racial' lines, and further demanded justification of these relations (p. 3)

Magubane observes the inseparability of capitalism and ideas of racial difference, suggesting that the creation and exploitation of racial divisions is intrinsic to capitalism. This is illustrative of what Black Studies scholar Cedric Robinson (1983) terms *racial capitalism* which refers to the fact that the exploitation of racialized groups and capital accumulation are co-constitutive. Examining this

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[11] "Internal" referred to the idea that the oppressors (or dominant, White, ruling class) and the oppressed (the Black and Indigenous majority) were citizens of the same country, as opposed to different countries in the case of "external" colonialism.

[12] Another way of conceptualizing the relationship between colonialism and apartheid is to consider sociologist Aníbal Quijano's (2000, 2007) concept of "coloniality." Following Quijano (2007), although colonialism can be historically bounded and specified as European nations' "relation of direct, political, social and cultural domination" (p. 168), *coloniality* or the specific "patterns of power" that colonialism created continue to be reinscribed, such as in the case of apartheid. Maldonado-Torres (2007) describes coloniality as not just the "aftermath or the residual form of colonial relation," but rather a particular power relations that can be traced to the conquest of the Americas (cf. Wynter, 1995) because: "it was in the context of this massive colonial enterprise, the more widespread and ambitious in the history of humankind yet, that capitalism, an already existing form of economic relation, became tied with forms of domination and subordination that were central to maintaining colonial control first in the Americas, and then elsewhere" (p. 243). Crucially, coloniality specifies a pattern of power that requires racialization or "the codification of the differences between conquerors and conquered in the idea of 'race'" (Quijano, 2000, p. 533) and can be described as encompassing four interconnected areas: "control of economy (land appropriation, exploitation of labor, control of natural resources); control of authority (institution, army); control of gender and sexuality (family, education) and control of subjectivity and knowledge (epistemology, education and formation of subjectivity)" (Mignolo, 2007, p. 156). The concept of coloniality has been applied to examinations of post-apartheid society, including, for example, in studies concerned with decolonizing education, national identity, citizenship, and gender and sexuality (e.g., Ndlovu-Gatsheni, 2013; Oyedemi, 2020; Stephens & Boonzaier, 2020).

idea, Melamed (2015) thus explains that capitalism should always be understood as *racial* capitalism because:

> Capital can only accumulate by producing and moving through relations of severe inequality among human groups – capitalists with the means of production/workers without the means of subsistence, creditors/debtors, conquerors of land/the dispossessed and removed. These antimonies of accumulation require loss, disposability, and the unequal differentiation of human value, and racism enshrines the inequalities that capitalism requires (p. 77).

Thus, as accumulation under capitalism requires the exploitation of people for their labor and the theft of land and other resources, it creates (and relies on) the development of inequalities between groups of people to be maintained. Inequality is rationalized through the false notions of race and racial difference. From this perspective ideas of race and processes of racialization are inherent to and not separate from capitalist modes of production.[13]

Approaching capitalism as racial capitalism and understanding its relationship with spatial arrangements provides a different vantage point (not centered on class formation alone) from which to analyze and engage with RTC's calls for "spatial justice" in Cape Town. As I suggest in Chapter 3, this perspective highlights how struggles for land and housing extend beyond calls for equitable access to resources, to include demands for belonging, personhood, and freedom. This freedom does not equate with liberal ideas of political or civil rights as liberation, but represents a state of being in which economic, political, and social relations do not require and thus perpetuate

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[13] It must be noted that colonialism and capitalism are also bound up with gender and sexuality. The Combahee River Collective (1977 in Taylor, 2017) for example, point to the ways in which economic exploitation under capitalism does not impact men and women equally. They argue for the importance of attending to both race and gender and the ways they intersect (Crenshaw, 1989) to create different, compounding forms of oppression. Thus, they assert that "the liberation of all oppressed peoples necessitates the destruction of the political-economic systems of capitalism and imperialism as well as patriarchy … We are not convinced that a socialist revolution that is not also a feminist and antiracist revolution will guarantee our liberation" (Loc 288). Similarly, several feminist studies bring attention to significant relationship between colonialism and patriarchy and by extension, sexism and heterosexism (e.g., Glenn, 2015; Matandela, 2020; Mills, 1996; Moane, 1999; Morgensen, 2012)

division, exploitation, and inequality between groups of people (Davis, 2012; Kelley, 2002, 2012; Roberts, 2015, 2016; Roy, 2019b). In this sense, RTC's struggle points to an unfinished struggle for racial justice and freedom in which racialized groups continue to demand an urban agenda that recognizes Black people as fully human and which values and supports their survival, livelihoods, life chances, and quality of life.

Colonial property regimes

In this study, I am concerned both with examining how Reclaim the City (RTC) members imagine and pursue spatial justice, as well as with analyzing how racial/spatial exclusions are presently entrenched or maintained. RTC's anti-evictions work, specifically their efforts to assist tenants to exercise their Constitutional right to housing, offers an avenue for such an analysis. Evictions raise pertinent challenges to the right to housing, as they represent an instance where a tenant's right to shelter comes into conflict with another right long sanctioned in law – the right to property. I suggest that unpacking this conflict requires attending to and denaturalizing ideas of property, particularly private property and the ways in which these ideas conflict with the ideals of housing rights to shelter and protect people from deepening vulnerability.

What is property? It refers to something material that is owned but also to the figurative right to own or possess something (Bonds, 2018). Property is thus not an individual entitlement, but "a fundamentally social and political institution" (van der Walt, 2009, p. 211) involving "multiple people, all with interests in a shared resource." (Blomley, 2004, 2020, p. 38). The law, specifically property law, protects and defines property and brings people into legal relationship with one another and the state through the creation and reification of positions such as owner, tenant, squatter, or illegal occupier. While these relations and their highly disparate levels of power appear natural, critical theorists of property point out that they are produced, arising through

"histories of colonialism, racialization, and capitalism" (Blomley, 2020, p. 49) or, as geographer Anne Bonds (2018) suggests "through racialized and gendered social relations, enshrined in capitalist markets, protected by the law, and vigorously defended by the state" (Bonds, 2018, p. 577; see also Bhandar, 2018; Harris, 1993).

In the South African context (and that of settler societies more broadly), for example, Loveland (1999) notes how European colonial powers developed an "elaborate jurisprudence" (p. 5) to justify colonization. This jurisprudence legalized the acquisition of territory (land theft) through conquest and cession as well as occupation of *terra nullius* ("nobody's land"), which was justified by defining existing (non-European) inhabitants as uncivilized and thus not a sovereign nation with legitimate land rights (Bennett, 1996; Loveland, 1999; McAuslan, 2007; Reid, 2020). Embedded in European laws (including the Roman-Dutch and later English common law systems that were imported into Southern Africa), is the idea that land is something that can be possessed or owned. This is an idea that contrasted sharply with those of the region's Indigenous peoples whose relationships to land and other property like cattle were, as described above, largely communal (Tafira, 2015; Zirker, 2003). As legal scholar W. J. du Plessis (2011) cogently explains, "African indigenous law in property was more concerned with people's obligations towards each other in respect of property, than with the rights of people in property" (p. 49).

Through military conquest and the introduction of legal systems of individual ownership that included both land and people (i.e., slavery), White settlers were able to control resources, accumulate wealth, and exert dominance over the country's Indigenous inhabitants (Hamilton, 1987; Zirker, 2003). Ideas of private property are thus critically linked with racial capitalism and as such, Roy (2019b) suggests, such property regimes – "systems of property holdings and the rules and practices that entrench and protect them" (van der Walt, 2009, p. viii) need to be regarded

as colonial regimes. Drawing on the work of legal scholars Brennar Bhandar (2018) and K-Sue Park (2016), she writes "[n]ew property logics, such as title by registration, and new commodity forms, such as foreclosure, made possible the violent appropriation of Native lands and set into motion the ongoing dispossession that is evident in contemporary processes of displacement" (Roy, 2019b, p. 16).

In South Africa, property rights and the ill-gotten property holding of White South Africans were upheld post-apartheid (a point on which I elaborate in Chapter 4). Yet it can be argued that contemporary property law has also changed in ways that challenge what legal scholar A. J. van der Walt (2009) calls the "rights paradigm" or what geographer Nicholas Blomley (2004, 2020) terms an "ownership model" in which property rights are hierarchically arranged, with ownership representing the strongest claim (such as to access land or housing), while all other claims are considered subordinate. Current laws concerning eviction that arise out of the Constitutional right to housing, for example, call on courts to attend to the personal and socioeconomic circumstances of the individual facing eviction, raising the possibility that a tenant may challenge an owner's property claims by virtue of their greater need. This theoretically challenges the usual functioning of property law in which a demonstration of ownership alone is generally sufficient to grant an eviction (van der Walt, 2009).

Yet, as I will argue in Chapter 4, legal systems are full of barriers that make it exceedingly difficult for poor, unpropertied, and predominantly Black people to mount a defense based on these theoretical ideas. This points to the ways in which legal systems are structured such that they continue to serve the interests of the propertied. This occurs even when doing so entrenches racial segregation and undermines the protections envisioned in the Constitutional right to housing by dealing potentially life altering (even death dealing) consequences to predominantly Black tenants.

Such consequences, however, are obfuscated in the law's formalistic and individualistic approach to adjudicating evictions, which works to maintain a sense of the law as impartial. Following scholarship in Critical Race Theory (Crenshaw, 1998; Harris, 1993; Harris, 2015), I argue that although the law may reform such that housing may be recognized as a right (as it is in South Africa), the law also evolves in ways that work to preserve the status quo of skewed, racialized power relations – the very relations that it was designed to justify and protect (cf. Warren, 2018).

Relations of freedom

This study explores how Reclaim the City (RTC) not only makes demands for some future change (such as for housing or spatial justice), but also how they seek to implement and practice their desired change in the here and now (cf. Trott, 2016). This idea is often referred to as *prefigurative politics* which Leach (2013) describes as "a political orientation based on the premise that the ends a social movement achieves are fundamentally shaped by the means it employs" (p. 1). Social movements may thus work to "prefigure" the kind society or "social relations, decision-making, culture, and human experience" that they hope to bring about (Boggs, 1978, p. 2).[14] In this regard, I attend to practices of movement- and home-building that take place at one of RTC's occupations at a disused hospital. As I will suggest, this examination extends analyses of racial capitalism by focusing on its impacts on social relations and the practices through which such impacts are contested and resisted.

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[14] The "living politics" of Abahlali baseMjondolo (the Shack Dweller Movement) in South Africa is perhaps a good example of prefigurative politics. The movement draws on Fanonian principles to assert that their struggle, though expressed through demands for land and housing, is a struggle for dignity, equality, and to be recognized and treated as human (Gibson, 2011, 2015; Zikode, 2011). As such, the movement emphasizes the practice of radical democracy, expressed in transparent leadership, collective decision-making processes, and a politics that is easy to understand and to which all are invited to contribute. Such practices counter the ways in which the government and society more broadly treats poor people as unable to speak and think for themselves and both invites and endeavors to practice more just and humane social relation within the movement (Ntseng & Butler, 2007).

In addition to the creation of inequality and racial difference (discussed above), racial capitalism also exacts violence "on collective life itself" (Melamed, 2015, p. 78). In other words, capitalism alters social relations by controlling and constraining "who can relate and under what terms" (Gilmore, 2012, cited in Melamed, 2015, p. 78). Depth psychologists Mary Watkins and Helene Shulman (2008) make a related observation in their understanding of colonialism as a "way of life" which works to control and block "interconnectivity and interdependence" (p. 30) or as community psychologist Ingrid Huygens (2009) argues, colonialism institutes a form of divisive "common sense" (p. 268) that naturalizes notions of racial superiority/inferiority, as well as practices of labor exploitation, dispossession, natural resource extraction, and the privileging of European ways of knowing.

In this sense, colonialism's violence can be understood as extending beyond the enclosure or theft of land and the creation of private property, to also undermining a humane way of being and relating to land, to others, and oneself. As writers about the experience of colonization emphasize, the colonial "way of life" is violent, destructive, and dehumanizing, deeply affecting the relationships and psyches of both the oppressed and the oppressors (Césaire, 1955/1972; Fanon, 1963/2004; Memmi, 1965/2013). As anti-apartheid activist Steve Biko (1979) suggested of Black people, "it is true that the white systems have produced through the world a number of people who are not aware that they too are people" (p. 51) and as Albert Memmi (1965/2013) wrote of Europeans, "if colonization destroys the colonized, it also rots the colonizer" (Loc 215). Thus, as colonialism erodes collective life and seeks to erase Indigenous cultures, histories, and ways of knowing and relating, it simultaneously erodes the oppressor's moral capacities and humanness (cf. Rose, 2004; West, 1993).

Various writers about decolonization and freedom from oppressive systems have therefore emphasized the idea that liberation or freedom from oppression requires systemic changes, a spatial reordering, cultural and ideological shifts, but also psychological and relational change (Bulhan, 1985; Fanon, 1952/2008, 1963/2004; Freire, 1970/2011; Lorde, 1984/2007; Martín-Baró, 1994; Taylor, 2017). In her book, *Freedom is a Constant Struggle,* scholar-activist Angela Davis (2016) reflects on how feminist theory urges us to attend to social relations in analyses of social oppression:

> Everyone is familiar with the slogan "The personal is political"— not only that what we experience on a personal level has profound political implications, but that our interior lives, our emotional lives are very much informed by ideology. We oftentimes do the work of the state in and through our interior lives. What we often assume belongs most intimately to ourselves and to our emotional life has been produced elsewhere and has been recruited to do the work of racism and repression (p. 142).

Davis' words suggest the value of paying attention to social movements' and other collectives' prefigurative politics, as it is through such politics and the practices that stem from them that people may work to imagine and live out alternative, more liberatory ways of being and relating. In this sense, we are called to extend the kinds of activities and practices that are generally regarded as "activist" and "radical" to encompass both consciousness raising/politicization efforts as well as actions that seek to support and affirm the lives and well-being of those most threatened by oppressive systems.

Such actions, I will suggest in Chapter 5, are intimately connected to spatial practices, such as RTC's occupation of a disused hospital both as a protest and for shelter. On the one hand, the occupation can be read as a literal reclamation of urban space and as such, a political contestation of the legitimacy of the prevailing property regime (cf. van der Walt, 2009). On the other hand, the reclamation of space and its use as a movement- and home-building space, also opens the

possibility for some residents of the occupation and RTC members and leaders to imagine and practice alternative relations of care and mutuality that stand in contrast to the exploitative, dehumanizing, and dividing relations of racial capitalism (cf. Cowser & Barnes, 2016; hooks, 1990/2015). In this study I thus endeavor not only to focus on the causes and experiences of dispossession and displacement, but also on the ways in which "communities reclaim lived territories" (Roy & Rolnik, 2020, p. 15) or seek to reclaim space to "build a new social organization collectively" (Zibechi, 2012, p. 19). As I take up in the conclusion to this dissertation (Chapter 6), such analyses not only work to recognize the knowledge production that takes place within movements (cf. Casas-Cortés et al., 2008), but also help to resist a conceptualization of capitalism as a totalizing force that cannot and is not already contested and resisted (Gibson-Graham, 1996/2006). Although it is critical not to romanticize actions like Reclaim the City's building occupations and lose sight of the significant challenges they face and the ways in which they are born out of necessity and desperation, it is equally important not to dismiss the "freedom dreams" (Kelley, 2002) or radical visions of alternative futures that may nonetheless emerge within and because of them.

Structure of the dissertation

This dissertation is divided into six chapters. Following this first introductory chapter, I outline the research methods used in this study and detail my methodological approach (Chapter 2). This is followed by three empirical chapters. Chapter 3, *Urban land, housing, and spatial justice: Thinking with Reclaim the City* examines how members of Reclaim the City (RTC) think about the struggle for housing in Cape Town as an issue of spatial justice. I analyze the various ways that RTC members think about spatial justice and consider how their associated meanings extend

analyses of why housing policies in South Africa have failed to be transformational. In Chapter 4, *"The law will not protect you": Conflicts of housing and property rights*, I turn to my experience attending eviction court as a member of RTC's Resisting Eviction and Displacement Task Team. Exploring the interplay between the right to housing and the right to property, I examine the extent to which changes in South African law concerning eviction since the end of apartheid are working to disrupt or otherwise entrench racial/spatial injustice. Chapter 5, *Making a community of resistance at Cissie Gool House*, focuses on one of RTC's occupations at a disused government hospital, named for the anti-apartheid political and civil rights leader Zainunnisa "Cissie" Gool. My analysis explores the House as forming a *community of resistance* or a place where people are coming together "amid and in opposition to violence and injustice" (Watkins & Shulman, 2008, p. 209) to resist the dehumanizing social relations of racial capitalism and recover a sense of wholeness and collective responsibility for everyone's survival and well-being. Finally, in the concluding chapter (Chapter 6), I reflect on lessons for urban land and housing development as well as for urban studies scholars that can be gleaned from this study and the spatial justice activism of Reclaim the City.

CHAPTER 2

METHODS AND METHODOLOGY

This is a study of multiple, intersecting and on-going struggles: the struggle for decent, affordable housing, for urban land, and for an end to displacement, racial segregation, dispossession, and banishment. But more specifically, this is a study about *people* who experience these struggles, who seek to transform the status quo of inequality and racial/spatial injustice, and who face personal and collective victories and challenges in this process. Further, this study focuses on how these struggles take place in and for particular *spaces* in the city. These are contested spaces, representing different possibilities, values, and meanings to differently situated people. In order to appreciate the complexity associated with these struggles, I selected a methodological approach that would allow me to immerse myself in these contested spaces along with the people who are actively shaping the on-going struggle for urban land and housing in Cape Town.

I employed a qualitative approach to data collection and analysis, primarily using ethnographic methods. Qualitative methods provide a way to develop detailed analyses of everyday life, which includes rich descriptions of lived experiences, processes of meaning-making, social practices, and discourses (Wilson & McLean, 2011). Ethnographic methods are particularly useful for addressing complex socio-spatial questions as they allow for studying people and places "in situ" and developing a greater appreciation of the complex dynamics of daily life through the researcher's immersion in the particular context under study (Low, 2017). Ethnographic work often sees the researcher leaving their everyday life and placing themselves in a situation of experiencing a place and a culture that is different from their own. In my case, my fieldwork took me home to the city where I have spent most of my life. I viewed ethnographic methods as offering me a way to re-encounter and re-experience Cape Town from an entirely different perspective –

that of social change work. Ethnography focused on activism or social movements can allow the researcher to experience the complexities, contradictions, and general messiness associated with such work, thus developing a greater appreciation for the ways in which this work requires constant "critical reflection on experience" (Chari & Donner, 2010, p. 76). In Appendix B, I provide some further information on my background and personal motivations for engaging in this research.

I primarily used three research methods: participant observation, individual semi-structured interviews, and document analysis and began my inquiry based on three interrelated research questions:

1) How do Reclaim the City members understand and pursue spatial justice?
2) What forms of resistance do Reclaim the City members encounter in their efforts?
3) What alternative relationships to self, other, and urban land emerge through Reclaim the City's spatial justice activism?

Given the iterative nature of ethnographic enquiry, these represent slightly evolved and refined research questions. Initially, I had hoped to follow not just Reclaim the City (RTC), but also a new housing plan announced by the City of Cape Town's Transport and Urban Development Authority (TDA). In September 2017, the TDA announced an unprecedented plan to develop social and emergency housing in areas close to the city center. This would be the first such housing to be built in these areas since the end of apartheid. I was thus interested in following the unfolding of such an historic project. Furthermore, the plan seemed to be, at least in part, a result of RTC's advocacy. TDA's prospectus for the project was entitled "where people live matters" – a phrase used by RTC and one printed on their protest banners. Soon after arriving in Cape Town, however, it became apparent that this project was moving at a snail's pace and after being in Cape Town for a few months, it seemed increasingly unlikely to materialize at all (for reasons that I will detail in the coming chapters). As a result, I focused more squarely on RTC, as is reflected in the above

research questions. Given RTC's frequent interaction with the City, this approach still allowed me to follow how certain officials within the City push for housing in the inner city and how their efforts are resisted.

In the remainder of this chapter, I provide further context to the study by explaining the emergence of RTC and how I came to be involved with them. This background is followed by an explanation of my methodological approach to this project as well as the specifics of my data collection and analysis methods. Following Sandra Harding (1987) I distinguish methods (techniques for gathering evidence) from methodology (a theory and analysis of how research should proceed). The chapter concludes with some reflections on the limitations of my chosen approach.

Background to Reclaim the City

Reclaim the City (RTC) began as a campaign that was launched by the nonprofit Ndifuna Ukwazi (NU). In their own words, NU is an "activist organisation and law centre that combines research, organising and litigation in campaigns to advance urban land justice in Cape Town. We want to expand and protect access to affordable housing, disrupt spatial apartheid and build an inclusive city" (Ndifuna Ukwazi, n.d.). The organization had 15 employees when I began my research, most of whom are in their 20s and early 30s. The organization is racially diverse with the majority of employees identifying themselves as Black or Coloured. NU was started, in part by Zackie Achmat who is best known for being a co-founder of the Treatment Action Campaign (TAC), an HIV/AIDS activist organization that successfully lobbied the government to make antiretroviral medications available to all South Africans. NU, like the TAC, uses a combination of research, strategic litigation, and direct action to achieve their goals.

The RTC campaign was launched by NU in response to the sale of the Tafelberg site. The site is a provincially owned piece of land and disused school in the historically White and affluent suburb of Sea Point. Sea Point is an area on the Atlantic seaboard, close to the city center, and one of the few highly walkable areas where apartment buildings, shops, schools, and public open space all exist in close proximity to one another. The disused school – Tafelberg – had been standing empty for a number of years until the provincial government sold it to a private buyer for R135 million (about $9 million) in December 2015. NU argued that this was public land and thus should be used in the public interest, specifically for social housing for the numerous (predominantly Black) people who commute to Sea Point daily for their work or, in the case of some domestic workers and caretakers, who live on the premises of upmarket apartment buildings in substandard or highly restrictive conditions. So-called "maids' quarters," for example, are usually small rooms only big enough for the basics and come with restrictions such as no cooking, no children, and no overnight visitors. Such conditions have, over the years, given rise to grassroots organizing (often woman-led) for government subsidized housing in the area, but with few resources and limited success.[15] When NU launched the RTC campaign, it resonated and soon found connection with the grassroots efforts that had been fomenting in the area for some time.

In May 2016, NU launched litigation to #StopTheSale of the Tafelberg site. They brought a review application to the High Court, arguing that the city and provincial governments had failed in their Constitutional duty to redress "spatial apartheid" in Cape Town. Facing a court battle, the provincial government elected to reopen the public participation process to allow each "side" to have their say. The province also undertook their own feasibility study to determine whether social

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[15] Most notably, Rainbow Housing, a grassroots housing initiative in Sea Point officially formed a cooperative in 2000. The group sought assistance from the nonprofit Development Action Group (DAG) to increase their technical knowledge about housing and lobby the City for social housing. Although the cooperative got promises from local government, no actual housing materialized (Tonkin, 2010).

housing could be developed on the site. By November, the study was yet to be released and so supporters of RTC staged a sit-in at the entrance to the Department of Public Works, vowing to remain until a commitment to release the report was given. Shortly after this, the province's feasibility study was released and showed that 270 affordable units could be built if cross subsidized by market-rate housing on the same site.

Despite this promising study, in March 2017, the Provincial Cabinet elected to permit the sale of the Tafelberg site, arguing that it is too small for housing development and its location meant that the necessary housing subsidies could not be accessed to fund the development (a point that would later turn out to be false). The decision was publicly criticized by the City of Cape Town and various departments of the national government. NU responded to this news by taking legal action, asking the courts to review the decision. Meanwhile, RTC supporters (including some NU staff) took a bold political action, occupying two disused government buildings: Helen Bowden Nurses Home in Green Point (the suburb next to Sea Point) and the Woodstock Hospital in Woodstock (an area close to the city center). Today, these occupations, renamed Ahmed Kathrada House and Cissie Gool House respectively, are home to over 1,500 people.[16] Once established, the occupations – which I will henceforth refer to as Houses – became sites of public meetings and popular education aimed at raising awareness of the lack of affordable housing in well-located areas in Cape Town. In August 2017, the first Advice Assembly (AA) was held at Cissie Gool House, a public meeting where tenants could come to share advice and support on issues of housing, eviction, and landlord-tenant disputes.

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[16] Zainunnisa "Cissie" Gool (1897-1963) an anti-apartheid political and civil rights leader who was the first woman and only woman of color to serve on the Cape Town City Council during apartheid (see further information in Chapter 5). Ahmed Kathrada (1929-2017) was an anti-apartheid activist who was sentenced to life in prison following the Rivonia Trial (1963-4) along with Nelson Mandela and several others. After the transition to democracy in 1994, he later served as a member of parliament as a representative of the ruling African National Congress.

Today, RTC has its own elected leaders and governing constitution and thus stands somewhat apart from NU. On their website, RTC identifies itself as a "movement of tenants and workers campaigning to stop our displacement from well-located areas and secure access to decent affordable housing" (Reclaim the City, n.d). The movement still has strong ties to NU and their relationship may be best characterized as a collaboration: they work together (cf. Wingfield, 2019). NU continues with their strategic litigation based on their own primary research. This is work that is shared with RTC and is often elevated and made visible by their members through protests and other forms of collective action. Community organizers and specialists in popular education and media employed by NU provide support to RTC in carrying out their actions, developing news and social media coverage, and devising training content for new members, different task teams, as well as emerging and current leaders. NU lawyers also represent RTC when legal actions are taken against the movement. People within both organizations are well aware of the tensions, questions, and possible critiques that their collaboration raises. In my conversations with people, they brought up and freely spoke about these tensions. Who controls the money? Who has ultimate decision-making power? Who drives the agenda? And so on. Although the collaboration between NU and RTC and how they navigate its tensions is interesting, I note here that this is not the focus of this study.[17] Rather, I am concerned with what emerges from this collaboration in the struggle for urban land and housing in Cape Town.

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[17] Previous studies of social movements in South Africa and beyond have interrogated the relationship between social movements and non-government/non-profit organizations (NGOs/NPOs) (e.g., Choudry & Kapoor, 2013; INCITE!, 2017; Jad, 2003; James, 2007). Importantly, these studies have considered how NGO/NPO involvement often leads to the depoliticization of movements and greater emphasis on working with states as opposed to maintaining a more radical stance. While it is fair to question the relationship between Ndifuna Ukwazi (NU) and Reclaim the City (RTC) in light of such critiques, this was not the focus of my research. Another ethnographic study (Wingfield, 2019) takes up these questions to some extent, calling the relationship between NU and RTC a "purposive coalition." Like all NGOs, NU is constrained in their actions because of their reliance on donor/foundation-linked funding and the fact of being a legal center. Still, the organization maintains a radical agenda, often pushing the boundaries of what actions they can take and putting them at odds with other NGOs that have a more reformist agenda. It is also important to note that NU is not made up of an entirely "professional" staff who are disconnected from the issues they address. Many of the community organizers, for example, have lived in informal settlements, making their housing work deeply

Entering the Field

In 2015, through news and social media, I became aware of Ndifuna Ukwazi (NU) and their increasing work on issues of land and housing in Cape Town. One of NU's staff members, a journalist by trade, took on the role of "urban land justice researcher" and wrote a series of articles about the threatened eviction of the De Waal Drive residents: a racially mixed group of low-income residents living in a block of flats owned by the provincial government. The flats are located in historic District Six, an area from which over 60,000 mostly Coloured people were forcibly removed during apartheid. I read these articles and was interested in the parallels that were being drawn between apartheid-era forced removals and the displacement taking place through, what was termed, "gentrification". When I visited Cape Town in 2015, I met with this NU staff member (introduced to me through a mutual friend) to speak about his land justice work. Later, for my master's thesis, I conducted a discourse analysis of news and social media concerning the case of the threatened eviction of the De Waal Drive residents.

I continued to follow NU's work from a distance while I continued my doctoral studies in Nashville, Tennessee. I observed from afar as the Reclaim the City campaign was launched in response to the sale of the Tafelberg site. In late 2016, during another visit to Cape Town, I attended NU's "urban land justice colloquium," a series of lectures and performances concerned with reflecting on and sharing perspectives on urban land issues in Cape Town and South African cities more broadly. At this event I met more NU staff members and spoke about my work and my interest in theirs. I was invited to talk about the findings from my master's thesis at NU's office,

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personal. The dichotomy that is often set up between NGOs and the "grassroots" can thus be a false one. Further, the relationships within and between NU and RTC also represents a collaboration across race, class, gender, and age in which I witnessed those involved endeavoring to work together toward a shared ideal. Of course, this isn't perfect and nor is it without conflict and power dynamics. Still, given the multiple social divisions that are the hallmark of South African society, this effort on its own should be acknowledged.

which I did. Subsequently, I met with NU's co-director (Jared Rossouw, a 38-year-old White man) and explained that I would like to conduct my dissertation research in Cape Town and to follow NU and RTC's work.[18] By this time, RTC was operating as a more independent social movement. Jared was open to my proposal, but as I expressed my desire to find some way to make the project mutually beneficial, he voiced his skepticism. This desire stemmed from my interest in scholar-activism, my intention not to conduct extractive research,[19] and my awareness that my project would entail me seeking to "derive academic and financial value from the life experiences of others" (Autonomous Geographies Collective, 2010, p. 264). Furthermore, I openly state that I believe in the goals of RTC and so felt it important to demonstrate this support in a tangible way. I was a little disheartened when Jared made it clear that they had little interest in and use for academic research. While he could see the value in my questions and project, he did not believe it could be directly beneficial to NU or RTC. I came to appreciate this honesty because it made me examine my dissertation work (and social science research more broadly) in more realistic terms. It forced me to consider how else I would uphold the principles of ethical, non-extractive research to which I felt committed (more on this below). Jared also laughed when I told him that I would like to begin my fieldwork in 2018. "There's no guarantee that we'll even be around," I remember him chuckling. I was not worried about this. I has a sense that RTC was going to be around for some time and luckily, I was right.

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[18] Although I have assigned pseudonyms for all participants in this study, some participants asked that I use their real names. I have honored this request.

[19] By "extractive research" I refer to the practice of conducting research that systematically collects (or extracts) data from people, communities, organizations, or other groups which is later commodified through a process of turning data into the intellectual property of the researcher (Tilley, 2017). As the intellectual property owner, researchers may enjoy many benefits (degrees, publications, conference presentations, books etc.), but these may not extend to those that were researched or necessarily represent an effort to return the knowledge gained to the "intellectual commons" (Tilley, 2017, p. 28).

Before beginning my fieldwork in Cape Town, I again made contact with Jared and we made plans to meet after I arrived. Once in Cape Town, he gave me information about the meetings held at the occupation in Woodstock (Cissie Gool House) and the names of some of the current Chapter and House leaders there.[20] I thus began attending Advice Assemblies as well as Chapter meetings at Cissie Gool House (CGH). As mentioned above, Advice Assemblies are public meetings were tenants come to receive support, education, and informal legal advice, particularly on issues of eviction and the landlord-tenant relationship. Chapter meetings are a gathering of RTC members who live both at the occupation and in the suburb of Woodstock and neighboring Salt River. At these meetings, Chapter leaders provide feedback on current actions and activities, solicit ideas or have discussions about future actions, and also share research (conducted by NU) that may help to inform future action. At these meetings, I began introducing myself to RTC members as well as Chapter and House leaders.

At my first meeting, I introduced myself to Joan, a Black woman, Chapter leader, and long-time activist in her mid-50s. I explained the research I was hoping to perform and said I would like to talk to leaders about what I was proposing. I also said that I would like to support the movement since I believe in their cause and don't want to be someone who just comes in, collects data, and leaves. She proceeded to tell me about a project that she and one of the NU researchers were just launching, gathering information from people who have been through the eviction process. She asked, "can you do interviews?" and I said I could. This marked a point when I began volunteering, meeting, and getting to know people at both NU and RTC. I began working as a member of RTC's Resisting Displacement and Evictions Task Team (or RED TT for short) which included

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[20] Chapter leaders are members of Reclaim the City (RTC) that have been elected by other members to represent the interests of RTC in a particular area such as Woodstock and Sea Point. Some Chapter leaders live inside the occupations while others do not. House leaders are RTC members that live inside the occupations and take a leadership role within the day-to-day running of the House.

conducting court monitoring: going to evictions court to identify and advise unrepresented tenants as well as monitor and record court proceedings.[21] The court was not a research site that I had previously identified, but my experiences there were immensely informative. I thus incorporated it into my research. After a few months of attending court, going to RTC meetings and events, and conducting participant observation at these sites, I began requesting interviews with NU staff and then RTC members. At both Houses, I was assisted hugely by Chapter leaders who helped identify and introduced me to people who were open to being interviewed.

"Where does this all go?": Refusal as a methodological approach

At the end of my interview with Alysa (a 45-year-old Black woman and Woodstock Chapter leader) I asked her if she had any questions for me. "What I want to know is," she said, "where does this all go?" – referring to all the information I was gathering through my interviews and observations. She explained:

> My question really was… really relates to the fact that I know that academia, they normally thrive, and their lives thrive on the struggles and the tears and the blood of others - the poor and working-class people.

I agree with Alysa. Her observation echoes Linda Tuhiwai Smith's (1999) assertion that among Indigenous peoples (and arguably other marginalized groups), research is a dirty word, one synonymous with exploitation because it is "inextricably linked to European imperialism and colonialism" (p. 1). This is very true of ethnographic inquiry. As an instrument of imperialism,

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[21] More specifically, court monitoring involved; 1) identifying tenants who were present at court for an eviction matter and who did not have legal representation, 2) advising unrepresented tenants of their rights, explaining court procedures, and offering information about where to obtain legal representation, and 3) sitting in court to observe how eviction cases are handled relative to the Constitution, how decisions are made, and what relief is/is not granted to tenants. The goals of court monitoring are multiple and include providing a free community service (informal legal advising and support), informing people about Reclaim the City and their work, and collecting data about evictions because such data are hard to access in South Africa.

ethnography was used primarily by anthropologists to produce knowledge of "native" peoples –

to classify and construct the Other for the ultimate purposes of domination and subjugation (Ghosh,

2016; Simpson, 2007). As Alan Lester (2016) has argued, "ethnography and colonial governance

were constitutive of each other" (p. 492) making ethnography critical to the colonial project of

territorial expansion that sought to eradicate Indigenous life, ways of life, and being.

Anthropologists have sought to acknowledge and grapple with this complicated legacy,

demonstrated in on-going critiques of the discipline and efforts to imagine and action anti-racist

and decolonial anthropological praxis (Allen & Jobson, 2016; Harrison, 1997, 2008; McGranahan

& Rizvi, 2016; Mullings, 2005). This includes considerations of what it means to decolonialize

ethnography and how the method may be used as a tool to support social justice activism (Bejarano

et al., 2019). But far from being a thing of the past, Alysa's comments attest to the reality that

exploitative and damaging research practices continue in the present. Just some examples include

research that continues to treat race as biological fact rather than a social construct (Saini, 2019;

Wild, 2019), research that enrolls and endangers poor people in 'developing' countries to further

the profits of Western corporations (Shah, 2006), and research used to develop new policing

systems that – whether intentionally or not – deploy algorithms that disproportionately target poor

communities and communities of color (Stop LAPD Spying, 2019).

As I think about it now, Alysa's question "where does this all go?" is not only a question

about how research data will be used, but also the very purpose of research. To what does this

research amount? What good does it do? Why do it? These are the kinds of questions that I came

into this project asking myself. They are questions that I still ask myself, as I confessed to Alysa.

In answer to her, however, I shared aspects of my methodological stance which, drawing on the

writing of Eve Tuck and K. Wayne Yang (2012), I can best characterize as *refusal*. "Refusal, and

stances of refusal in research, are attempts to place limits on conquest and the colonization of knowledge by marking what is off limits, what is not up for grabs or discussion, what is sacred, and what cannot be known" (Tuck & Yang, 2012, p. 225). I attempted to action this approach in three ways that follow Tuck and Yang's (2012) axioms: 1) moving from damage-centered to desire-centered research; 2) holding the sacred; and 3) refusing research. I share details of these practices below, noting that I do not claim that I executed these perfectly or that they mitigated the power differences between myself and those who participated in this study. Instead, I offer ideals that I aimed to uphold as mechanisms of self-accountability.

From damage-centered to desire-centered research

Some stories – those that are scandalous, humiliating, tragic, horrifying, or intimate – are, too often, the currency of the academy. They can amount to what Tuck (2009) refers to as "damage-centered research" which is "research that operates, even benevolently, from a theory of change that establishes harm or injury in order to achieve reparation" (p. 413). In damage centered research, researchers collect and reproduce stories of pain and loss ostensibly to make such stories "visible," to bring attention to them, and thus to advocate for resources, better treatment, or social justice. Tuck argues that such work has clear benefits for the researcher (a degree, a publication, a promotion) but in this process, people who have survived colonization, apartheid, and other forms of oppression may be pathologized and portrayed as broken or damaged. Although such research may promise benefits to the communities on which it focuses, such benefits may not materialize and further, there may be long-term costs associated with such research. For the communities under study Tuck (2009) asks, "are the wins worth the long-term costs of *thinking of ourselves as damaged?*" (p. 415, emphasis in original). For the researcher, such research may allow our lives

to "thrive," to use Alysa's term, but what of our humanity? Is our humanity not diminished when we profit off of the suffering of others, even unintentionally?

Desire-based research frameworks, suggested by Tuck (2009), are an antidote to damage-centered research and are concerned with "understanding complexity, contradiction, and the self-determination of lived lives" (p. 416). They seek to capture people's aspirations, hopes, and wisdom, alongside their brokenness, contradictions, and imperfections. Far from denying peoples' experiences of pain and suffering, this approach aims to represent the wisdom and knowledge that may emerge from such experiences and thus the ways in which people are always "more than broken and conquered" (Tuck, 2009, p. 416). At its heart, desire-centered research is a call to humanize research practice, both for the researcher and the researched. In the current project, a desire-centered approach challenged me to reposition myself – not as an expert and not as someone with necessarily useful knowledge and skills, but as a student: someone who is there to be educated by people involved directly in a fight to "reclaim the city."

As Paulo Freire (1970/2011) writes, when people of the oppressor class join the struggles of the oppressed, they bring with them "the marks of their origin: their prejudices and their deformations, which include a lack of confidence in the people's ability to think, to want, and to know" (p. 60). Thus, even though I am a student, my positionality as an academic and a White person, means that I have generally been socialized to believe that I am knowledgeable, intelligent, and insightful and that knowledge production is what happen when people like me do research within academic institutions. This racist/classist form of socialization is harmful and needs to be actively worked against. Toward this, I aimed to follow the ideas developed by *Abahlali baseMjondolo* (the Shack Dwellers Movement), who suggest that struggle can be understood as a place of learning, an idea reflected in their declaration of themselves as "the university of Abahlali

baseMjondolo" (Abahlali baseMjondolo, n.d.; Pithouse, 2006). Examined from this perspective, the people involved in RTC are not in need of saving or intervention. They are teachers and organic intellectuals and the movement in which they are engaged (its struggles, experiments, and aspirations) is a site of knowledge production (cf. Casas-Cortés et al., 2008). In repositioning myself I thus draw on a feminist reconceptualization of epistemology that challenges positivism's designation of the researcher as "the knowing party" (Hesse-Biber et al, 2004, p. 12), calling us (scholars) to consider who we assume has knowledge, where knowledge is produced, what is worth investigating/knowing, and to what end (Harding, 1987; Hill Collins, 2000).

Approaching this project as desire-centered also challenged me to address the way scholars tend to research and represent Global South cities. An on-going critique of urban studies scholarship of Global South cities is that scholars tend to inappropriately apply dominant urban theory largely developed in (and thus most relevant to) the Global North to the Global South. This tendency fails to challenge dominant views of Global South cities as "necessarily dysfunctional" (Fredericks & Diouf , 2014, p. 1) and as "sources of data rather than as sites of theorization in their own right" (Parnell & Robinson, 2012, p. 596, following Connell, 2007). Moreover, approaching RTC as a knowledge producer helped me shift this tendency, as it positions the movement and Cape Town more broadly as a site to think "from" and "with" rather than "about." Importantly, the desire-centered approach also kept me level-headed in the sense that it constantly reminded me not to romanticize people's struggles, as to do so would deny or miss their inherent complexity. Instead, I was able to appreciate that the contradictions I encountered and often experienced myself, is what makes RTC a human struggle.

Holding the sacred

Another practice associated with refusal is recognizing that not all the stories we gather or hear as researchers should be regarded as data that is "simply y/ours to take" (Tuck & Yang, 2012, p. 234). Following from this, not everything that we learn during the research process should be analyzed, published, or reported in the academy. Some encounters, conversations, and lessons are sacred. They may inform our thinking and analysis but honoring the decolonial spirit of refusal means treating them as wisdom that cannot be owned and commodified. Indeed, no wisdom should be owned or commodified. I believe that this axiom is especially important during ethnographic fieldwork, where what constitutes a research activity (and what doesn't) is sometimes unclear. This means considering the following query: when are we researching and when are we just being?

I, like many others, experienced fieldwork as taking me into intimate spaces and in the process developing relationships and friendships that extended beyond research practices like "establishing rapport" or "gaining entry." Certainly, having close relationships with people meant that they had greater trust in me, they were more open with me, and in this way my research was enhanced. The trust that people placed in me was not because I dutifully read them my IRB informed consent script (although I did), rather it was because we shared experiences, meals, and ideas. We got know each other. As a result, I was a part of or party to many conversations, meetings, and discussions that I regard as off limits for the purposes of this dissertation. What is off limits is obviously a judgement call, but when I was *invited* to a space (such as a leadership meeting, someone's home, or to facilitate a workshop) or I spent time with people outside of RTC/NU events, I did not consider these experiences as part of my research. Such experiences provide greater context to my research and inform my analysis, but I do not include details of these experiences in this study.

A challenge I did not anticipate was encountering other researchers who felt free to enter such spaces with their notebooks and cameras in hand. This gave rise to some tense, but ultimately generative, conversations between us. It also forced RTC leaders to begin thinking about how to deal with the increasing number of students and scholars interested in studying their movement. In response to a request from them, I developed a list of critical questions for incoming researchers to answer (beginning with me; See Appendix C). Drawing on Tuhiwai Smith's (1999) decolonizing methodologies, these included questions like "Why are you interested in doing this research? Beyond getting a degree, what are your personal motivations for doing this research? How will the findings be shared?"

I understand that adopting a stance of refusal may be critiqued as biased. To some extent this presupposes that it is possible for research to be free of bias or to be totally objective. As feminist scholars, among many others, have argued, this is an untenable supposition: "scientific 'neutrality' and 'objectivity' serve to mystify the inherently ideological nature of research in the human sciences and to legitimate privilege based on class, race, and gender" (Lather, 1986, p. 64; see also Denzin & Lincoln, 2005; Harding, 2015). This is not to say that we give up on objectivity all together, but rather that we understand all knowledge and experience as situated or filtered through our social, cultural, and historical locations (Haraway, 1988). A stance of refusal may also be considered anti-intellectual, but my contention is that it only seems that way because it is a decolonial stance that suggests that there are many ways (beyond scientific inquiry) to know and understand something. And thus, not everything is grist for the academic mill.

Refusing research: When academic research is not needed or wanted

Initially I had hoped to devise a project that was mutually beneficial to NU/RTC and myself. A mutually beneficial project may be described as one that produces results that are practically useful

to the movement/organization and which is theoretically interesting and makes a contribution to scholarly work in the area (Derickson & Routledge, 2015; Taylor, 2012). From Jared's dismissal of this idea, I began to realize that contrary to my assumption that academic research is necessarily useful, there may be times when this is not the intervention that is needed or desired to support social change efforts (Tuck & Yang, 2012). Refusal here means recognizing when this is the case and adjusting accordingly.

I came to understand that for NU, the meaning of research is somewhat different from what many (though not all) academics tend to think. It may seem obvious, but research projects are undertaken because they align with the organization's immediate, strategic, political purposes. The kind of knowledge that is sought is that which can be feasibly translated into well-informed political action. For example, setting out to understand how the courts handle evictions and how people experience the courts offers the possibility of finding points of intervention as well as points of contestation when procedures are not properly followed. Academic research does not necessarily have the same commitment to political action. That's not to say that it's not important or useful. Indeed, academic research can help to understand a phenomenon more deeply, develop more rigorous and critical theoretical perspectives, and be used to inform progressive policy. But academic research can also be abstract, inaccessible behind jargon and paywalls, and fail to reflect what Kopano Ratele (2003) describes as an "actual, living society" – that is, "real living people with embodied psyches in relationship to one another, existing in specific communities, with particular histories" (p. 14).

Since mutually beneficial research was not feasible or desirable, I opted for another strategy: reciprocity. If my study could not be immediately useful then I hoped to make myself useful in some way. This entailed being open and transparent about my intellectual interests and

what I would be gaining from the relationships built with research participants while offering to contribute to RTC and NU however they deemed useful. I made clear that I was open to doing anything. In practice this meant that I spent roughly half my time conducting my research and the other half volunteering to do things that simply needed to be done. At times, these activities overlapped, as was the case with the work I performed as a member of the Resisting Eviction and Displacement Task Team. As people got to know me, they learned about my available resources and skills and so I ended up completing many diverse tasks such as designing information pamphlets, painting protest flags and banners, assisting RTC members with compiling their resumes and job applications, transporting people to actions and events, advising on research methods, editing blog posts, writing op-eds, and co-designing and facilitating a women's leadership workshop. A key lesson I learned during this process is that aside from material resources and knowledge, one of the most valuable resources I could contribute was simply my time. Being a graduate student focused on fieldwork meant that I had the privilege of structuring my own time and so I could be available to do things as they arose.

Toward the end of my time in Cape Town, an opportunity for a small piece of mutually beneficial research did arise. At a strategic planning meeting, RTC leaders in Woodstock voiced a desire to reach out to their neighbors to begin building better relationships. This included a desire to understand how the people around Cissie Gool House view the occupation. Since I was planning to conduct interviews with the House's neighbors, I offered to include some questions of interest to them. As I began conducting these interviews, I faced a dilemma. Residents often shared information about RTC and the House that was erroneous (e.g., it's mostly foreign nationals and not South African citizens) and sometimes they had questions about the House (e.g., how many people live there?). What to do? I did not want to speak on behalf of the movement so some

questions I left unanswered (e.g., are they collaborating with the City? What are the future plans for the site? Will they occupy more buildings?), but I also did not want false information to go unchallenged. I thus decided to share some factual information about the House when asked, such as how many people live there or what the conditions are like inside. When asked, I also shared my views on RTC and the Houses, which often led to really rich and interesting conversations. The interviews thus became more than research. They were a gathering of information, but also a sharing of information and an exchange of ideas. In this regard, refusing research meant refusing to let the research goal dictate the terms of the encounter as well as creating space to consider what else might be gained from the exchange.

Data collection

I conducted ethnographic fieldwork in Cape Town over a 12-month period from July 2018 through June 2019. My methods combined participant observation, document analysis, and individual semi-structured interviews. I explain the details of each process below.

Participant observation

I conducted participant observation at a variety of sites detailed below. In each case, I took handwritten fieldnotes either at the site or shortly after my participation. These were later digitized. Where events were open to the public, I also took photographs, videos, and audio-recordings to enhance my recollection.

Meetings

Between August 2018 and May 2019, I attended weekly Advice Assemblies (AA) and Woodstock Chapter meetings that took place at Cissie Gool House (CGH) (described above) on weekday evenings (Tuesdays and Thursday, respectively). Each meeting averaged approximately two

hours, but they varied in length (1.5 – 3 hours) depending on the number of people seeking advice (in the case of the AA) and whether the movement was planning an action or event (in the case of the Chapter meetings). Meetings did not take place over the summer holidays (December/January). I primarily focused on the Woodstock Chapter and meetings held at CGH because these meetings were better attended and generally more established than those in Sea Point. This is a limitation that I discuss at the end of this chapter.

Attending the AA offered critical insight into the kinds of challenges facing tenants in the Woodstock/Salt River area (and often other areas of Cape Town) and how RTC is attempting to combine rights-based education with broader political actions to address these challenges and secure inner-city housing. Chapter meetings offered an opportunity to learn about the kinds of issues that RTC prioritizes, how the movement selects actions to take and events to hold, how they speak about and frame the importance of these actions/events, and how they obtain and share information to inform their strategies. Both meetings are a space where RTC members, NU staff, and the general public interact. Focusing on the process aspects of the meetings (e.g., methods of interaction, meeting organization, and group dynamics) allowed me to observe the formation of relationships between and within these groups and to consider their contribution to movement building.

Evictions Court

As previously mentioned, I initially conducted court monitoring as a volunteer member of RTC's Resisting Eviction and Displacement Task Team (RED TT). Through this work, it became apparent that the courts are a critical site where the Constitutional right to housing is interpreted, as is the City of Cape Town's obligation to provide emergency housing in cases where an eviction will lead to homelessness. I thus incorporated the court into my participant observation. I focused

on Magistrate's Courts which are lower-level courts that deal with less serious criminal and civil cases and which handle a large proportion of eviction cases. Eviction cases can also be brought before the High Court, but I did not attend such eviction cases as RTC does not conduct court monitoring at this site.[22] There are 15 Magistrate's Courts in the City of Cape Town each with their own jurisdictions. Beginning in August 2018, I began attending the Cape Town Magistrate's Court which handles evictions in the city center and surrounding areas including Woodstock/Salt River and Sea Point (the areas where RTC is most active). I attended this court once per week (again with a break over the summer) until February 2019. From October 2018 until mid-April 2019, I attended the Wynberg Magistrate's Court once per week as the RED TT decided to expand their program beyond the Cape Town court. The Wynberg Magistrate's Court handles evictions in the southern suburbs including areas of the Cape Flats (e.g., Mitchell's Plain). The team was forced to stop court monitoring at the Wynberg Court in mid-April (see Chapter 4) and I thus returned to the Cape Town court for three more observations before wrapping up this aspect of data collection in early June 2019.

My observations at the courts and interactions with tenants facing eviction were very instructive. As someone who had never entered a court, I got to experience the complexity and confusion that goes along with trying to follow and make sense of court processes and procedures. As a volunteer with the RED TT, I gained access to resources (primarily in the form of conversations with knowledgeable team members) that enabled me to decipher this complexity and to relay what I learned to tenants we met at the courts who were often faced with navigating court procedures without representation. Through interactions with tenants, I gained valuable

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[22] Some eviction cases are handled by the High Court, which, as the name suggests, is a higher-level court that deals with more serious civil and criminal cases. A landlord may choose to bring a case before the High Court rather than a Magistrate's Court because it makes an eviction harder to oppose. More detail is given in Chapter 4.

insight into the lived experience of facing an eviction, including its significant emotional aspect. I also learned a great deal about the "spirit of the Constitution" (as it concerns social justice) and learned to consider to what extent court procedures were honoring this spirit. This way of evaluating the court, along with observing how eviction cases are handled by different magistrates provided an important avenue for considering how the law and progressive rights (in this case, the right to housing) are interpreted and actioned "on the ground." My court experience further pushed me to consider the relationship between the law, rights, and RTC's goal of spatial justice and the ways in which the law/rights may help and hinder them in this objective.

Reclaim the City protest actions and events

Between July 2018 and June 2019, I attended 23 events that I have classified as either 1) Reclaim the City (RTC) protest actions, 2) RTC events or RTC/NU events, or 3) Law/policy events (see Table 1). I attended seven protest actions that included, for example, the "Site B" action in which RTC members temporarily occupied and built shacks on a piece of land (Site B) in the Cape Town city center, which was sold by the City to a large property developer (Growthpoint), allegedly at a price far below its worth. I also attended actions in which RTC members temporarily occupied a golf course and a bowling green, both run by private entities but operating on public land.

Attending protests was extremely important as these are a central way that RTC seeks to mobilize its members, create an opportunity for them to learn about the government's land-use practices, and apply pressure to government officials and private developers through acts of civil disobedience. Despite my fear and my family's constant concern that I would be arrested, it felt important to me to participate in these actions – not just as a researcher, but as someone who

believes in and supports RTC's mission.[23] In addition to heightening my awareness of the courage and conviction that collective actions demand, attending protests allowed me to consider how such actions work to further RTC's goals, develop its membership, and foster relationships between members. I was particularly attuned to the types of actions that were chosen and why, how each action was framed and spoken about by leaders and organizers, and what the ultimate impact of these actions were on members and on the goal of realizing spatial justice.

I attended 10 events hosted by RTC or undertaken in conjunction with NU. These included, for example, RTC's first ever Congress, where all the movement's members came together to reflect on the movement's activities since its inception, to adopt the newly drafted Constitution, and to nominate leaders for the Woodstock and Sea Point Chapters. Another example of an RTC event is the RTC induction, an event where people become official members of the movement. This day-long event includes learning about the history of the movement, what motivates the movement's actions, and the RTC Constitution. Each of these events was an opportunity to understand, in greater detail, the values, ideals, and goals being promoted by the movement and why. This included a glimpse into the way RTC communicates their understanding of spatial justice.

Finally, I attended seven events that I have called "law/policy events" as they include some of the NU law center's work and moments when RTC gathered to observe a legal/policy process that related to them and/or their members. A policy-related example here is NU staff and RTC members' attendance at the Municipal Planning Tribunal (MPT) with regard to the development of the Somerset Precinct, a large collection of provincially owned properties in Green Point (one of which is the Helen Bowden Nurses Home, currently occupied by RTC). NU routinely objects

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[23] I say this with full awareness that the stakes and risks for me participating in such actions were relatively low and thus cannot be compared to those of most Reclaim the City members.

to land-use proposals on the grounds that they fail to adhere to the City's planning legislation. These objections are submitted on paper but are also heard at MPT hearings. On this occasion, a large contingent of RTC members attended the hearing, while a NU organizer gave testimony calling for the development of social housing at the site.

Table 1

Description of Reclaim the City (RTC) actions and events attended July 2018 – June 2019

Action/Event	Date	Type	Description
RTC draft Constitution	7/28/2018	RTC event	Gathering of RTC members to read and comment on the movement's interim Constitution.
First Annual RTC Congress	8/9/2018	RTC event	Inaugural RTC Congress bringing together movement members for a day of reflection, celebration, and nomination of leaders.
Municipal Planning Tribunal	9/4/2018	Law/policy event	Large NU/RTC contingent attended the MPT's hearing concerning development plans for the Somerset Precinct – a piece of public land in Green Point.
Heritage Day Memory Walk	9/24/2018	RTC event	A planned walk through the streets of Woodstock to commemorate Heritage Day. RTC members shared stories of living in the area as well as threats of displacement and eviction.
Growthpoint Eschraché	10/4/2018	RTC protest action	Protest at the offices of Growthpoint properties to demand accountability for the City's sale of a piece of public land in the city center to this private developer for below its market value.
Solidarity March	10/8/2018	RTC protest action	A protest led by Abahlali baseMjondolo to protest the murder of housing activists across the country.
RTC Induction	10/13/2018	RTC event	A day-long event during which new members are inducted into RTC. The event includes learning the history of the movement, its goals, and Constitution.
Action for basic services	10/13/2018	RTC protest action	Protest at the City's Civic Center to demand basic services (water and electricity) for occupiers at two of RTC's occupations.
Open House Interdict	10/27/2018	Law/policy event	The City shut down plans for an "open house" at Cissie Gool House by bringing an interdict against the movement. Members gathered outside the High Court for hours as the case was heard.
Open Streets Woodstock	10/28/2018	RTC/NU event	Barred from hosting an "open house," RTC still participated in the neighborhood event "Open Streets" (openstreets.org.za) by staging a short protest march (against the interdict). NU had a booth and hosted games to raise public awareness about land and spatial justice.

Rental Housing Tribunal hearing	11/5/2018 11/12/2018	Law/policy event	RTC members attend a hearing (and the subsequent judgement) at the Rental Housing Tribunal, where a group of tenants in Woodstock who have the same landlord have accused him of unfair practices. The tenants (5 families) are represented by an NU lawyer.
Salt River Market Public Meeting	11/22/2018	RTC event	Public meeting at a City-owned site in Salt River that was meant to be developed for housing, including social housing. The meeting came after yet another delay by the City in executing this plan.
Site B Protest	12/4/2018	RTC protest action	Temporary occupation of a piece of land in the Cape Town CBD that was sold by the City to a private developer, allegedly below its market value.
City Council Meeting (Salt River Market)	12/13/2018	Law/policy event	RTC members and NU staff attended a City Council meeting in which they were set to decide whether to move forward (in principle) with social housing development at the Salt River Market site.
Strategic Planning	2/23/2019	RTC/NU event	An annual weekend-long event where RTC leaders and select NU staff get together to reflect on the previous year and engage in strategic planning for the coming year.
RTC Elections	2/27/2019	RTC event	Elections for House and Chapter Leaders takes place annually or when vacancies arise. I attended and helped to facilitate one election at Cissie Gool House.
Site B Interdict Appeals Action	3/4/2019	Law/policy event and protest action	A walking protest (from NU's offices, to the City of Cape Town offices, to the High Court) held to mark NU lawyers filing an appeal against the interdict granted against RTC during the Site B action. The appeal was important because the interdict included many false statements about RTC which allowed the interdict to be granted *ex parte* or without RTC's lawyers being present.
Rondebosch Golf Course Protest	3/21/2019	RTC protest action	Temporary occupation of a golf course that is run by a private entity but located on publicly owned land that is leased at a nominal rate.
RTC Women's Meeting	3/26/2019	RTC event	The first women-only meeting of RTC members. An event to consider the specific role of women in the movement and how land/housing issues affect women in particular ways.
RED Task Team Training & Planning	3/30/2019	RTC/NU event	A day-long training and strategic planning meeting facilitated by NU for the RED Task Team.
Green Point Bowling Green Protest	5/1/2019	RTC protest action	Temporary occupation of a bowling green in Green Point. The land is publicly owned and leased to a private entity at a nominal rate.
Site B Interdict Case	6/3/2019	Law/policy event	A large contingent of RTC members and NU staff attended arguments in the Site B interdict case at the High Court.
Site B Interdict Judgement	6/28/2019	Law/policy event	A large contingent of RTC members and NU staff attended the High Court to hear the judgment handed down in the Site B interdict case.

Events that concerned legal issues included, for example, a NU lawyer's representation of five Woodstock families at the City's Rental Housing Tribunal, where they had lodged a complaint about their landlord's unfair practices (e.g., exorbitantly increasing the rent and failing to do maintenance). Another example concerns two instances where RTC faced court interdicts, once to prevent an RTC event from going ahead (see Chapter 5) and once as a result of a protest action. In these cases, RTC was represented by NU lawyers and outside advocates and RTC members attended these court cases in their numbers. Attending these events was useful for deepening my understanding of the relationship between NU and RTC as well as how NU uses the law and the government's own policy commitments to push for accountability. Furthermore, through my attendance at these events, I was able to observe key spaces where decision making about land-use, tenants' rights, and protesters' rights are routinely made.

Document analysis

During my fieldwork I conducted weekly news media searches to capture articles written about Reclaim the City (RTC) and Ndifuna Ukwazi (NU) and their actions as well as more general articles related to issues of land, housing, and urban development in the city. I focused my search on the largest news media outlet (Independent Online or iol.co.za) which includes many of the city's largest daily newspapers (e.g., The Cape Time and The Cape Argus). Additionally, I searched other online publications that are known for covering issues of land/housing and protest actions in the city (GroundUp, Mail & Guardian, and The Daily Maverick). I collected news media by importing links into a document sorting application (DevonThink), allowing me to tag each story with key words and sort them into folders for easy retrieval. I collected 150 news articles. News media offered a way to gauge responses to RTC's actions, particularly by government officials, who would often comment on their actions in official media statements and op-eds.

With significant assistance from the NU law center and researchers, I also collected land-use applications: applications made by town planners/developers to the Municipal Planning Tribunal (MPT), the body tasked with adjudicating decisions on town planning matters, including land-use and development applications. Since mid-2017, NU researchers have kept a close watch on all development applications in the city for the purposes of monitoring the MPT's decision making practices and mounting objections to land using decisions they regard as exclusionary. NU staff granted me access to all the land-use applications they have collected from the City of Cape Town's website since mid-2017 (78 applications) as well as the objections that they have submitted to the MPT (approximately 50 at the time of writing).

From the 78 applications, I purposively selected 20 applications for detailed analysis (see Appendix D, Table 4). I chose applications that represented proposed developments in centrally located and historically White areas of the city since these are the areas of greatest interest to RTC. I also endeavored to select applications that were written by a range of town planners and represented a range of property developers that operate in the city. I used Google to search for the MPT decisions made on these applications. Although the decisions are publicly available on the City of Cape Town's website, the website itself has no search function. Examining land-use applications provided insight into the way the City's spatial planning and land-use legislation is routinely interpreted by property developers and the MPT. In particular, it presented alternative understandings of spatial justice that stand in contrast to those of RTC members.

Semi-structured interviews

I conducted a total of 44 interviews that ranged in length from 30 – 120 minutes ($M = 60.12$). Interview protocols are included in Appendix E. Participants were purposively selected given the study's focus on the work of NU and RTC. I interviewed the majority of NU's staff ($n = 12$ –

which is all but two staff members not including administrative staff). RTC members interviewed (*n* = 23) included residents at both Houses (14 from Woodstock and 8 from Sea Point) and nine members of RTC leadership. RTC members who I interviewed also represent a sample of convenience in that they were either people who I got to know through participant observation, volunteering with the movement, or were people who RTC leaders identified as willing to be interviewed. I also interviewed residents of the Woodstock area, most of whom lived in close proximity to Cissie Gool House (*n* = 9). These participants were purposively selected because they reside in the Woodstock area and were aware of RTC and their occupation at the Woodstock Hospital. These participants were recruited using an advertisement on a Woodstock community Facebook page and paper flyers. The limitations of the sampling method are discussed at the end of this chapter.

Participants ranged in age from 20 – 67 years old (*M* = 41.6) and 54.5 percent identified as women and 45.5 percent as men (see Table 2 for further detail). At NU, I interviewed more men than women and in RTC more women than men. In both instances, these disparities are reflective of the makeup of the larger organizations. Given South Africa's history of imposing racial categories on its population, I asked participants to describe (or not) their racial identity in their own words. This approach yielded many different answers to the question "how would you describe your race?" A list of each unique term that interview participants used (there are 15) and their frequencies are included in Table 2. Throughout this dissertation, when I racially identify participants, I do so with their own descriptions. As explained in the "note on language use" at the start of this dissertation, the South African census identifies four racial groups (officially called "population groups"): Black African, Coloured, Indian/Asian, and White. For context, Figure 8 is provided to show details of the South African population by race across the country's nine

provinces and shows that the Western Cape (the province where Cape Town is located) has a higher proportion of Coloured people compared to most other provinces. This is reflected in Cape Town's racial composition which, according to the last census in 2011, is 38.6 percent Black African, 42.4 percent Coloured, 1.4 percent Indian/Asian, 15.7 percent White, and 1.9 percent "other" (City of Cape Town, 2012).

Interviews were generally conducted in English although some participants spoke in a mixture of Afrikaans and English, as is common in Cape Town. Since I am adequately conversant in Afrikaans, this did not impede my understanding. Interviews were audio recorded with participants' permission. Some participants requested that I use their real names and not pseudonyms, a request that I have honored. In all other instances, I have assigned pseudonyms to protect participants' identities.

Interviews were particularly important for exploring how individuals within NU and RTC think about spatial justice, what drives spatial injustice in Cape Town, and how spatial injustice is experienced. In most cases, these understandings were informed by personal histories and experiences of exclusion, displacement, and/or eviction. Interviews allowed for such histories and experiences to be explored in greater depth. Further, in the case of RTC members, interviews allowed me to explore motivations for joining the movement and how being a part of the movement and living in the Houses has impacted on people's lives. Interviews with RTC members were also critical for developing my understanding of what is at stake in housing activism beyond a house and thus some of the meanings associated with urban land and housing in inner-city areas. Interviews with NU staff further helped me gain a sense of the organization's guiding philosophies, its history, and how each department contributes to the fight for spatial justice. Finally, interviews with Woodstock residents provided outside perspectives on RTC and on the occupation of the

Woodstock Hospital in particular. This usefully challenged (and some cases confirmed) my own

assumptions about how middle-class residents view Reclaim the City and the House.

Table 2

Demographics of interview participants

		Total	NU	RTC	Woodstock Residents
Gender					
	n	44	12	23	9
	Women	24	8	16	4
	Men	20	4	7	5
Age					
	n	44	12	23	9
	% 20-29 (n)	9	6	2	1
	% 30-39 (n)	13	6	4	3
	% 40-49 (n)	9	-	7	2
	% 50-59 (n)	10	-	9	1
	% 60-69 (n)	3	-	1	2
Race					
	n	44	12	23	9
	African	3	2	1	-
	Black	6	1	4	1
	African / Black	4	2	2	-
	Cape Coloured	1	-	1	-
	Cape Malay	1	-	1	-
	Cape Malay / Human	1	-	1	-
	Coloured	6	1	4	1
	Considered Coloured / South African	2	-	2	-
	Culturally Coloured, politically Black	1	1	-	-
	Khoe-San	1	-	1	-
	Mixed	4	-	2	2
	South African	2	-	2	-
	South African of Indian descent	1	1	-	-
	South African / Mixed	1	-	1	-
	White	10	4	1	5

Figure 8

Provincial distribution of population by race (percentage)

	Western Cape	Northern Cape	Gauteng	Eastern Cape	KwaZulu-Natal	Free State	North West	Mpumalanga	Limpopo	South Africa
■ White	16,0	7,7	13,6	4,6	3,9	8,5	6,4	5,2	2,3	8,1
■ Indian/Asian	0,8	0,5	2,7	0,4	7,9	0,3	0,4	0,5	0,3	2,5
■ Coloured	47,5	43,7	3,3	8,6	1,2	2,5	1,6	0,8	0,3	8,7
■ Black African	35,7	48,1	80,4	86,4	87,0	88,7	91,6	93,6	97,1	80,7
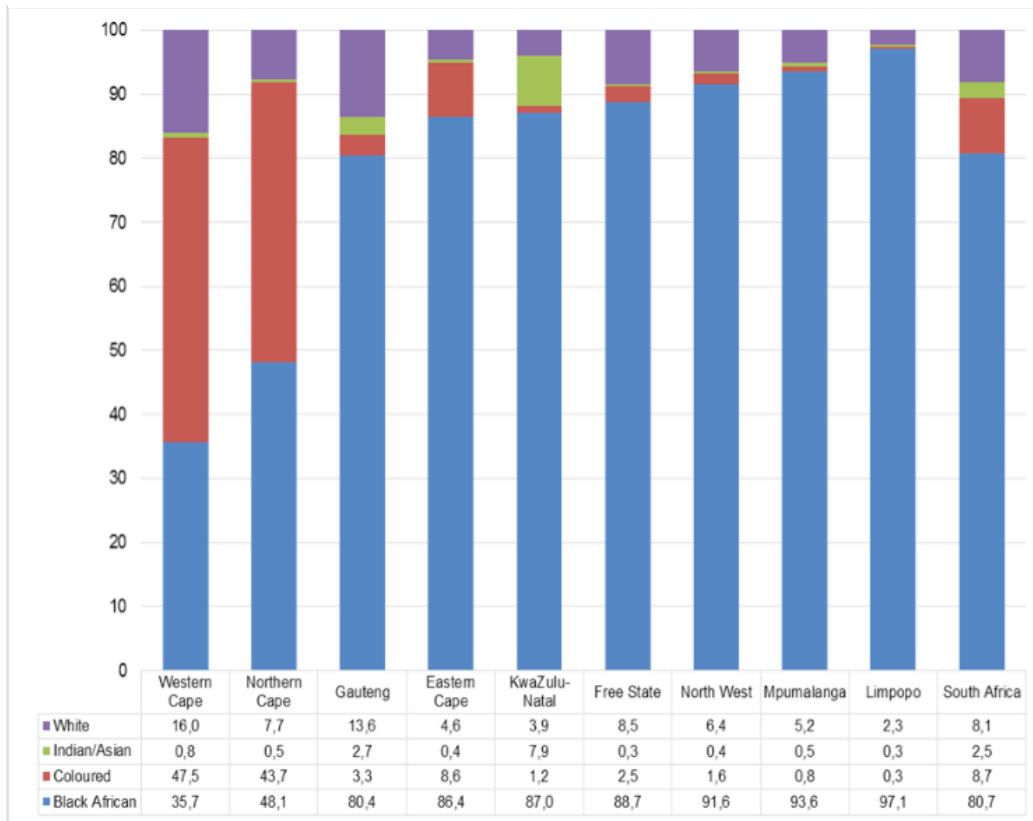
Note. Source: Community Survey 2016 (Stats SA, 2018)

Data Analysis

I digitized my handwritten fieldnotes in MAXQDA qualitative data analysis software and also imported audio recorded interviews into this software for analysis. I transcribed all interviews once interview data collection was largely complete (March 2019) using this software. The majority of interviews were transcribed verbatim, but in some instances, I used a combination of summary and verbatim transcription. My reasoning for this was that it was important to me to take the time to transcribe all the interviews myself as I understand transcription as a part of the data analysis process. Listening closely to interviews allowed me to reflect on each conversation and to begin taking memos on emerging themes. Combining verbatim and summary transcription made this

feasible. I summarized every aspect of the interviews so as not to leave out any part of the conversation and I transcribed verbatim the aspects that related closely to the research questions. In cases where people spoke in Afrikaans, I conducted the translation into English and in instances where I was unsure if I had captured the meaning, I checked my understanding with a native speaker of the language.

Once transcription was complete, I began coding the interviews and my fieldnotes using MAXQDA which allows for line-by-line coding and overlapping codes. As I began the coding process, I organized my findings into three broad organizing categories that related to different aspects of Ndifuna Ukwazi's (NU) and Reclaim the City's (RTC) work: anti-evictions, protest actions, and occupations. These were not analytic categories but assisted in beginning to organize the data. I used line-by-line coding which entailed assigning a descriptive label to each sentence or groups of sentences that together represent a thought, idea, or story. I assigned new codes where my existing codes did not adequately capture the meaning of an idea before me. As I coded, I reorganized codes into broader categories and sub-categories where participants expressed similar ideas or spoke on similar topics. For example, I broke down the code *stories of eviction* into the different reasons that people found themselves facing eviction such as *rent increases outpacing income* and *unjust court/law enforcement practices.*

As this inductive phase of the analysis progressed, I modified the three broad organizing categories to reflect the larger, overarching themes that were becoming salient through my analysis and which spoke more directly to my research questions. I thus reorganized my existing codes into three slightly different, thematic categories focused on understanding housing as a spatial justice issue, what this means and looks like in practice, and the future hopes and desires embodied in the Houses. These revised categories were also better informed by my theoretical framework which

prompted me to attend to ideas and experiences concerning the production of space, unjust geographies, and development of relationships. These categories became the basis for the three empirical chapters of the dissertation.

As I moved through the analysis, I also used a function of the MAXQDA software to note links between certain codes. For example, the code *reasons for occupying* captured people's stated reasons for moving into the Houses such as being evicted. In most cases, however, the immediate reason for moving into the Houses was part of a long series of events in the person's life which could also not be divorced from prevailing socioeconomic conditions (e.g., rising rents). It was thus important to connect the stated reasons for occupation with these other factors which were captured in codes such as *stories of unaffordability*, *facing discrimination in housing*, and *histories of displacement/forced removal.* Not all the data I coded fitted neatly into the three broad categories described above and so where this was the case, I created additional categories to capture reoccurring topics and ideas. For example, discussion about RTC and NU's background, challenges and threats they face, and ideas about RTC's biggest impacts were all broad categories that cut across the other categories.

In terms of document analysis, I used an Excel spreadsheet to analyze the selected planning proposals as this allowed me to capture a lot of information from the proposals in one place, including the type of development and whether or not the proposals addressed the principle of spatial justice. Where proposals did address spatial justice, I copied and pasted the relevant passages into the spreadsheet and for all proposals, captured how each one addressed the question of the desirability of the planned development. These aspects of the proposals were selected as they related directly to my research questions – in particular, the forms of resistance that RTC/NU

face to their vision of spatial justice. After capturing this information, I used basic color coding to conduct a thematic analysis to identify patterns across the proposals.

Once I coded all my interviews, fieldnotes, and documents. I went back through my codes to refine each category and its subcategories to ensure the coded segments were adequately represented by the code's description. My findings reflect my consideration of the content of the codes as well as the links between them.

Limitations

It remains difficult for me to judge the true impact of my chosen methods and methodological approach. I can recount moments when people would complain to me about "useless academics" and comment on how I was not "like them" or that I was a "good one." I also had more than one NU staff member enthusiastically agree to my interview requests although they generally decline such requests because they consider them to be a poor use of their time. These were encouraging moments, but I do not recount them as evidence of my success. I recognize that there may have been others who questioned my work or felt burdened or uncomfortable by my presence. A commitment to ethical research means reflecting on what I do not know, what remains unsaid, as well as what I recognize as the limitations of this study.

First, although the people who I interviewed shared a variety of perspectives, this study by no means represents all the diverse views of RTC members. I interviewed people who I got to know and people who Chapter leaders identified as willing to be interviewed. This kind of convenience sampling means that there are likely critical perspectives that I am missing. My use of participant observation at RTC meetings, in particular, may have mitigated this to a small extent as debates and differing perspectives often surfaced in these spaces. Still, the fact that there are

missing perspectives should be noted as a limitation that makes my analysis partial and not necessarily generalizable to all RTC members. The study could have been enhanced by recruiting more interview participants from RTC, but the sample reflects what was possible in the given timeframe and with the available resources.

My choice to focus on the Woodstock Chapter and Cissie Gool House (CGH) more so than the Sea Point Chapter and Ahmed Kathrada House (AKH) is a limitation along similar lines. This was a choice based on the fact that the Woodstock Chapter, although established after the Sea Point Chapter, is a lot more active and organized. This, in itself, points to key differences between the two sites. Although the two Houses (CGH and AKH) are both home to hundreds of people who would otherwise be homeless, displaced, or living in suboptimal conditions, they are different in significant ways. Whereas CGH has water and electricity, AKH does not. This means that the living conditions at AKH are harsher and more challenging than at CGH. The residents of CGH are primarily from the Woodstock/Salt River area and many have known each other for years, whereas the residents of AKH come from many different parts of Cape Town. The social dynamics of the two Houses are thus different, too. Importantly, AKH has also been the site of much more intense contestation by other groups who have tried take over and lay claim to the occupation for personal and/or political gain. This has added to the already harsh conditions there and challenged the leadership of the House that has also struggled with factionalism. In addition, two RTC members (one of whom was a House leader) were murdered at AKH (for news reports see Gontsana, 2019; Villette & Wolf, 2018). Although CGH has also experienced threats to residents' and leaders' safety, arguably these threats have not been as intense or sustained as at AKH. These are important differences which are represented in this study to a limited extent through my interviews with AKH residents and my experiences attending some events and meetings there.

Second, my positionality as White, middle-class, primarily English-speaking woman undeniably placed limits on the kinds of information people were comfortable, willing, and able to share with me. I have not had personal experience with the multiple injustices that many NU staff members and RTC members have and continue to face, including racism, poverty, forced removal, homelessness, and precarious housing situations. Being South African and Capetonian certainly assisted me in my research as it meant that there was some shared understanding between me and participants about the city's geography, history, and politics. Our lived experiences of these, however, are significantly different. Although I had many candid conversations with people from RTC and NU about racism, classism, and sexism, I am aware that race, class, and gender dynamics undoubtedly impacted on both my data collection and analysis in ways that are difficult for me to fully appreciate and mitigate, despite my desire to do so.

Third, there are the limitations of time and geographic distance. Twelve months felt like the minimum amount of time necessary to complete this study. Given the time and resource constraints associated with dissertation research, I had to return to the US and to my home institution after 12 months. The distance that this placed between me and research participants meant that I had little opportunity to engage them as I conducted my analysis and wrote up my findings. I recognize that I performed a lot of analyses while in the field and often spoke casually to people about what I was observing and how I was understanding it. Ideally, however, this study would have included a period of member checking: going back to research participants to discuss some of my initial findings and solicit their feedback. Unfortunately, this was not possible and is thus a limitation of this study. It will, however, be possible to include member checking in the preparation of future publications arising from this dissertation.

Finally, although not necessarily a limitation of this study, there does remain the challenge of staying engaged in a movement and with people who I came to care about deeply. Even though I told people that I would be returning to the US after a year, many expressed surprise when the time came. Many expected that I would be gone only for a short time, while others, like Joan, challenged me to come back permanently. Although I am finding ways to support the movement in new ways, I think it is valid to question my limited time in the field and the ways in which the temporariness of my engagement and reciprocity remains unequal to the benefits that will accrue to me as a result of this study.

CHAPTER 3

URBAN LAND, HOUSING, AND SPATIAL JUSTICE: THINKING WITH RECLAIM THE CITY

It's a mild day in early March 2019 and I'm visiting with Vuyokazi, a slight 65-year-old Black woman, who has lived in Sea Point since the 1970s. Despite her small stature and soft voice, Vuyokazi has a candid, no-nonsense way of talking with me about life in Cape Town. We sit in her room at the occupied Helen Bowden Nurses home in Green Point, renamed Ahmed Kathrada House or AKH by Reclaim the City (RTC). We sit at a wooden table that she has placed underneath the large sliding window at the far end of the room. It's a simple rectangular room that she shares with her granddaughter, neat and tidy, with the essentials for living: a bed, a table, some buckets (the toilets here don't work), bottled water, utensils to cook, and some food items that can keep without refrigeration (there's also no electricity). We're a couple of floors up and so through the open window flow the sounds of this seaside area: sea gulls squawking, ocean waves in the distance, cars and people in the bustling street below.

Vuyokazi moved to Sea Point (the suburb adjacent to Green Point) from the Transkei[24] to work as a housekeeper in hotels in the area and then as a domestic worker for a prominent White family that owns one of the country's largest real estate groups. This family kept moving – eventually out of Cape Town – so she did not continue working for them. After her landlord in Sea Point kept raising her rent, she eventually had to leave. She moved from temporary place to temporary place and was homeless for six months before hearing about RTC and this House which she now calls home. *How can it be that a long-time worker for a wealthy real estate family was*

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[24] The Transkei was one of the apartheid era Bantustans for Black African people of Xhosa decent, located in the south east of the country. After the transition to democracy, it became part of the province now known as the Eastern Cape.

homeless? I remember thinking to myself. This is an example of the commonplace absurdity and contradictions that are the hallmarks of South African life.

Vuyokazi attended RTC meetings which initially took place on Sea Point's beachfront promenade. Later, a local church offered their building as a venue for the meetings and at one such meeting, the possibility of her moving to AKH came up. She told me she was hesitant. An illegal occupation of a government building with no water, no electricity, and rats? "I was so scared to come, but I… but one day I tell myself I'm going, because I don't have a place to stay." She could have moved to what she refers to as "the locations," the so-called township areas on the outskirts of the city. But for her it was preferable to live here, despite the conditions and the risk. "I don't like to go to location 'cos location is too many troubles" she tells me. These troubles include higher crime rates and distance from this area that she considers home. Travelling back and forth is expensive, making the option to continue working in Sea Point less feasible. Plus, she just likes it here. "I love Sea Point," she tells me with genuine warmth in her voice, "although they don't like the poor like me. But I love Sea Point… [it's] not for us, it's for the White… it's for the rich ones from overseas and everywhere. Not for us. But I love it."

Although she lives here and says she will resist displacement, Vuyokazi doesn't feel entitled or totally comfortable to be an occupier: "I don't feel this is my home because to stay in other people's home is not nice. You must have your own." She thinks that the building she is living in ought to be used for "business," but at the same time that the government should make good on their promises to deliver housing for those in need and to do so in areas like Sea Point. I ask her why she thinks the government has not built houses in this area although they have built houses "…in locations," she finishes my sentence. "It's because of the apartheid" she tells me matter-of-factly. Houses for White, wealthier people are available because they can afford them.

Houses are built by the government on the outskirts to keep areas like Sea Point cleansed of poor Black people: "they just want us to go to the bush to stay with the… the gorillas and everything and snakes! They don't want us by the beach!" Like so many others I have spoken with, she talks about Wolwerivier, one of the City's "incremental development areas." It's a collection of small shelters built by the City some 30 kilometers outside the city to house evictees and homeless people. Wolwerivier is not just far away, it's also isolated, surrounded by nothing but vegetation (or "the bush" in Vuyokazi's terms). Vuyokazi refuses to go there, refuses to be abandoned in this far-flung place. The parallels with the apartheid practice of forcibly removing Black African people from the city to rural areas where they were imagined to belong are uncomfortably close. For Vuyokazi, there is thus little difference between then and now.

Although apartheid is formally over, the facts of racial segregation, exclusion and the persistent threat of displacement means apartheid lives on. This is an idea that Vuyokazi reflects on when she tells me, "It's apartheid if they chase you. But they don't chase you – the White. But they chase you – the Black. I think this is apartheid, you see? It's apartheid". For her, this cuts to the heart of what RTC is resisting. Apartheid may have formally ended, but the precariousness of her housing situation, living in a suburb where she feels unwanted, and her lack of faith in the government to challenge the status quo of racial segregation are all experiences that belie this fact. It's up to those who are "suffering to get the houses" to do something about this situation she tells me. "You can't just fold your arms, uh-uh. If you want something to go through, you must make something." For her, RTC is the movement they are making, and it is the mechanism through which she and others like her are "looking for our place."

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Vuyokazi's story speaks to the failures of South Africa's housing programs. These programs promised to bring dignity and security to the lives of people who were systematically dispossessed and impoverished through the brutality of apartheid. Housing is meant to be a form of redress and although these programs have provided millions of people with houses, they have largely failed in their goals of addressing poverty, inequality, and racial segregation (Pieterse, 2009; South African Cities Network [SACN], 2016; Tissington, 2011). As someone who has worked in Sea Point for years, who feels some rootedness in this predominantly White area, Vuyokazi remains unable to access both secure, affordable housing and a feeling of genuine belonging in the area. She expresses little trust in the state to remedy this situation, even though housing programs are meant to do just that.

In this chapter, I examine how RTC frames their struggle for housing as an issue of "spatial justice" and how this framing extends analyses of why housing policies have failed to be transformational – that is, to deliver on their promises to redress the outcomes of decades of racist spatial planning and urban development policies. I argue that RTC's call for spatial justice is developing a *spatialized politics of housing* that importantly connects questions of housing with those of urban land-use. By demanding housing in very specific areas – centrally located, historically White, and resource rich – RTC poses critical questions about how some of the city's most desirable and economically valuable land is used, in whose interests, and with what consequences. These questions are critical because they shine a light on the dominant structures and logics that guide housing programs and urban development more broadly. As my analysis shows, these structures and logics echo those of colonialism-apartheid that differentially value and spatially divide human life (Biko, 1979; Fredrickson, 1981; Magubane, 1979), resulting in practices that entrench racial segregation.

I proceed with a brief discussion of the origins and local significance of RTC's call for spatial justice. I then consider how the idea of spatial justice is imbued with various meanings within the movement, shaping how RTC members think about their struggle for housing. This part of the chapter is organized in two sections named for slogans that RTC uses and which represent two broad ideas within which spatial justice is understood. The first section, "where people live matters" concerns spatial justice as a call for resources and redress. It is an observation that Cape Town remains a place where critical resources are unjustly and unevenly distributed across race and space. The second section examines RTC's call to use "land for people, not for profit." This is an invitation to consider that how we think about, value, and use urban land is critically linked to the kind of city and society we are creating. Using land "for profit" is linked with spatial injustice, which I explore using Ananya Roy's (2017, 2019a) analytic of racial banishment. Fighting for spatial justice thus requires using "land for people" which at its heart concerns resisting racial banishment (dispossession and dehumanization) and fighting for belonging, personhood, and freedom. Although I focus on spatial justice – as this is a key term used by NU and RTC – the analysis demonstrates that as a struggle for redress, resources, personhood, belonging and freedom, the call for spatial justice cannot be separated from an on-going struggle for racial justice in Cape Town.[25]

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[25] Following the Center for Racial Justice Innovation (2015), I understand racial justice as "The systemic fair treatment of people of all races, resulting in equitable opportunities and outcomes for all. Racial justice – or racial equity – goes beyond "anti-racism." It is not just the absence of discrimination and inequities, but also the presence of deliberate systems and supports to achieve and sustain racial equity through proactive and preventative measures" (p. 31-32).

Housing as an issue of spatial justice

Reclaim the City's (RTC) call for "spatial justice" in Cape Town originates with Ndifuna Ukwazi (NU) and their framing of the original Reclaim the City campaign (see Chapter 2). The focus on spatial justice is an intentional, strategic choice as it mirrors the language of South African legislation. Specifically, the Spatial Planning and Land-use Management Act or SPLUMA (2013) that includes "spatial justice" as one of its guiding principles. This relatively new national legislation aims to promote social and economic inclusion, recognizing the critical role that spatial planning, land-use, and development decisions play in this process (Strauss & Liebenberg, 2014; van Wyk, 2015). For NU, a focus on spatial justice is a way to directly challenge the government's approaches to spatial planning, land-use, and development, especially as it concerns housing. Included in SPLUMA's (2013) definition of spatial justice is the imperative that "past spatial and development imbalances must be redressed through improved access to and use of land" (p. 18), a somewhat vague definition that NU argues ought to encompass access to housing in "well-located" areas that are centrally located and where wealth, resources, services, and opportunities are concentrated. This, they argue, must form part of the strategy to address racial segregation and the associated disparities that exist in access to opportunities and resources across the city (Socio-Economic Rights Institute [SERI], 2016).

Although Section 26 of the South African Constitution enshrines the right to housing, it does not say anything about where housing should be built. In theory, all spheres of government acknowledge that location is important in their strategic planning documents that guide housing development.[26] Yet, as NU and RTC repeatedly point out, no government subsidized housing has

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[26] For example, the Western Cape Provincial Spatial Development Framework (PSDF) adopted in 2014 after SPLUMA came into effect, explains the grounding of their vision in the National Development Plan (NDP) (National Planning Commission, 2012), which among other targets lists "more people living closer to their places of work" and "strong measures to prevent further development of housing in marginal places" (Western Cape Government, 2014,

been built in centrally located areas since the end of apartheid, doing little to address racial segregation and denying recipients of housing programs any of the benefits associated with living in these resource rich environments. Furthermore, the lease and sale of public land as well as the failure to regulate private development in these areas is making them ever more exclusive. NU and RTC thus demand that we examine the implications of these practices. Mandla, a 26-year-old Black organizer at NU, explains that framing the demand for housing as a call for spatial justice

> …brings a new debate about how we perceive the land and housing struggle. That for many years we've been seeing it as just, you know, a process of putting bricks and mortar and you're done, but what we… the fundamental questions we're asking is where those houses are located and who gets to access them, and the impact that the location of those houses – if they would be built – what kind of impact that would have in terms of desegregating Cape Town - to be what we want it to be. Because we still have this apartheid spatial legacy that we're having to live under which is still continuously racially excluding people and you know, excluding people economically.

As Mustafa Dikeç (2002) argues, spatial justice can be understood not as an end, but as an idea that makes "spatially conscious politics possible" (p. 96). It is an idea that may be leveraged to draw attention to the connection between spatial issues and ongoing social inequalities and injustices. It is an idea that asks us to consider that space – how it is produced, managed, and experienced – is a formative component of justice itself (Soja, 2010). "Justice," Edward Soja (2010) asserts, "has a consequential geography, a spatial expression that is more than just a background reflection or set of physical attributes" (p. 1). As Mandla explains, looking at the issue of housing spatially, suggests that housing is not simply a technical problem that can be solved by building enough houses (cf. Pithouse, 2009). A spatial perspective invites attention to the location

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p. 19). In their latest strategic framework, the Western Cape Government Department of Human Settlements responsible for housing, lists the NDP, the PSDF, as well as SPLUMA as guiding documents (Western Cape Government, 2020). The City of Cape Town's Integrated Development Plan (2017) lists building an "inclusive city" as one of its priorities, which includes the development of an "inner city housing strategy and implementation plan" as well as "integrated and innovative inclusionary housing solutions in the inner city urban cores in Cape Town" (p. 109).

of housing, who has access to housing where, and thus how housing is/isn't used to further desegregation and social justice in Cape Town (cf. SACN, 2016; SERI, 2016). A spatial perspective asks that we consider how the "where" of housing is calculated and what is at stake in such calculations.

RTC is not the first social movement to bring attention to the importance of the location of housing in South Africa. Abahlali baseMjondolo, for example, is one of the country's largest social movements that, since the early 2000s, has been resisting the forcible removal of shack dwellers from well-located suburbs to the urban periphery of Durban. In Cape Town, the Western Cape Anti-Evictions Campaign, which was also active in the early 2000s, resisted relocation of people from various areas on the Cape Flats[27] to sites even further out of the city. RTC does not stand apart from these movements or necessarily represent a politics that is totally new. In many ways, RTC has learned from these movements and builds on their efforts.[28] What is perhaps new about RTC is how their spatialized politics of housing brings their focus onto poor and working-class Black people who live in the inner city and surrounding areas of Cape Town and how they are increasingly struggling to stay in place. RTC's political actions thus take place in these areas and as centers of economic activity, government, and valuable real estate, it adds to their visibility and potential for disruption.

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[27] The Cape Flats refers to an expansive, low-lying area to the east of Cape Town's northern and southern suburbs (Whites only areas during apartheid). The Flats include a number of so-called "townships" which the apartheid government designated as Black African and Coloured areas under the Group Areas Act (1950).

[28] This dissertation does not explore how Reclaim the City (RTC) fits into the landscape of post-apartheid social movements, but I make the following notes in addition to the background provided in Chapter 2: RTC has relationships of solidarity with a number of movements/campaigns in Cape Town (e.g., the Social Justice Coalition and Equal Education) and beyond, including Abahlali baseMjondolo. Some of the tactics used by RTC have also been inspired by la PAH (*Plataforma d'Afectats per la Hipoteca* - Platform for People Affected by Mortgages) anti-eviction activists in Barcelona, Spain. They retain a relationship with the now governing *Barcelona en Comú*.

Although thinking about housing as an issue of spatial justice began with NU, it is now an idea that RTC members are using to understand and express their experience of the city as well as the nature of their struggle for housing and urban land. How do RTC members think about and explain the demand for spatial justice? Examining the perspectives of RTC members is critical as it grounds the understanding of spatial (in)justice in lived experiences, highlighting what is at stake in present day struggles for housing. I begin this examination by exploring RTC's assertion that "where people live matters!" (Figure 9).

Figure 9

Photograph of a Reclaim the City protest with their "where people live matters" banner. Phambili ngezindlu phambili means forward housing forward.

Note. Photograph by Reclaim the City. Retrieved from: reclaimthecity.org.za/gallery

Where people live matters: Claiming redress and resources

When the movement says that it's fighting against spatial injustice it means that we fighting to reverse the legacy of apartheid. And one of those legacies of apartheid was the dispossession of people or the displacement of people. I mean, we have a history – a very big history – of displacement going way back to the 1600s (Alysa, Woodstock Chapter leader).

South Africa's histories of displacement that Alysa (a 45-year-old Black woman) refers to are histories of colonization, racial violence, and racialized dispossession (Cavanagh, 2017; Magubane, 1979; Platzky & Walker 1985). As I discussed in Chapter 1, colonial and apartheid laws systematically confined Black people to particular areas, dispossessed them of land and property, restricted free movement, and limited property ownership. Mechanisms of racial/spatial control were integral to the colonial-apartheid project that ultimately created resource rich geographies for the White minority and resource deprived geographies for everyone else (Soja, 2010). To be displaced was thus not only to experience forced removal from your home and restriction in your movement, but to be relegated to areas that were purposefully underdeveloped, and in the case of the Bantustans, imagined as no more than "labor reserves" for White South Africa (Magubane, 1978). Resources and opportunities were in short supply in these areas. As Alysa suggests, calling for spatial justice has to do with remembrance of this racial/spatial history and working to reverse its effects. Her sentiment closely approximates how spatial justice is written about in legislation such as SPLUMA, as a kind of undoing or redress of the wrongs of apartheid-era spatial planning and land-use laws and the "imbalances" in development that they created.

The particular form of redress that RTC calls for is the development of affordable and state-subsidized housing in the city center and surrounding areas, thus giving historically dispossessed/displaced people access to the resources and opportunities that have accumulated in these areas. Although many people have benefitted from housing programs, racial segregation and the associated racial disparities in access to resources remains a very present and noticeable feature of Cape Town life (Levenson, 2017b; McDonald, 2008; Reed, 2016; van Rooyen & Lemanski, 2020). The disparities and distances between differently resourced parts of the city are highly consequential. When I asked RTC members why it is important for them to be close to the city

center or why RTC is fighting for housing in these areas, an answer I heard repeatedly spoke to the fact that the center is where resources and services are concentrated. As Anele (a 56-year-old African woman) told me:

> It is very, very important because in the inner city, that's where you get everything: schools, clinics, doctors, shops, you know transport is easy - everything. And you working in the city, you live in the township, far away from there. You not earning much, and you spend half of your salary on transport and you have to… even if you go to the doctor, you have to use transport. Even if you go to work, you have to use transport. Schools are in the city and if your kids must go to school, you use transport. And it means you're working for transport. And you go back to the township and you're facing gangsterism, robbery, you know everything you get there […] In the township, you not earning much, and food is very expensive, transport is very expensive […] In order to get what you want from your little money that you have, you must travel to go to the stores in town to go buy, you see? Many people, they calculate. If I spent R35[29] to get to town and I need to go buy 1, 2, 3, 4, 5 - now, it's more expensive in the township. It's cheaper in town. So, is it better if I spend that R35 and go buy in town? Or let me rather buy the stuff that is expensive because at least that R35 transport, it covers that difference, you know? You sitting and you calculating all the time […] Services are in the city - not in the townships.

Anele has lived in both Khayelitsha (on the Cape Flats) and Sea Point so she speaks from experience. Like Vuyokazi and many others I spoke with, when her personal circumstances led her to a choice to either be homeless in Sea Point or go to the townships, she chose the former. Her words make clear why. There is a daily effort, inconvenience, expense, and danger associated with being poor which is intensified by living far away from the city. It is thus not surprising that among people who have managed to eke out a life in inner city areas, many express a strong fear of being displaced because of what this might mean for their livelihoods, their ability to gain/maintain employment, their children's education, and their family's safety and ability to remain together. There is a deep resonance with the violence and trauma of apartheid forced removals and its assault on domestic life (Makhulu, 2015). But importantly, these fears are not only rooted in the trauma

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[29] R = Rand, South Africa's currency.

of a violent past but in present realities. The truth of this was repeatedly reflected to me when people spoke of their recent experiences of being evicted and displaced. Although many spoke of challenges concerning employment and keeping their children in their schools, by far the greatest concern was personal safety.

Sumaira is a 50-year-old mother of two teenage boys, one of whom has autism. She identifies as Cape Malay (but at the same time says, "but I hate that, I'm human"). Her family was evicted from their home in Woodstock after their landlord raised the rent by almost 170 percent. "He wanted a piece of the pie" she told me, referring to her understanding that her landlord wanted to cash in on the steady increase in property values in the area (an issue I speak to later). Her family spent many months moving from place to place, a common experience for evictees and an example of an "uprooting process" that Villela de Miranda and colleagues (2019) refer to as "permanent transitoriness" (p. 28): the constant need to move from place to place as a result of urban and housing policies that destabilize low-income people's access to secure tenure. Recounting her story of moving around the city, Sumaira told me:

> I went to live in Parkwood. In gangland. And that road was known for gang fights and stuff. But my mother-in-law was kind enough to give us a place to stay. So, we stayed there for a month and um… one afternoon I was… late, say almost evening, sunset, I was buying milk and bread and electricity and as I was coming across the road. I heard a car stop behind me and I just froze. And I heard the clicks of the guns and I looked around and the guy said, "ag, it's not her" and drove on. So, I said to my husband, it could have been my son and he wouldn't look around. I'm one that if I hear something, I'll look. And my son was 16 and I said, nah, gotta move and then I got the place in a warehouse.

They lived in the warehouse for a year and a half before moving into RTC's occupation at the old Woodstock Hospital (now Cissie Gool House or CGH). I heard many such stories: parents and children robbed at gunpoint, children witnessing violent crimes, someone who had to sleep on the floor when gun violence broke out in their neighborhood, workers who feared for their lives as

they walked in the dark to catch public transport as part of their daily commute to/from the city. In highlighting these stories, I don't mean to suggest that these areas are only places of violence, struggle, and deprivation. To do so would obscure the fact that these places were the creation of a White supremacist regime that set out to marginalize, impoverish, and subordinate Black life. It would also deny the fact that these are also spaces in which people *do* live, love, work, and resist.[30] As McKittrick (2011) points out, the racial violence that created such places as the plantation (or in this case the township) "shape, but do not wholly define, Black worlds" (p. 947). Having said this, one cannot minimize the extreme violence that people face in Cape Town generally and in these areas in particular.[31]

At its most basic level then, spatial justice concerns a claim to more equitable access to resources and living environments that are life-giving and sustaining, rather than depriving and dangerous. "Poor and working-class people need land for living!" as Alysa explained to me. Importantly, however, RTC is not simply advocating to have everyone move to the inner city as Mandla explains:

> spatial justice means […] you create options for housing, that housing is not only accessible for Blacks on the outskirts and not accessible in the inner city.

This line of thinking raises the question of *why*? Why has affordable and government subsidized housing not been prioritized in the inner city and surrounding areas? Why does housing continue

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[30] Aside from the significant anti-apartheid struggle history associated with township area (South African History Online, 2013a) as well as post-apartheid community organizing and activism (Zuern, 2011), township areas are, for example, sites of significant creative industries including art (Gentle, 2018), music (Feko & Mkhabela, 2018; Mthembu, 2019), and theater (Kabali, 2017).

[31] Cape Town has the highest murder rate of all South African cities (Charles, 2019) and in 2018 ranked 11th on a list of the world's deadliest cities (Conway-Smith, 2019). In general, homicides disproportionately occur in areas of the Cape Flats. As an example, the highest murder rate according to official crime statistics for 2018 was in Nyanga at 308 murders (or 531 per 100,000 people) as compared to 2 in Sea Point (or 15 per 100,000 people).

to be located on the outskirts of the city? This happens despite the fact that promises and proposals to build housing in these areas are frequently made.

For example, the City's Foreshore Freeway project (launched in 2016) called for the private sector to submit proposals to develop a precinct around two unfinished elevated freeways in the Cape Town Central Business District (CBD). The mixed-use space was to include social housing[32] – a first for the city center. The winning bid was widely criticized for running counter to the City's own transport policies, for including very little social housing, and for locating all social housing below the level of the freeway (Kretzmann, 2018; Olver, 2019). Ultimately, the City Manager (Lungelo Mbandazayo) cancelled the project, saying other bidders objected to the project's vague evaluation criteria and that Cape Town's "economic outlook" was not as favorable as it was when the call for proposals was issued (Felix, 2018). The project, however, was mired in controversy from the start. Its development and demise were impacted by significant infighting between various factions of the city's ruling political party, the Democratic Alliance (DA)[33] that eventually led to the resignation of the city's mayor, Patricia De Lille in late 2018 (Olver, 2019).

Another example of an unfulfilled promise for low-income housing in the central city was put forward by the City's (now defunct) Transport and Urban Development Authority (TDA). Prior to being dismantled in 2018, the TDA announced 11 sites in the inner city and adjacent areas

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[32] Social housing is government subsidized rental housing aimed at people of low-income whose monthly income falls between R1,501 and R15,000 per month.

[33] The Democratic Alliance (DA) is the official opposition party to the African National Congress (ANC) that governs nationally. The DA governs several major metropolitan municipalities across the country and have governed the Western Cape province since 2009. The origins of the DA can be traced back to the formation of the Progressive Party during apartheid that represented White parliamentary opposition to the National Party and their policy of apartheid. The party has undergone several name changes, mergers, and splits over time. Today, the party is considered largely centrist ("Democratic Alliance (South Africa)," 2020). The view of the DA among several Reclaim the City leaders is that the party is becoming increasingly right-wing given their approaches to urban development and, for example, their implementation of policies that criminalize homelessness and poverty (Abdool Karim & Shoba, 2019).

(including Woodstock) to be used for social and emergency housing. NU staff and RTC members voiced skepticism that the project's main champion, Mayoral Committee (Mayco) Member for transport and urban development Brett Herron, had sufficient power to see it through. Herron even adopted RTC's slogan "where people live matters" in the project's prospectus, but it became clear that this was not a belief shared within his party (the DA). When another project he was pushing for social housing in the area adjacent to Woodstock (the Salt River Market site) stalled, Herron resigned – not just as a Mayco member but as a member of the DA.

In an emotional resignation speech in the streets of Salt River, Herron brandished a copy of the DA manifesto that he said includes "integrating communities" as one of its priorities. Angry, he told the crowd, "the promise to integrate communities is a lie!" He explained that his resignation from the DA came as he realized that his efforts to get social housing built in well-located areas were being actively blocked by a "small cabal" within the party. Visibly tearing up, he shared that he recently handed over housing to poor people in Delft (on the Cape Flats). "It's very interesting" he said, "no one objected to the land in Delft being released […] but here I stand in Salt River and we cannot release this for affordable housing. I can't believe it."[34] This was in November 2018. By August 2019, the call for proposals for five of the 11 sites proposed in Herron's "where people live matters" project were cancelled. The Mayco member for Human Settlements (Malusi Booi) cited technical compliance issues with various financial and asset transfer regulations and the City's desire to "follow a different process for the disposal of these sites" (Hlati, 2019, para. 11).

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[34] The City Council went on to approve "in principle" the sale of the Salt River Market site to Communicare, a social housing institution for a mixed income development comprising 43% social housing. The project is slated to begin in 2021 (Jones, 2018). Ndifuna Ukwazi and Reclaim the City continue to voice skepticism that the project will receive final approval.

After his resignation, Herron went on the join De Lille in the formation of a new political party called "Good." Their platform centers on a call for "spatial justice."

These examples point to the highly politicized nature of housing issues and how the promise of housing in central areas (but not its delivery) has become a form of political currency and the subject of political infighting, largely at the expense of those in need. At a local level, the question of *why* no affordable or government subsidized housing has been built in the city center therefore cannot be divorced from the dynamics of party politics and the relationships between different spheres of government and between city officials and political appointees.[35] And yet, it is important to recognize that the failure to prioritize the needs of the city's predominantly Black, poor and working-class residents is not a phenomenon confined to Cape Town. Local dynamics are embedded in a broader, global context of finance capitalism and neoliberal urban policy that drives and normalizes commodified and financialized views of land and housing in cities across the world (Harvey, 2012; Rolnik, 2019). In this context, the best use of economically valuable urban land concerns maximizing its exchange value – that is, its profitability or ability to generate capital versus its use value or how it may be used in the public interest to meet basic needs including for affordable housing (Harvey, 1973/2009; Lipsitz, 2007).

Thandiwe, a 33-year-old African woman and organizer at NU, draws attention to the applicability of this idea in the context of Cape Town's inner city. She lives in Khayelitsha and is among the thousands of Black people who commute from this area to the city every day. If the government agrees to build housing and does so in peripheral areas, she asks:

> Why can't they do the same in the inner city? I mean, what's different about the inner city? Are we only good enough to just work in the inner city and not live in

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[35] For further detail on the dynamics of the local government and the Democratic Alliance, particularly over the period that this study was conducted, see Olver (2019).

the inner city? I mean, those are the questions that we have, which really need answering.

Thandiwe's questions move us beyond an understanding of spatial justice as just housing in resource rich areas. In asking "what's different about the inner city?" she invites us to interrogate normalized ideas about how urban land is viewed and valued (e.g., as a commodity) and critically, how such views and value calculations are entangled with racialized ideas about who belongs where in the city and why. Soja (2009) suggests that social processes (such as relations of race, class, and gender) shape the spaces in which we live but, reciprocally, the spaces that we create can also actively generate, sustain, and intensify various forms of oppression and domination. Thus, the questions that Thandiwe invites us to ask about how urban land is used and valued and in whose interests are important not only for how their answers may clarify the kinds of ("for profit") logics that guide housing/land-use decisions, but for illuminating the kind of city and society that such value calculations portend. Her questions suggest that the struggle for spatial justice does not only concern material resources and physical space but, as I explore next, also more humanizing ways of thinking about and valuing urban land – and thus, people.

Land for people, not for profit! Claiming belonging, personhood, and freedom

Thandiwe asks, "what's different about the inner city?" The inner city represents some of the most valuable, desirable, and thus contested land in Cape Town. It is the site of concerted efforts by the government, planners, business owners, and developers to make Cape Town into a "world class" city or as the City of Cape Town's vision states, "an opportunity city" (City of Cape Town [CoCT], 2017, p. 4). Such efforts are often argued to be necessary for economic growth, job creation, and reducing poverty and inequality. Yet, as urban studies scholars have shown, the idea that the benefits of such approaches to development "trickle-down" to the urban poor is misguided as they

tend to favor elite interests and only intensify poverty, inequality, and segregation (Bond, 2000; Lemanski, 2007; McDonald, 2008). Cape Town's "world city" ambitions are often described as part of a paradigmatic shift toward neoliberal urban governance since the end of apartheid that emphasizes, for example, the use of public-private partnerships and entrepreneurial, market-based strategies to address urban issues (Miraftab, 2007).

Responding to these shifts and how they have made areas like the inner-city ever more exclusive (McDonald, 2008; Miraftab, 2007), RTC demands "land for people, not for profit" and in so doing, joins a number of groups across the world calling for urban development approaches that center human needs rather than the interests of property owners, businesses, and finance capital (e.g., Brenner et al., 2012; Homes for All, 2018; Rolnik, 2019). In Cape Town, the "for profit" logic that RTC attributes to the government and developers is associated with spatial injustice or the entrenchment of an unjust racial/spatial order that deems people to belong/not belong in particular spaces on the basis of race and income. As I will argue, the "for profit" logic is thus not just capitalist/neoliberal. To consider it as such misses the ways in which it is entangled with and shaped by the city's colonial-apartheid histories (cf. Miraftab 2007, 2012; Teppo & Millstein, 2015). The "for profit" logic is one I will suggest leads to racial banishment (Roy, 2017, 2019a), not just racial segregation, but dispossession and dehumanization.

Land for people: Who belongs?

Woodstock is an area just a few kilometers from the city center. The area is a mix of residential properties and light industry, although much of this industry has declined post-apartheid as South Africa has been incorporated into a more global economy (Wenz, 2012). Woodstock was the only area of Cape Town not to be formally designated for a particular racial group under apartheid's Group Areas Act (Bickford-Smith, 2001) and has always been racially mixed (Garside, 1993). In

the late 1980s, the apartheid government sought to declare the area of Lower Woodstock as a "Coloured area," a move that was met with significant opposition from many of the area's residents who advocated for it to be deemed "open" or free for people of any racial group to live in. Although Woodstock was never declared open, it was also never declared a "Coloured area" or an area for any racial group specifically (Christopher, 1997; Garside 1993). Such challenges to the Group Areas Act occurred in other cities (for example, see Maharaj (1999) on the Warwick Avenue Triangle in Durban).

Today, Woodstock remains a racially mixed area that is primarily inhabited by Coloured people (Frith, n.d.). As industries in the area collapsed (particularly the textile industry) Woodstock experienced some decline as many residents' incomes decreased. Now, old industrial buildings are turning into upmarket developments. Dilapidated apartment buildings and old semi-detached Victorian homes are being remodeled or demolished to make way for trendy mixed-use developments, art galleries, restaurants, and coffee shops. Since the 1990s Woodstock has been marketed as *the* up-and-coming area given its close proximity to the CBD and the availability of relatively affordable real estate (as compared to the CBD and neighboring Atlantic Seaboard). In 2003, Woodstock was included in an "urban development zone" (UDZ), a joint initiative between the City and the South African Revenue Service (SARS) that aimed to "address the issue of urban decay within inner cities" (SARS, 2020, para. 1). The initiative endeavored to stimulate "private sector-led residential and commercial development" (CoCT, 2019, n.p.) in these areas using a tax incentive for developers and property buyers.

The UDZ has indeed stimulated development in Woodstock, but the extent to which this development has benefited the area's low-income residents and small businesses has been seriously questioned (Rolls, 2016). Instead of being redeveloped with existing residents in mind,

Woodstock is branded as a creative, hip, and happening place, ready to be sold to a wealthier class. Consider this developer's description of the Woodstock Exchange or WEX, a series of upmarket, mixed-use developments going up in the area:

> WEX is a lifestyle. An attitude. It's about living car-free in a creative vortex. About cycling and skating and ubering. It's about warm koessusters,[36] great flat whites and world-class street art. Gin bars and craft beers, lightning-quick Wi-Fi and hi-speed fibre and hot, fresh, industrial chic design. WEX is about putting your money and your mojo into the renewal of Cape Town's original urban fringe. About transforming industrial dilapidation into bright, beautiful purposeful new spaces, crackling with creative energy and edgy design (WEX, n.d.).

This is a familiar gentrification narrative that sells Woodstock as a new urban frontier (Smith, 1996). An opportunity for enterprising and savvy people to be part of the "renewal" of "industrial dilapidation," transforming something "fringe" it into something chic, world class, and of course, productive. But Woodstock is not just dilapidation and ruin. People live here. They are the reason that the marketers of WEX can associate Woodstock with creative industry and "warm koesussters." The exclusivity of this development, however, means that it is not accessible to the majority of Cape Town's residents, including most of Woodstock's long-time residents. In their formal objection to the proposed development of WEX^2, Ndifuna Ukwazi (NU) calculated that only 11 percent of all Cape Town households could afford a 1-bed apartment and 4.6 percent a 2-bed apartment in the development. These numbers are, of course, racially skewed. A 1-bed apartment in WEX^2 could be accessed by 33.7 percent of White households, but only 2.5 percent of Black African households or 6.6 percent of Coloured households.[37]

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[36] A traditional Cape Malay pastry that is a (very delicious) spiced doughnut covered in sugar and coconut.

[37] Ndifuna Ukwazi's objection to the WEX^2 development was obtained directly from them and is available upon request. Their objection includes a detailed explanation of their methodology.

WEX is one of many examples of land-used "for profit" rather than for people because it primarily serves the interests of disproportionately White private developers, wealthy investors, and the city's upper-class residents. Developers' hunger for land in Woodstock is associated with speculation, the proliferation of WEX-like developments, and a steady increase in property prices and rents in the area.[38] Given the area's high number of renters, this has resulted in many long-time residents being priced out, displaced, and/or evicted – a situation often explored as a local example of gentrification by academics (e.g., Garside, 1993; Teppo & Millstein, 2015; Visser & Kotze, 2008; Wenz, 2012) as well as the popular press (e.g., Dougan, 2017; Gamieldien, 2017; Joseph, 2014). There is a bitter irony here that those who managed to resist the brutality of the Group Areas Act now face displacement because of unchecked development. It is why Alysa (a life-long resident of Woodstock) would frequently say "gentrification is just a modern word for the Group Areas Act," importantly noting that displacement and eviction from the area is a racialized phenomenon that she views as continuing the work of apartheid's racist spatial planning agenda.

Given the above, RTC's Woodstock Chapter members often associate spatial justice with the right to remain in place, to have developers and the government recognize and value their struggle histories, their relationships with the area, and their community networks. As Daniel, a 45-year-old resident of Cissie Gool House (CGH) who identifies as Cape Coloured told me:

> I'm here 45 years and I'm going nowhere. Watch this space. I am going nowhere.
> I stand by my words. I refuse to. This is my home.

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[38] Ndifuna Ukwazi's objection to WEX[2] notes that "In 2013, the sale price for property here [Woodstock/Salt River] ranged between R100,000 to R300,000. By 2015, the average sale price was R1.6 million and the median price was R2.6 million. Similar trends exist with old building stock that is being refurbished and sold on. In 2016, these suburbs experienced a 15.8% year-on-year growth in property value. Over a 5-year period, property prices have shot up by 72.7%" (p. 6).

Most of the RTC members with whom I spoke in Woodstock live at CGH, having faced evictions and threats of displacement from the area. Ebrahim (a 49-year-old man who identifies as Khoe-San) moved into CGH after experiencing repeated intimidation from his landlord who kept trying to extract more rent from him. He defined spatial injustice as:

> The unfairness that's been going on because I got money, I can stay. You haven't got money, so you not privileged to stay there. You must go on the outskirts there…

At eight years old, Ebrahim and his family were forcibly removed from District Six, a racially mixed area in central Cape Town that was declared "Whites only" during apartheid and razed to the ground, resulting in the displacement of over 60,000 mostly Coloured people (Dewar, 2001; Hart, 1990; Swanson & Harries, 2001). Ebrahim and his family were forced to move to Mitchells Plain: a "Coloured area" developed by the apartheid government on the Cape Flats. As a young adult he managed to move to Woodstock, joining many other former residents of District Six. Moving to Woodstock is an experience Ebrahim speaks of as a kind of homecoming to the inner city that feels very meaningful. These kinds of experiences do not factor into the "for profit" logic. Instead, as real estate in the area becomes more lucrative – a process driven in part by speculative development that is facilitated by government actions like the creation of the UDZ – people are induced to think about each other in narrow terms. Who belongs does not concern histories of racial violence, resistance, or long standing social networks, but rather is contingent on who can afford to pay (cf. Flemming, 2011; Narsiah, 2002; Samara, 2009). This is a destructive force that not only pits developers against long-time residents (Pather, 2017), but also residents against one another. This was the case for Alysa, Sumaira, and Ebrahim, whose landlords were themselves long-time residents of Woodstock.

NU and RTC strongly contest the attempts by developers to reimagine who belongs in Woodstock and other central parts of the city. They suggest that rising property prices, escalating

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rents, and the proliferation of exclusionary developments in these areas are phenomena that are state led. As such, they contest the state's failure to regulate private development to secure affordable housing and call for the development and implementation of an inclusionary housing policy. Further, RTC protest actions have highlighted the government's failures to use available, well-located public land for housing (discussed next), and in some cases to declare such land "surplus" to the city's needs and lease or sell it to private entities (as was the case with Tafelberg, mentioned in Chapter 2). Figure 10 was taken at one of a series of RTC protests concerning the sale of Site B, a piece of land in the CBD that NU maintained was sold for far below its value, thus giving a "gift" to one of the country's largest property developers. Figure 11 was taken at an RTC protest at a bowling green in Green Point and Figure 12 at the golf course protest referenced in Chapter 1. In both cases, RTC temporarily occupied the land for a day to bring attention to the fact that the city leases these well-located pieces of land to private entities for minuscule amounts of money. According to NU's 2019 "City Leases" report, the Rondebosch Golf Course, for example, is leased from the City at R1,000 per year, while members of the club (a for profit business) each pay R12,500 in annual membership fees. Drawing attention to the idea that the land is thus used "for profit" and not "for people," RTC protest signs included provocations like "golf is not a public good" and "is golf more important than decent housing?" On the bowling green in Green Point, RTC members built a wall as a symbolic representation of the housing that could be built there and painted the message "City of Cape Town build affordable housing here!" (Figure 12).

The sale and lease of public land are practices that stand in contrast to using land for "for people" or for the public good as they favor the interests of developers and the city's elite. Using land "for people" is a stance that NU and RTC suggest is a precondition for spatial justice and one that requires valuing urban land beyond its economic value. As one NU researcher told the media:

Every piece of land has a value outside of just its rand value.[39] It has a social value, a restitution value and an integration value, and those values are lost every time we sell off a piece of land (quoted in Collins & Chambers, 2016).

For RTC members in Woodstock, recognizing the social value of land or using "land for people" means valuing it in ways that honor the histories, cultures, social ties, needs, and sense of belonging of current residents. It is also recognizing that within land-use decisions are opportunities to acknowledge and remedy histories of racial violence or else entrench and extend them. But calling to use "land for people" requires that we consider who is (and is not) considered to be a person.

Figure 10

Anele paints "land for ppl not 4 profit" on the side of a shack, erected as part of a Reclaim the City protest action on Site B, a piece public land in downtown Cape Town sold to a private developer (Dec 4, 2018)

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[39] The rand is South Africa's currency

Figure 11

A wall bearing a message to the City of Cape Town built during Reclaim the City's Green Point Bowling Green protest (May 1, 2019).

Note. Photo from Reclaim the City's Facebook page.
https://www.facebook.com/ReclaimCT/photos/a.751432474988059/1486819491449350

Figure 12

Protest signs at Reclaim the City's Rondebosch Golf Course protest (March 21, 2019).

Land for people: Who is a person?

> Woodstock Hospital – look at that building, perfect building! It was vacant for 20 years. Instead, they went and they did Blikkiesdorp. People from Gympie Street, 12 years ago, they could have gotten into that building. Some of those kids, those teenagers now, who are hardened criminals and gangsters, if they stayed here and they had opportunity, they didn't have to go through Blikkiesdorp. People who are moved to Wolwerivier… it is… it is taking us back to barbarism! (Joan, Woodstock Chapter leader)

Joan (a 59-year-old Black woman) is a long-time activist and resident of the Woodstock area. She became involved with RTC when the occupation of the Woodstock hospital began in 2017. She speaks to the failure of the government to prioritize the disused hospital for housing ("for people") and connects this with the fate of many of the residents of Gympie Street – a road just a few blocks from the Woodstock Hospital, notorious for drug dealing and other illicit activities. In 2007/8, many residents of the street faced sharp rental increases and ultimately eviction, which they blamed on property owners' desires to redevelop housing in the street for incoming tourists ahead of the FIFA World Cup in 2010 (Joseph, 2014; Steinbrink et al., 2011; Teppo & Millstein, 2015).

In a case like this, where an eviction will result in homelessness, the state may be called upon by courts to provide emergency shelter.[40] In Cape Town, this takes the form of small cities of row upon row of tiny zinc sheeting structures, constructed on land that is far from the city. The most infamous of these developments are Blikkiesdorp meaning "tin can town" (officially called the Symphony Way Temporary Relocation Area or TRA) and Wolwerivier Incremental Development Area or IDA) (see Figures 13 – 16). Both are approximately 30 kilometers away from the Cape Town city center. Blikkiesdorp (built in 2007), is home to roughly 20,000 people

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[40] This requirement has been confirmed by a number of cases falling under the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (1998), which in turn has its roots in Constitutional Court rulings (most notably: *Government of the South African Republic vs. Grootboom* and the *City of Johannesburg vs. Blue Moonlight*) which established that the state has a duty to provide emergency temporary shelter to persons facing homelessness as a result of an eviction or demolition of their home (Liebenberg, 2014).

and sits on the far edge of Cape Town's airport in the Cape Flats area of Delft (Open Democracy Advice Centre, 2015). Wolwerivier is surrounded by kilometers of nothing or "the bush" as Vuyokazi put it and received its first residents in 2015. Although their names suggest that these areas are meant to be temporary or "incrementally developed," people have lived there for years and face enormous hardship including unemployment, poverty, gang violence, and in the case of Wolwerivier, isolation (Levenson, 2017c; Maregele, 2015; Roeland, 2017; Symphony Way Pavement Dwellers, 2011).

As part of their self-education, several RTC members have visited these areas and made connections with the residents there.[41] These connections serve a number of important purposes, including bringing further definition to what spatial (in)justice means. Unlike the townships that were the brainchild of the apartheid state, TRAs and IDAs are the product of the present, democratic government. Joan's sense is that places like Blikkiesdorp and Wolwerivier not only exacerbate already intractable problems such as poverty and crime, but that their very existence signals a return to a time of "barbarism" – a cruel and brutal time like apartheid. Like Joan, many RTC members spoke about Blikkiesdorp and Wolwerivier as an unacceptable response to evictions and homelessness, because they harm rather than help people. In this sense, they emerged as the epitome of spatial injustice, a potent symbol of state abandonment ("There's nothing there! It's like sending you to another land where you know nothing, you know no one," said 40-year-old CGH resident, Aliya who identifies as South African), and dehumanization ("They treating us like animals! Who can stay in a tin can?" Asked 39-year-old Robin, also a resident of CGH who

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[41] For example, a group of residents opposing their eviction from a property in Woodstock that had sustained fire damage but was never repaired by the landlord, visited Wolwerivier to gather first-hand information about the site as this is where the City proposed to move them. They used this information in their court case. Most of them now live at CGH. Another example of a connection occurred when, at one point in my fieldwork, a group of residents of Blikkiesdorp took shelter at CGH after a spate of violence broke out there. This was a moment of solidarity building between the two groups.

identifies as South African). TRAs and IDAs are described as places where people are unceremoniously "dumped," "thrown," and as Sumaira suggests, "forgotten:"

> So, I mean, where is the government really looking out for us? Wolwerivier? Blikkiesdorp? It's a no-no. I want them to actually take the time, pack up an overnight bag, and spend a weekend in Blikkiesdorp and Wolwerivier and see how it is. If they feel what we as people feel, then they maybe understand where we're coming from. We're not making a noise and rallying for the fun of it. We're rallying for our people because we don't want to become Blikkiesdorp and Wolwerivier, the forgotten people. We don't want that. They've already built Hanover Park[42] and all those other places […] Those people are forgotten.

Figure 13

Wolwerivier Incremental Development Area.

Note. A still from drone footage taken by Ndifuna Ukwazi. Retrieved from:
https://www.facebook.com/ReclaimCT/videos/1074982655966371/

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[42] An area on the Cape Flats with notoriously high rates of gang violence. During apartheid this was a "Coloured area."

Figure 14

Wolwerivier Incremental Development Area with Table Mountain in the far distance.

Note. A still from drone footage taken by Ndifuna Ukwazi. Retrieved from:
https://www.facebook.com/ReclaimCT/videos/1074982655966371/

Figure 15

The red marker marks the entrance to The Symphony Way Temporary Relocation Area (aka Blikkiesdorp). On the far left, is an airport runway. On the right is the suburb of Delft.
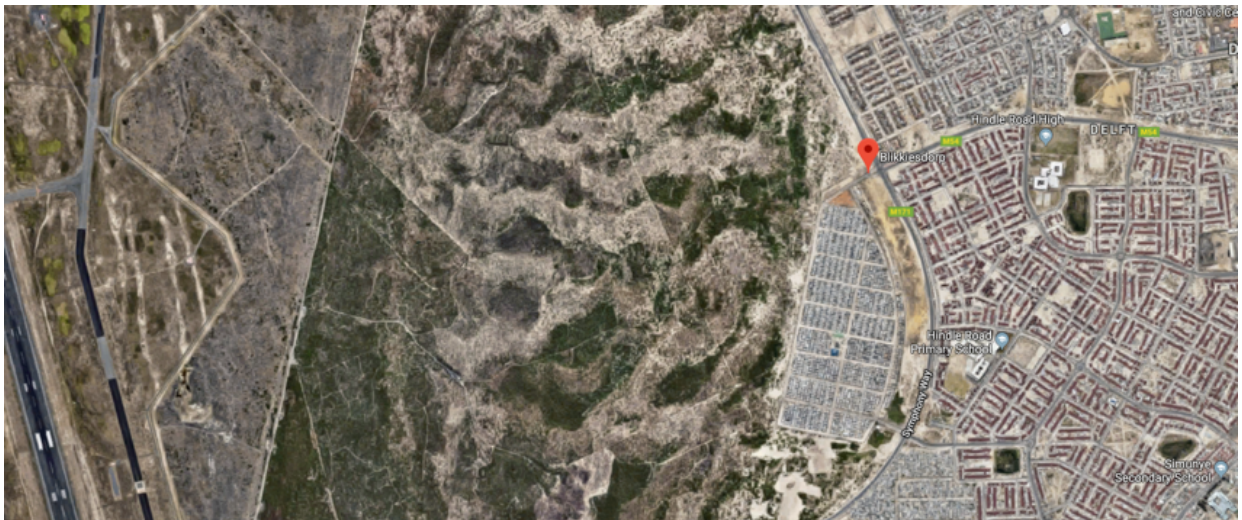
Note. Retrieved from: maps.google.com

Figure 16

The Symphony Way Temporary Relocation Area (aka Blikkiesdorp).

Note. A still from drone footage taken by Candid CIIX. Retrieved from: youtube.com/watch?v=rOgYkE4W0Y4

The failure to regulate development, the sale of public land, allowing well-located public land to be leased or remain disused, evictions, removals to TRAs and IDAs together result in a situation where "undesirable" people are disappeared and prime land is opened up for racially and economically exclusive development. Following Roy (2017), such forms of displacement may be conceptualized as examples of *racial banishment*. The idea of banishment aptly describes the kinds of punishing, legally enforced socio-spatial exclusions that RTC identifies and which I have described as taking place in Cape Town. What makes this banishment *racial* concerns the kinds of norms and logics that it references and perpetuates as predominantly Black people are deemed not to belong, are removed from certain places (central, historically White, desirable), allowing for the unencumbered circulation, accumulation, and expansion of capital. Roy (2017) argues that

such forms of displacement cannot be understood purely in political-economic terms but need to be regarded as instantiations of the racial state. As Goldberg (2002) explains:

> The racial state is racial not merely or reductively because of the racial composition of its personnel or the racial implications of its policies – though clearly both play a part. States are racial more deeply because of the structural position they occupy in producing and reproducing, constituting and effecting racially shaped spaces and places, groups and events, life worlds and possible modes of representation (p. 104).

Understood in this way, the state has a history and position in society that cannot be separated from the functioning of present-day institutions and their modes of operation. This speaks to RTC members' felt sense of continuity with an apartheid past. It is an idea that is captured when Vuyokazi insists of present-day exclusions from the city, "it's apartheid." Or when Alysa says, "gentrification is just a modern word for the Group Areas Act," and when Sumaira says "they've already built Hanover Park" even though, technically, "they" were a different government altogether. These temporal blurrings are important, because they point to the lack of radical change in the dominant logics that shape and guide state actions concerning housing and urban development.

This observation requires that we consider how the White supremacist logics of colonialism-apartheid – specifically those that categorize people as native/European, White/Black, urban/rural, human/non-human – also constitute the present (neo)liberal, democratic state.[43] As discussed in Chapter 1, fundamental to colonialism and apartheid was the state-led categorization, physical separation, and economic exploitation of people along lines of racial difference. The

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[43] As Goldberg (2002) further explains: "As modernity's definitive doctrine of self and society, of morality and politics, liberalism has served to make possible discursively, to legitimate ideologically, and to rationalize politico-economically prevailing sets of racially ordered conditions and racist exclusions" (p. 5). Similarly, Melamed (2015) points out, we "increasingly recognize that contemporary racial capitalism deploys liberal and multicultural terms of inclusion to value and devalue forms of humanity differentially to fit the needs of reigning state-capital orders" (p. 77).

creation of difference is, as Frantz Fanon (1963/2004) wrote, inseparable from the functioning of the colonial (i.e., capitalist) economic structure, which requires racial difference to achieve the goal of concentrating wealth in the hands of the colonizer. The inseparability of racialization and capital accumulation is why Cedric Robinson (1983) suggests that capitalism is necessarily *racial* capitalism (cf. Melamed, 2015).

Land "for profit" is thus a logic that is not just capitalist or neoliberal, it is colonial-apartheid because it entrenches ideas of difference between human groups and spatially orders society on this basis. Thus, when RTC calls for "land for people" what is at stake is not just a "pro-poor" urban development agenda, but a much more fundamental question of who is considered human and who is not, whose humanity is legible and whose is not. Roy (2017, p. A3) suggests that racial banishment thus concerns the "foundational dispossession" – that is, the dispossession of racialized groups not just of land/property and other material goods, but of a claim to personhood, to being recognized and treated as fully human. This is an idea that RTC members understand deeply. Returning to Ebrahim's comment about spatial justice, here is the rest of what he said:

> [Spatial injustice is] I would say the unfairness that's been going on because I got money, I can stay. You haven't got money, so you not privileged to stay there. You must go on the outskirts there and that's not right because we all equal.

In this very simple sentiment is the recognition that what persists in Cape Town is the failure to appreciate and treat all people as people. In a similar vein, Luthando, a 20-year-old Black/African organizer at NU, spoke about spatial justice as dismantling apartheid, not only in the sense of reversing racial segregation but in terms of addressing the "apartness of people." He explained this as the separation of people into categories with differing levels of assigned worthiness. For him, a

spatially just society is one that is not just integrated along race/class lines but one where everyone

recognizes and operates from the belief that "human life carries equal worth."

The point that spatial justice is not just about an integrated society where Black/White,

rich/poor live side by side (such as in mixed-income housing or neighborhoods) is critical. [44] As

Roy (2019a) insists, the opposite of racial banishment is not integration but freedom. Freedom

here is not understood in the liberal sense of having rights such as to own property or to vote (cf.

Davis, 2012; Kelley, 2002). Rather, following Angela Davis's (2012) extensive work on the

meaning of freedom, freedom may be imagined as encompassing:

> collective freedom; the freedom to earn a livelihood and live a healthy, fully
> realized life; freedom from violence; sexual freedom; social justice; abolition of all
> forms of bondage and incarceration; freedom from exploitation; freedom of
> movement; freedom *as* movement, as a collective striving for real democracy
> (Kelley, 2012, p. 7 in the forward to Davis's book, *The Meaning of Freedom and
> Other Difficult Dialogues*, 2012)

This reflects a view of freedom as a state of being in which economic, political, and social relations

do not require division, exploitation, and inequality between groups. Freedom is what is created

as people take actions "to exit the zone of nonbeing at micro- and macro-levels" and bring a more

racially just world into being (Roberts, 2016, para. 16.; see also Roberts, 2015). The importance

of understanding spatial justice as concerning freedom in this way is exemplified by domestic

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[44] Until recently, the South African government has not strongly emphasized the development of mixed-income housing or neighborhoods as a strategy for poverty alleviation and "integration" to the same extent as in the United States (Chaskin & Joseph, 2015; Cisneros & Engdahl, 2009; Goetz, 2003; Popkin et al., 2004). However, in early 2020, the Western Cape provincial government launched the country's first large scale mixed-use and mixed-income housing development on the site of an old hospital in the historically White area of Pinelands ("Massive R3 billion mixed-income housing development," 2020). The project is a collaboration between the provincial government and private developers and is set to include a mix of market-rate (51%) and subsidized housing (49%) as well as a school, day care, commercial space, and a hotel. The subsidized housing component has been criticized as not truly affordable (Furlong, 2016). Reclaim the City (RTC) and Ndifuna Ukwazi (NU) call for the development of government subsidized housing in the inner city and surrounding areas, which could realistically include mixed-income housing given the likely costs of developing housing in these areas and thus the need for cross-subsidization. As I hope this section of the chapter shows, however, RTC's call for housing (mixed-income or otherwise) extends beyond a call for integration or social mixing across lines of race and class. It is more fundamentally a call for personhood, a sense of belonging, and freedom – as argued in the text above.

workers in Sea Point whose experiences suggest that racial banishment does not require physical displacement to the outskirts but can happen while ostensibly "integrated" into the predominantly White suburb of Sea Point. Carol a 48-year-old woman who identifies as mixed and who now lives at Ahmed Kathrada House, for example, lived in the "domestic quarters" of a block of flats where she worked. Although she paid rent for her tiny room there, she was confronted with rules such as no cooking, no visitors past a certain hour, and no children. If you want your child to visit, she explained:

> The body corporate[45] will decide if your children can come. Then they said ok, your children can come maybe for the three weeks school holidays and when school holidays are finished then they have to go back. If they stay for a week longer, maybe you don't have money to send them, then they want to know what is the problem? Why is the children still there? Is this children not going back to school? Children can't stay there because the time is up.

Such rules are heavily enforced. Esther (a 55-year-old woman who also identifies as mixed), lived in the same building for a time: "At a quarter to 10 the security guard will come and knock on the door. No matter how old that child is, that child must be out […] it was very painful." Living in such conditions is a daily reminder that this is not a place where these women can establish the life that they want for themselves and their families. They can be there to serve White people and make a meagre living, but they cannot truly *live* there in the sense that they do not have the freedom to realize the lives they desire (cf. Ally, 2009; Fish, 2006; Magona, 1994). Themba, a 34-year-old African organizer at NU who worked closely with the Sea Point Chapter expressed it to me as an inability to "fully exist" in Sea Point, a constraint on people's ability to express who they are and to claim both a sense of belonging and basic human needs. This is an experience that he shares although he considers himself to be firmly middle class. He described Cape Town as "a city that

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[45] The body corporate is a governing body of a residential building made up of homeowners. It is akin to a homeowners' association in the US context.

rejects you" (cf. Magona, 2005). This speaks to a colonial-apartheid logic in which Black people are only valued and recognized insofar as they provide labor, to the wealthy, largely White minority.

Further evidence of not being regarded as fully human is to be found in RTC members' prior efforts to secure housing in Sea Point. As I explained in the previous chapter, RTC built on the efforts of grassroots organizing for housing in Sea Point. Dorothy (a 54-year-old South African woman) was part of this organizing. She explained how, prior to her involvement with RTC, her struggle for housing in Sea Point left her feeling invisible: "it's like zero, nobody take notice, nobody is interested." Anathi, a 54-year-old Black/African man who was also involved in early efforts to secure housing in the area, described a similar experience: "in Sea Point, you're like not in existence." He explained that after years of lobbying the City for housing, he came to the conclusion that the only way to access housing was to go to the peripheries. Thus, the only way to be seen by the state – not just as a person with needs, but as a person at all – would have required him to comply with the dehumanizing colonial-apartheid logic that "you are Black, and you belong here" (Mandla's words).

Calling for spatial justice thus encompasses much more than a claim to live in an area like Sea Point. Vuyokazi, whose sobering commentary introduced this chapter, expresses that although she has lived in Sea Point for years, she still feels that she and others are searching for their "place." Living in Sea Point is thus not the same as having a "place" there, not the same as feeling a sense of belonging, not the same as being recognized as fully human, and not the same as being free to determine one's own life. A spatially just city is therefore not only one where resources and opportunities are evenly distributed, but one where land is valued for how it may be used to resist racial violence and instead affirm life, humanity, and human freedom.

CHAPTER 4

"THE LAW WILL NOT PROTECT YOU": CONFLICTS OF HOUSING AND

PROPERTY RIGHTS

Chapter note: *As a witness to the following scene, I cannot say with certainty how the people involved would identify themselves racially. My reading, which I base on both appearance and the names of those involved, is that all are people of color who may, for example, identify as Black, African, Coloured, or Indian. I recognize that "reading" someone else's race is problematic, but I do so in this case because it is pertinent to the substance of this chapter.*

"Private property is the cornerstone of our democracy!" declares an attorney to the magistrate presiding over an eviction case. The attorney, representing a property owner who is not present in court, is arguing against postponing the eviction case for a second time to give the family facing eviction more time to secure legal representation. In postponing the case, he argues, the property owner's right to access and make use of their private property is being violated. Not only is this disadvantaging them financially, but as he suggests, threatens the country's democracy. After the attorney finishes his argument, a young man, formally dressed in maroon suit pants and a black shirt stands up to address the court. He is a member of the family that is facing eviction.

"Can I speak now?" he asks the magistrate who is not looking at him but at the case file in front of her. There is a long pause as she slowly reviews the file. It feels like an eternity before she turns her attention to him. When she does, he tries to explain that his family has struggled to secure an attorney, because "they said we don't have a case." Without representation, he is defending his family with the basic knowledge of the law that he gained as a university student. Even with this knowledge he admits that he didn't know which papers to file and thought they needed an attorney to do this for them. As he explains this, the magistrate stares at him with increasing frustration. Exasperated, she indicates that she cannot now listen to his side of the story. "This is a motions court," she tells him, referring to the fact that in eviction cases, no oral evidence is given but rather is written in sworn affidavits submitted by the parties involved. Evictions are argued, at least

initially, on paper. In practice this means that opposing an eviction requires submitting a written document (or an "opposing affidavit") to the court ahead of one's court date. "Ignorance of the law is not an excuse," she tells him once she briefly explains how motions court works. "You haven't done what you're supposed to do." Confused that she cannot just listen to what he has to say and drawing on his knowledge of the Constitutional right to housing that says that "all the relevant circumstances" need to be considered by a court before an eviction order is granted, the young man implores the magistrate "you're not taking into consideration our circumstances!" Turning her attention back to the case file, the magistrate doesn't respond, and another pregnant pause ensues.

"When I leave here, what am I going to be faced with?" he asks into the silence. He is speaking to the magistrate, but it feels like a question he is also asking himself. The question hangs heavy in the air, unacknowledged and unanswered as the eviction order is granted.

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South Africa is one of only a few countries to have justiciable (legally enforceable) socioeconomic rights, including the right to housing. In many other parts of the world, the right to housing serves as a rallying cry for groups fighting for access to decent, affordable housing and against gentrification, the commodification of housing, and homelessness.[46] Yet, the opening story raises questions about how useable the right to housing is, particularly in cases of eviction. How does the right to housing that is, in part, concerned with protecting people against homelessness and

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[46] For example, the group "Moms 4 Housing" have called for housing to be recognized as a right in California. They recently came into the spotlight after occupying a vacant home in West Oakland to house their families and call attention to the fact that there are four times more vacant homes in Oakland than there are homeless people (see moms4housing.org).

deepening vulnerability, contend with a right that has been sanctioned in law for a lot longer – the right to property?

In this chapter, I examine this question and consider the extent to which changes in South African law concerning eviction since apartheid formally ended are working to disrupt or otherwise entrench racial/spatial injustice. I draw on my experience as a volunteer court monitor with Reclaim the City's Resisting Evictions and Displacement Task Team (see Chapter 2) with whom I attended two low level courts handling evictions in Cape Town (the Cape Town and Wynberg Magistrate's Courts[47]). Appendix F contains detailed background about the court monitoring program and its development.

I begin my analysis from the insights of Critical Race Theory (CRT) which interrogates the assumption that legal changes or transformations necessarily lead to greater justice and declines in racial oppression (Crenshaw et al., 1995; Harris, 2015). After providing some description of CRT, I outline how South African laws regarding eviction have changed since apartheid formally ended. I then return to the opening story and other eviction stories, engaging them from the stance of CRT and incorporating critical perspectives on property (e.g., Bhandar, 2018; Blomley, 2020). In this analysis, I examine the workings of the right to housing in eviction cases in two sections. The first, "private property power," explores how legal procedures and biases work as barriers against the interests of poor, largely Black tenants in eviction cases. I suggest that denaturalizing and understanding the barriers that tenants face in the legal system requires examination of the material, ideological, and ontological work that property law performs. In the second section, "the law will not protect you," I draw on legal scholar Reva Siegel's (1996, 1997) concept of

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[47] In South Africa, a large portion of eviction cases are handled by Magistrate's Courts that deal with less serious criminal and civil cases, although eviction cases can also be brought before the High Court, which, as the name suggests, is a higher-level court that deals with more serious civil and criminal cases. Further on in this chapter I discuss why a landlord might elect to bring an eviction case to the High Court versus the Magistrate's Court.

"preservation through transformation" to argue that even when well-functioning courts endeavor to follow reformed laws and uphold the right to housing this can, paradoxically, result in the preservation of racial/spatial injustice and racial banishment (Roy, 2017, 2019a).

Before proceeding, I note that my focus in this chapter is necessarily on *legal* evictions as I'm concerned with exploring changes in the legal system and their implications. It must be noted, however, that not all (or even most) evictions go through the court system. In fact, illegal evictions or forced removals are widespread across South Africa. Even now, as I write this during the COVID-19 pandemic and while South Africa is under lockdown with a moratorium on evictions, there have been numerous reports of violent forced removals and shack demolitions by the state without the necessary court order, including by the City of Cape Town (e.g., Harrisberg, 2020; Manyane, 2020; Stent, 2020; War on Want, 2020). News reports represent the known incidents, but there are undoubtedly many others that go unreported and undocumented on a daily basis.

With this in mind, the protections envisioned in the Constitution and associated legislation mean that, in theory, ending up in court represents the best-case scenario for a person deemed to be an "unlawful occupier" of land or housing. Ostensibly, the involvement of the court means that their circumstances will be heard, considered, and weighed against those of the property owner. This is the promise that I seek to examine in this chapter. I also note that although the Constitution recognizes various property rights and interests aside from individual ownership, my focus in this chapter is on individually owned (or private) property as this is the legal form of property that is most relevant in the eviction cases I discuss.[48]

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[48] As legal scholar Michael A. Yanou (2009) notes, South Africa's Constitution recognizes customary tenure and labor tenancy in addition to individual ownership.

Evictions, legal change, and the right to housing: A Critical Race Theory perspective

Critical Race Theory (CRT), arising primarily from the work of American legal studies scholars in the post-Civil Rights Movement period (e.g., Bell, 1976; Crenshaw, 1988; Freeman, 1977), is concerned with understanding and addressing the relationship between law and racial power or the "centrality and complicity of law in upholding white supremacy" (West, 1995, p. xi; Crenshaw et al., 1995). CRT rejects the liberal idea that racism persists only as a "relic from a less-enlightened time or as a characteristic of poorly educated or troubled individuals" (Harris, 2015, p. 266) and asserts that racism is an ordinary, even integral feature of American society. Racism is further understood as systemic, not only relying on individual people to act in racist ways or have overtly racist intent, but as also operating through "the 'ordinary business' of society – the routines, practices, and institutions that we rely on to do the world's work" (Delgado & Stefancic, 2017, p. 27). This includes the ordinary functioning of legal institutions. CRT scholars argue that although racism is generally understood as a form of injustice that the law should not perpetuate and should work to actively resist, "contemporary law…paradoxically accommodates and even facilitates racism" (Harris, 2015, p. 266). CRT scholars thus adopt:

> a hermeneutics of skepticism with respect to legal doctrine…placing jurisprudential developments in a larger political and historical context in order to identify the continuity of racial oppression across time despite changing legal and political regimes (Harris, 2015, p. 267).

Studies drawing on and contributing to CRT thus attend to the ways in which the law has historically been used to sanction White supremacy and how progressive legal systems and laws may continue to perpetuate racism. CRT studies demonstrate how new protections, rights, and legal entitlements that are articulated in colorblind or race-neutral terms may be easily coopted or manipulated such that the significant changes they promise are diminished and the status quo

(inequality, racism) entrenched rather than disrupted (Alexander, 2010; Bell, 2008; Gordon, 2006; Harris, 1993).

Although the development of CRT is firmly rooted in the US context and experience, the abovementioned assertions of CRT are useful to consider in South Africa where the law has played a central role in legitimating White supremacy and successive racially oppressive regimes (Hamilton, 1987; van der Walt, 2009; Zirker, 2003). Arguing in support of developing a (post-) apartheid CRT, legal scholar Joel Modiri (2012) suggests:

> To engage with the vicissitudes of race in post-1994 South Africa, one must also consider the implications of *life under law after apartheid* – particularly the reproduction and maintenance of white supremacy and white privilege as well as the systemic exclusion of Black people through direct and indirect forms of racial marginalisation (p. 406, emphasis in original).

With the formal end of apartheid came the adoption of a new Constitution whose new institutions, values, and rights ostensibly "introduced seismic shifts in the political and legal landscape" (Liebenberg, 2014, p. 140). In the transition from White minority rule to democracy, South Africa embraced what legal scholar Karl Klare (1998) terms "transformative constitutionalism…a long-term project of constitutional enactment, interpretation, and enforcement" that aims to bring about significant political and social change using "nonviolent political processes grounded in law" (p. 150). The change envisioned is reflected in the preamble to the Constitution that declares a vision of healing a divided nation, establishing "a society based on democratic values, social justice and fundamental human rights," and improving "the quality of life of all citizens" (Republic of South Africa, 1996, p. 1).

Adopting a CRT perspective suggests that it is important to critically examine the present-day workings of the law and legal systems in order to evaluate the outcomes they produce, how they are produced, and to what extent these outcomes work for/against racial justice (cf. Modiri,

2012). Although an important and on-going debate in South Africa (but also more broadly) concerns the effectiveness of rights, including human rights and socioeconomic rights for achieving significant social change (e.g., Langford, 2018; Pieterse, 2007; Sheingold, 2004), CRT draws attention to a slightly different line of questioning concerning the nature of anti-Black racism and how it can be reproduced within institutions (including the law and legal systems) that claim to be "transformed" and as such, promise fairness, justice, and equality.

For Modiri (2012), applying a CRT approach in the South African context thus requires asking "to what extent the transition to democracy has changed the western and imperialist frameworks and conservative legal tradition on which South African law is based?" (p. 435). For the purposes of this analysis, a further question is to what extent the addition of housing rights (including eviction protections) to the Constitution has/has not worked to further its social justice aims? Before exploring this question through my experience observing eviction cases and engaging with tenants going through the evictions process, it is first necessary to provide some background about housing and property rights in South Africa and how they have changed since apartheid formally ended.

Housing and property rights

Section three of South Africa's right to housing (Section 26 of the Bill of Rights) prohibits "arbitrary evictions" and evictions without a court order (see Figure 6 in Chapter 1). This section speaks directly to the country's history of forced removals and the use of evictions as one of several legal mechanisms to institute racial segregation. For example, during apartheid, the Prevention of Illegal Squatting Act 52 of 1951 (PISA) granted the state and White landowners far-reaching powers to evict anyone they deemed to be a "squatter," regardless of whether they were living on land on which they were previously allowed to settle (by the state or a landowner) or even forced

to settle on by the state (van der Walt, 2009). Evictions were arbitrary in the sense that the definition of "squatting" and "unlawful occupation" were not included in the Act, making them subject to change based on the whims of the state and White landowners (Pienaar, 2011; van der Walt, 2009). The Act also required local authorities to construct "emergency camps" for evicted people, giving the state the power to decide where "squatters" (almost always Black people) would be removed to, thereby enabling racial/spatial segregation (Williams, 2014). Subsequent legislation like the Natives (Prohibition of Interdicts) Act (1956) further denied Black African people the right to appeal to the courts against forced removals (see Appendix A).

Today, the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (1998) or PIE is the principle national legislation guiding eviction proceedings. PIE, which repealed PISA, decriminalizes "squatting" and provides a basis on which to challenge unjust evictions, including by the state (Williams, 2014). PIE outlines procedural safeguards as well as points of consideration that should be addressed in eviction proceedings to ensure that the process and its outcomes are, in the words of the Act, "just and equitable" (p.4; see also Strauss & Liebenberg, 2014). To make this determination, PIE requires courts to consider the personal circumstances of the "unlawful occupier,"[49] how the land/property was occupied, for how long, and whether the household facing eviction includes members of vulnerable groups (e.g., elderly people, children, people with disabilities). It also requires consideration of whether "suitable alternative accommodation or land" (p. 9) is available to those facing eviction so that an eviction does not render them homeless. Homelessness resulting from an eviction may be considered a

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[49] In PIE (1998), an "unlawful occupier" is defined as "a person who occupies land without the express or tacit consent of the owner or person in charge, or without any other right in law to occupy such land" (p. 4) and goes on to list a few exceptions including persons with informal land rights that are protected by other laws.

violation of the right to housing in that it indicates the state's failure to protect this right from interference by a third party (Budlender, 2003).

In addition to the right to housing, however, the Constitution also includes the right to property. This inclusion has always been contentious and is indicative of how the Constitution is the outcome of a negotiated settlement primarily between apartheid's ruling National Party (NP) and the African National Congress (ANC), the party that would come to rule the "new" South Africa. For the White minority, an especially important aspect of the negotiated settlement concerned the protection of existing property rights and thus the privileged access to land and natural resources and associated economic privileges that we enjoyed as a result of apartheid laws (Chaskalson 1994, 1995; Ntsebeza, 2006; van der Walt, 2009). Without this legal protection, the White minority faced the prospect of significant material loss, threatening our social and economic security and advantage. But for the Black majority, the Constitution had to provide a way to actively reverse the multiple racialized inequities that colonialism and apartheid created, including landlessness. Gaining support for and implementing a radical land reform program, however, was arguably challenged by the particular historical moment in which these negotiations took place – specifically, the fall of Soviet communism and advancement of capitalism (Ntsebeza, 2006). Further, within the ANC, there was not wholesale opposition to the inclusion of a property clause in the Constitution. Possibly, this was because it was viewed as a legitimate mechanism for facilitating a program of land restitution and rural restructuring or because some within the ANC favored the idea of a market-led approach to land reform (Chaskalson, 1995; Cousins et al., 2005; Ntsebeza, 2006). Ultimately, the right to property was included in the final Constitution and it includes both the protection of existing property holdings and a basis for instituting a land reform program (see Figure 7 in Chapter 1).

The inclusion of the right to property in the Constitution can be read as an example of what CRT scholar Derrick Bell (1980) terms "interest convergence" – the idea that "the interest of Blacks in achieving racial equality will be accommodated only when it converges with the interest of whites" (Bell, 1980, p. 523). In other words, an analysis of the inclusion of the right to property in South Africa's Constitution through a CRT "lens," suggests that White people agreed to a land reform program only because in doing so, we gained protection of our ill-gotten property holdings (and thus wealth or material privilege). While the Constitutional right to property may read as a compromise between two competing interests, it is important to consider how the benefits that result from the right to property have disproportionately favored White people (Ntsebeza, 2006). Few White people have faced expropriation of their land/property (although the Constitution allows for this) while land reform has been largely considered a failure (Cousins, 2017; Hall & Kepe, 2017; Rusenga, 2020). Thus today, considerable debate exists about the extent to which the property clause of the Constitution has frustrated a meaningful process of land reform and has led to a proposal to amend the Constitution to allow for the expropriation of land without compensation (Akinola, 2020; Mubecua & Nojiyeza, 2019; Sibanda, 2019).[50]

While arguably creating an obstacle to land reform, the right to property also sits in tension with the right to housing, particularly in the case of eviction. The former seeks to protect property owners from being deprived of their property and the latter seeks to prevent homelessness and deepening vulnerability. These tensions have led to a number of cases in the Constitutional Court,

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[50] For a comprehensive examination of the inclusion of the right to property in the interim and final Constitution see Chaskalson (1993, 1994, 1995). For an examination of the property clause in relation to land reform see Ntsebeza (2006). The recent proposal to amend the Constitution has been written about extensively both in the academy and popular press. For examples of the more than 700,000 submissions made to the Constitutional Review Committee see Banking Association of South Africa (2018), Equal Education (2018) and Hall and Cousins (2018).

South Africa's highest court. Landmark cases such as the *Grootboom* and *Blue Moonlight* cases,[51] for example, have led to judgments requiring the government and property owners to "engage meaningfully" with those they seek to evict, forcing the government to extend their housing program to include emergency housing for people facing homelessness as a result of eviction, and has required that the state provide such housing irrespective of whether the person is evicted from land/property that is owned privately or by the state (Langford, 2014; Williams, 2014).

These cases may represent a challenge to the "ownership model" (Blomley, 2020) or "rights paradigm" (van der Walt, 2009) in which property rights are hierarchically arranged, with ownership generally representing the strongest claim. They suggest concerns for the dignity of people facing eviction and the willingness of the court to place restrictions on property rights. In the context of this study, participating in Reclaim the City's court monitoring program provided an opportunity to consider the impact of such legal changes to eviction law and to observe the interplay of housing and property rights in lower-level courts that handle a large proportion of eviction cases. How do these courts' practices balance completing property claims and work for/against the social justice aims of and protections envisioned in the Constitution?

Private Property Power

The ability to defend one's rights, including the right to housing, is arguably predicated on one's ability to engage with and effectively utilize the legal system. Despite the values of the Constitution and legislation such as PIE, the family facing eviction in the opening story found themselves without legal representation and unable to share their particular circumstances with the court,

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[51] Government of the Republic of South Africa and Others v Grootboom and Others (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000); City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd and Another (CC) [2011] ZACC 33; 2012 (2) BCLR 150 (CC); 2012 (2) SA 104 (CC) (1 December 2011)

leading to their eviction into unknown circumstances. Court monitoring revealed several such cases in which tenants bumped up against significant barriers that disadvantaged them and privileged the interests of property owners in eviction cases. Such barriers are often written about as challenges to "accessing justice," which is understood as:

> the ability of all people to seek and obtain effective remedies through accessible, affordable, impartial, efficient, effective, and culturally competent institutions of justice. Well-functioning dispute resolution systems enable people to protect their rights against infringement by others, including powerful parties and the state (Agrast et al., 2013, p. 27).

Indeed, unequal access to institutions of justice can make it almost impossible to exercise or defend a right and as such, can render a right rather meaningless. Implied in this framing, however, is the idea that these barriers are technical in nature and if removed (e.g., by making legal institutions more culturally competent or representation more affordable), will result in greater justice. Though important, this framing fails to fully account for the factors that contribute to the creation and reproduction of barriers to "accessing justice." In what follows, I explore some of these barriers as they arise in eviction cases, alternatively framing them as instantiations of institutionalized racism that have to contend with the legal system's role in normalizing private property and the racialized wealth/power asymmetries that go along with it. I explore property's racial power as operating at a material level (e.g., in access to resources) as well as an ideological and ontological level (e.g., in one's ability to been "seen" by a court). I note that, of course, not all tenants are Black and not all property owners and legal officials are White (as the opening story suggests). To my knowledge, no official court data are easily available to examine court appearances and eviction decisions by race (cf. Pillay et al., 2017). What is known is that White people own a disproportionate percentage of individually owned land and that the vast majority of people who face precarious housing situation are Black (see Chapter 1). Indeed, almost all of the tenants that

RTC assists through court monitoring and the Advice Assembly (RTC's weekly meeting supporting tenants) are Black. As such, the outcomes of eviction decisions are necessarily racialized, which occurs regardless of the race of court officials. This, I will suggest, points to institutional racism within the legal system.

Material property power

The significant disparities in wealth that usually exist between property owners and tenants affords property owners important advantages in eviction cases. For poor people in South Africa, accessing legal representation, for example, can be extremely difficult because of the high cost and because pro bono services may have qualifying criteria (e.g., income thresholds), be under-resourced, over-burdened, and prioritize assistance for criminal rather than civil cases (Klaaren, 2019; McQuoid-Mason, 2013; Sarkin, 2002; Tissington, 2014). As the opening story suggests, this means that even tenants who know they have a right to representation (not all do, nor do courts necessarily inform them of this right) and actively attempt to secure it, may still be faced with long wait times that magistrates may not accommodate.[52] At the Wynberg Court, although we observed several postponements to allow tenants to find representation, these rarely exceeded two weeks, scarcely enough time given the demand on pro bono legal services. We also observed that this demand can lead to situations where attorneys may pressure tenants into settling their cases or simply refuse to take cases that they believe will inevitably result in an eviction.

Without representation, navigating complicated court procedures and understanding jargon-filled legal documents that are generally in English is exceedingly difficult. The opening

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[52] Section 35(3)(f) of the Constitution (1996) states, "Every accused person has a right to a fair trial, which includes the right to choose, and be represented by, a legal practitioner, and to be informed of this right promptly." As Ndifuna Ukwazi staff explained to me, however, this right to representation does not require that the state ensure that legal representation is provided or made accessible. If a judge/magistrate believes that a trial can proceed fairly without both parties being represented, they may choose to proceed.

story highlights how even an educated, English-speaking person with some knowledge of the law may struggle to fully understand and follow the required procedures for opposing an eviction. This says nothing of how difficult it would be for 72 percent of Cape Town's population whose first language is not English (Stats SA, 2011). The fact that all initial arguments in an eviction case need to be written down adds another layer of complexity that assumes both basic and legal literacy as well as access to the resources needed to draft a legal affidavit. Nothing about eviction procedure is straightforward, something I learned through the experience of attending evictions courts and trying to make sense of what I was observing. It took me several weeks and a lot of input from NU staff and RTC's members to develop a basic understanding of the eviction process, the applicable jargon, and the etiquette of the court. This is knowledge that most people don't have at their disposal unless they seek it out or have the benefit of legal representation. The inaccessibility of legal representation, however, means that even before appearing in court, poor tenants are at a significant disadvantage as they face navigating the complexity of the eviction process on their own.

Ed's story: Displaced by design

Even for those tenants who do manage to secure representation, another issue is the power that many property owners are able to wield by virtue of their greater access to monetary resources and ability to use legal actions to create a situation of intolerable stress for tenants. In this regard, Ed's story is illustrative. Ed is a married Black man from central Africa with three young children. The family lived in a house in Woodstock that his landlord told him was going to be demolished to make way for a new development. With very little notice, his landlord convinced him to move to a smaller property in nearby Salt River. Ed assumed they would renegotiate the rent given the smaller size of the house, but the landlord refused and demanded the same rent. In the meantime,

new tenants moved into his old house, suggesting the landlord had lied to get him out and extract more rent from new tenants. Ed then fell behind on his rent due to his precarious work situation. As an asylum seeker, he has been waiting for official refugee status for over thirteen years, without which securing permanent employment is very difficult. Although Ed tried to speak with his landlord and come to an agreement about making up the rent, his landlord refused and instead initiated eviction proceedings in the High Court. A landlord may choose to bring a case before the High Court rather than a Magistrate's Court because it makes an eviction harder to oppose. For example, one has to be represented by an advocate (or specialist lawyer) in the High Court versus an attorney (a regular lawyer) in a Magistrate's Court. This is a more expensive option for landlords, but it also makes it more difficult for a tenant to secure representation, both due to cost and the scarce availability of pro bono advocates.[53]

Determined to stand up for himself and his family, Ed consulted with the Ndifuna Ukwazi (NU) law center and began the challenging process of securing representation. He made numerous trips (largely on foot) between his home, the High Court, NU's offices, and his lawyer's office to organize his opposition to the eviction. The process became too demanding, affecting his health, ability to job search, to work, and thus to survive. Therefore, when his landlord's lawyer offered him R20,000 (about $1,300) as a settlement, Ed accepted, even though he knew that finding another place to live in Woodstock/Salt River would be difficult given the steady increase in rents in the area. Reflecting on the decision, he told me how he just needed the whole process to be over and the relief that he felt when it was. Thus, even when a tenant may have a legitimate reason to oppose their eviction and manage to secure representation, they may reasonably decide to give up

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[53] Furthermore, decisions of a Magistrate's Court are much easier to appeal than those of a High Court, hence landlords might choose this option if they want to ensure that, if granted, the eviction order stands.

on their case or choose to settle the matter in order to escape the anxiety, burden, and further precarity it creates.

Nadiya's story: Squeezed out

In some situations, tenants may not even try to find an attorney or attend their court date. RTC Court Monitors observe many "unopposed" evictions, where tenants who fail to appear in court are automatically evicted. This was the case for Nadiya (a 39-year-old Coloured woman who now lives in RTC's occupation in Green Point). Her landlord (one of the city's largest social housing institutions) evicted her after exorbitantly increasing her rent, making it impossible for her to keep up. She realizes now that their actions were unfair, and that she could have lodged a complaint against them. But, she said, "that was *long* before I got so technical into all of this!" referring to all the things she has since learned through RTC's Advice Assembly about evictions and tenants' rights. "But you know what? I just… I just… at that point my head was just exploding with phone calls and issues and issues and issues, I'm telling you like… there was many times I even felt like taking my own life." Thus, for people of low-income, whose lives may already be stressful, the added weight of trying to fight an eviction within a legal system that offers little support, may simply be too much to ask. For both Ed and Nadiya, their landlords were engaging in highly questionable, even unlawful practices, but were still able to use the eviction process to their advantage given their relatively greater access to material resources.

Unequal wealth, unequal power

"The Constitution should not become a tool for the rich" wrote former Chief Justice of the Constitutional Court Pius Langa (2006, p. 355), reflecting on the problem of unequal justice in South Africa. Yet, as the above accounts suggest, the disparities in wealth between property owners and tenants are highly consequential, creating an unfair system that disadvantages poor,

predominantly Black tenants and makes access to the courts and the protections it promises contingent on one's available resources. Yet, it is important to recognize that the law and legal systems have been key to the creation and reproduction of such disparities. As legal historian Martin Chanock (1989) suggests, the law "contributes to the creation of the categories of persons and their powers which are fundamental to the workings of any society" (p. 273-4). Historically, the law's creation and reification of private property and its associated "categories of persons" like owners, tenants, or squatters were integral to the colonial and apartheid projects of land dispossession, racial segregation, and White/European enrichment (Hamilton, 1987; Loveland, 1999; Zirker, 2003). As I argued in Chapter 1, colonial and apartheid land/property laws were designed to favor White interests and concentrate power and wealth in our hands. Their success is evidenced in the country's racialized patterns of landlessness, homelessness, and property ownership (see Chapter 1) and the fact that property ownership remains "a direct index of power and wealth" (Bennett, 1996, p. 65).

Although property laws have indeed changed since apartheid formally ended and housing rights (and new eviction laws) open the possibility of challenging the supremacy of ownership in property claims, tenants *first* have to be able to make their circumstances and the potentially illegal actions of owners known to the court. Owners, with their relative power and wealth, however, are easily able to frustrate this process, protecting their property interests and reproducing both their power/wealth and the precarity of tenants. The addition of housing rights to the Constitution, arguably does little to disrupt this cycle nor, as I explore next, the powerful ideological and ontological work that is additionally performed in the sanctioning of private property.

Ideological and ontological property power

In addition to the difficulties that tenants face in accessing representation and in weathering the stress of eviction proceedings, another important issue concerns a kind of bias against tenants that automatically assumes them to be in the wrong. "If an eviction is taking place," a Sheriff of the court told a group of Reclaim the City (RTC) court monitors one day, "that means the owners have tried everything." He went on to voice skepticism that tenants face unfair treatment in the courts and that an eviction order could be unjust. Among other duties, Sheriffs serve legal documents that alert tenants that their landlord is initiating eviction proceedings against them. Part of this duty includes explaining the documents to tenants, but as court monitors learned (both from engaging with tenants at court and the Advice Assembly) this often does not happen. The assumption that tenants are in the wrong and so deserve to be evicted perhaps explains why. This kind of bias also showed up inside the courtroom. Unhappy about the presence of court monitors at the Wynberg Court (a point I will return to), the magistrate referenced in the opening story indirectly addressed court monitors in open court, declaring that if an eviction case is before her, the applicant (i.e., the person bringing the case, usually the property owner) "must have a case" and if pro bono legal services refuse to represent a tenant, this is because "there is no case." Although this position by no means represents the views of all magistrates, this way of thinking evidently informed how this magistrate approached evictions. From such a standpoint, the tenant's circumstances and possible grievances are dismissed as irrelevant even before they are heard.

A tenant's ability to assert property rights, as the man in the opening story was attempting to do, is thus further hampered by the strong ideological work that property law performs. The bias that court monitors observed against tenants, suggesting that property owners can't ever be wrong

or do wrong, is arguably linked to the entrenchment and normalization of a racialized relationality

linking property ownership with ideas of civility and propriety. Bhandar (2018) suggests:

> the evolution of modern property laws and justifications for private property ownership were articulated through the attribution of value to the lives of those defined as having the capacity, will, and technology to appropriate, which in turn was contingent on prevailing concepts of race and racial difference. The colonial encounter produced a racial regime of ownership that persists into the present, creating a conceptual apparatus in which justifications for private property ownership remain bound to a concept of the human that is thoroughly racial in its makeup (p. 4).

Part of this racial regime of ownership links ownership or "having the capacity to appropriate"

with being considered a "proper subject of modern law, a fully individuated citizen-subject"

(Bhandar, 2018, p. 5). American Studies scholar Calvin L. Warren (2018) goes further to suggest

that:

> contract law conceals an ontological project: it uses the discourse of property, chattel, rights, and trade to divide the world into human subjects [Dasein], those who are entitled to the protection and enforcement of their ontological (non)relation, and the world of things, those entities lacking such protection of any relation, but whose existence is necessary for the human to operate within the world. The law of chattel performs the work of dividing legal seeing from not seeing (p. 72).

In this sense, the continued Constitutional protection of the right to (private) property has not only

protected the ill-gotten material advantages of White property owners (wa Mutua, 1997) and a

system that produces asymmetrical power relations between members of different groups. It has

further worked to preserve a racialized "conceptual apparatus" in which the interests and values of

property owners (a position associated with Whiteness and civility) supersede those of people who

lack the "capacity to appropriate" (a position associated with Blackness and incivility). As such,

the position of tenant or "non-owner" is not only associated with a lack of resources (that render

tenants unable to assert property rights), but also with an experience of being rendered an

unworthy, uncivil, unseeable, even non-existent claimant with no legitimate claim to property –

despite need and despite the Constitution's commitments to social justice (cf. Byrd et al. 2018;

Roy, 2017). As such, tenants' claims to property may be routinely silenced or dismissed even

before they are heard.

As tenants like those in the opening story are told by legal representatives that their

property claims don't amount to "having a case," this suggests how, within current property law,

need alone cannot be imagined as representing any real challenge to the rights of owners and how

despite changes to property law, private property ownership "continues to prevail over indigenous

and alternate modalities of relating to and using land and its resources" (Bhandar, 2018, p. 7).

Furthermore, the attorney's telling argument in the opening story that "private property is the

cornerstone of our democracy" illustrates how – in keeping with colonial conceptions of

possession – property ownership continues to be asserted as integral for the creation of a "proper"

or "civilized" society. It is a position that suggests that those who claim land as shelter or assert

property rights based not on ownership, but on some other basis (e.g., need), pose a threat – not

just to the interests of individual property owners, but to the very foundation of civilized life. Thus,

racism in the legal system operates through a range of barriers that arise through colonially rooted

material inequalities between owners and non-owners and racialized ideas about who has standing

in legal spaces.

Confrontations with the legal system

The above perspective further helps to explain the significant resistance to the court monitoring

program that Reclaim the City (RTC) members experienced at the Wynberg Court. In addition to

observing eviction proceedings and collecting data about them, court monitoring also seeks to

address some of the barriers that tenants face by advising them of their rights, providing

information about accessing legal representation, and working to demystify the eviction process. At the Cape Town Magistrate's Court, court monitoring was accepted as a free community service that RTC provides to unrepresented tenants, but at the Wynberg Court, the program was not well received. There, RTC's informational posters in the waiting area that advertise the Advice Assembly and display the contact details of pro bono legal services were taken down and confiscated on more than one occasion. A clerk of the court told court monitors that senior court staff felt that we were trying to "influence people" and that the posters were "causing chaos." The magistrate at this court increasingly escalated her efforts to remove court monitors from her courtroom, ultimately telling the team directly (and falsely) that members of the public are "not allowed" to observe eviction proceedings and ejecting us from the court.[54] A letter of complaint about court monitors submitted to the Chief Magistrate by the court described us as:

> disruptive, undisciplined and a law unto themselves. They seek to favour only their own interest and clearly have a hidden agenda. Their participation in the court process will not benefit anyone and steps need to be taken to stop them in their efforts to derail the good administration of justice.

At this court, quietly observing eviction proceedings and advising tenants of their rights and how to exercise them is regarded as threatening to "the good administration of justice." The obvious question that arises is, justice for whom? Arguably, court monitoring was threatening to this court because it represents an effort to challenge long established power relations and how they routinely

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[54] This situation escalated over a couple of weeks. On one occasion, the magistrate announced the end of motions court (i.e., that no more eviction cases were left to be heard), waited for court monitors to leave the courtroom and then proceeded with hearing eviction cases. Then, a few days later, she had a court monitor removed from the building by security personnel although he was only sitting in the courtroom observing. Finally, we were told that we are "not allowed" to observe eviction cases. Thus began a process of writing letters to engage the court in dialogue and when that was ignored, filing a formal complaint – a process that remains unresolved and which means that court monitors have been unable to return to this court. The court did respond, however, when court monitors (including myself) wrote an opinion piece for local news media about our experiences (see Eidelman et al., 2019). In response, a senior magistrate made a complaint to the Chief Magistrate at the court, making numerous false claims about court monitors. For example, the letter claims that court monitors were seeking to provide "training" to magistrates, claimed to have offices in the court building, were disruptive in court, and were advising tenants not to comply with court orders. All of these claims are false. The quote included in the main text also comes from this letter.

operate in this space. In conducting court monitoring, RTC asserts that the court is not beyond public scrutiny and accountability and further, that the un-propertied have legitimate property claims. Through these actions, the authority and legitimacy of a court that will render someone homeless or threaten their survival for not "doing what you're supposed to do" (as the magistrate in the opening story said) is called into question. As van der Walt (2009) notes:

> …property, being a fundamentally social and political institution, plays a central role in both establishing or maintaining and in changing or transforming the social, political and legal structures that represent and uphold inequality and injustice in society. Therefore, once a moral or political case has been made for justice-inspired change in a particular property regime, one could expect the social and political forces for and against change to play out in a confrontation between legal institutions that entrench and protect extant property holdings and political and legal efforts to reform or transform the property regime (p. 211).

Thus, as RTC attempts to create even small procedural changes that aim to bring the court's practices into greater alignment with the social justice aims of the Constitution, they meet significant resistance. Or, in van der Walt's (2009) terms, find themselves in "confrontation" with legal officials who, intentionally or not, protect a colonially rooted system that privileges and protects property owners.

The above discussion leads to the question: if all magistrates allowed public oversight, were unbiased, followed the procedures laid out in PIE correctly and in the spirit of the Constitution, and if legal representation was readily available for all tenants, would this drastically decrease the number of unfair and unjust evictions granted in Cape Town courts? It could certainly help. But another issue facing tenants concerns the actual implementation of the right to housing in eviction cases. "The law will not protect you" was something that Mandy, one of Ndifuna Ukwazi's law center staff, would tell attendees at the Advice Assembly when the conversation veered too far into the technicalities of court procedures or the law. It is an idea that I came to

understand more deeply as I observed how the right to housing is actually interpreted and actioned, even in an ostensibly well-functioning eviction court.

"The law will not protect you"

Consistent with the insights of Critical Race theorists (e.g., Bell, 1980; Crenshaw, 1988), legal scholar Reva Siegel (1996) puts forward the notion of "preservation through transformation" to examine instances where laws work to preserve rather than disrupt the status quo. The concept calls attention to the ways in which legal systems may, through social struggle, be significantly changed or transformed, but at the same time adapt or evolve to reproduce (or preserve) existing social stratifications and inequalities. She argues that as the rules and rhetoric of an old legal system or regime lose their legitimacy, they undergo a process of "modernization" into a more "contemporary, and less controversial, social idiom" (p. 2119). For example, she explores evolving racial status law during the Reconstruction era when, in the aftermath of the US Civil War, emancipated slaves were granted 'civil' but not 'social' rights, justifying anti-miscegenation and segregationist laws "as preserving associational liberty, rather than racial hierarchy" (1997, p. 1111). Explaining the concept of preservation through transformation Siegel (1996) writes:

> Social struggle over the legitimacy of a status regime will produce changes in its formal structure until such a point as its legitimacy can be reestablished and the reformed body of law can once again be justified as "reasonable." At this point, the legal system may *still* be enforcing social stratification, but by new means: Especially under changing social conditions, it is possible to modify the rules and reasons by which the legal system distributes social goods so as to produce a new regime, formally distinguishable from its predecessor, that will protect the privileges of heretofore dominant groups, although not necessarily to the same degree (p. 2180, emphasis in original).

As previously argued, the South African legal system has played a central role in legitimating successive racially oppressive regimes that have enabled racial segregation and the associated

concentration of wealth in the hands the country's White minority (van der Walt, 2009). South Africa's new Constitution that adopts the values of democracy, equality, social justice, and human rights has sought to acknowledge and address this. Institutional changes (including in the new rules and rhetoric of the legal system) are shaped by these values, clearly differentiating them from an apartheid past. The right to housing and PIE, that seeks to protect against unjust evictions like those conducted under PISA during apartheid (see above) are a case in point. The multiple Constitutional Court cases concerning evictions and the fact that the court's "housing rights jurisprudence is more developed than that regarding any other social and economic right" (Williams, 2014, p. 819), perhaps indicates how South Africans have been able to use socioeconomic rights to hold the state accountable to the transformative agenda set by the Constitution.

In some respects, these judgments reflect shifts in the usual functioning of property law within the "rights paradigm" that tends to treat property claims and interests as hierarchically arranged, placing those of property owners above those of non-owners (van der Walt, 2009). Constitutional Court judgments tend to suggest an approach to the right to property that does not regard it as absolute, but open to restriction where it conflicts with the Constitutional protection of human dignity as well as access to housing and basic services. Despite these changes, there is debate about the real impact of such judgments. While some argue that they provide an important basis for housing rights to continue to be tested and elaborated and have helped to shape more progressive policy (Langford, 2014; Tissington, 2014), others point to the failures of judgments to be enforced and poor people's lack of power to demand compliance with court issued orders (Bilchitz, 2007; Pieterse, 2007). Critics have also called Constitutional Court judgments weak in that they consistently fail to provide greater guidelines for the fulfilment of socioeconomic rights,

thereby failing to give such rights greater meaning and substance, leaving them relatively "abstract and conceptually empty" (Pieterse, 2007, p. 799; see also Williams, 2014).[55]

A further question raised in this study, however, concerns what happens when lower courts that process a large number of eviction cases, act on the judgments and norms set by such Constitutional Court judgments. Although court monitoring (particularly at Wynberg Court) showed us many cases where, the provisions of PIE and the general spirit of the Constitution were problematically cast aside and ignored, examining preservation through transformation and how it takes place requires paying attention not only to those moments (though they are important), but also to the moments when the law – in this case the right to housing – is actually upheld in line with the Constitutional Court judgments mentioned above.

Upholding housing rights?

At the Cape Town Magistrate's Court, we observed several cases where the magistrate did indeed consider the right to housing and the requirements outlined in PIE to inquire into the tenants' personal circumstances, suggesting that tenants' circumstances are considered important in adjudicating evictions. In practice, these inquiries tended to come down to giving tenants a "reasonable" amount of time to find another place to live, usually determined in conversation with them in the courtroom. Aliya, a court monitor and member of RTC, however, noted a problem

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[55] These critiques relate to a broader critique of human rights as a mechanism for bringing about social change that I do not detail here. For example, in the South African context, Williams (2014) notes that a significant weakness of human rights discourse is that although it affirms that access to housing, water, education and other such rights are "profound moral imperatives and should be legal requirements in a just society… it gives little guidance on how to set priorities, make the inevitable tradeoffs among the panoply of social and economic rights, or establish institutional systems that will produce results on the ground" (p. 844). Pieterse (2007) goes further to consider how rights discourses may be used to discipline social movements by shifting their attention away from making material demands to making demands for (empty) rights instead. Critiques of human rights are generally concerned with demonstrating how they work to entrench inequality rather than disrupt it, and how their embeddedness in a liberal framework cannot mount a sufficient challenge to capitalism, neoliberalism, and/or globalization (Langford, 2018).

with this practice. Sitting in court, she has observed tenants agree to vacate their homes or tell the magistrate that they could find a place to move to when, in reality, they had nowhere to go. To this point she said:

> And that is sad. That is very sad because then the statistics aren't right. So, when they think the person has moved - yes, the person has moved off that person's property to get the court case done 'cos they tired of this trauma…

But what actually happened to the person, remains unknown. When tenants express having no means to secure another place to live, the court facilitates the provision of "alternative" or "emergency accommodation" in accordance with the Constitutional Court judgments mentioned earlier.

In these cases, the City is called on to report to the court – in writing and sometimes in person – on the availability of such accommodation, which in Cape Town has generally meant Blikkiesdorp and Wolwerivier (see Chapter 3). For example, a written report issued by the City of Cape Town to the Wynberg Magistrate's Court toward the end of 2018 in a case where seven people faced eviction from a private residence offered a "unit" at Wolwerivier Incremental Development Area (IDA) measuring 26.5m^2 (285ft^2) consisting of "a pre-fabricated light steel gauge structure with corrugated cladding" and including a toilet, washbasin, and access to water, electricity and trash collection (see Figure 14 in Chapter 3). The report helpfully notes that "[t]he court has in various judgments found that the IDA comprises reasonable alternative accommodation for persons facing eviction" suggesting that the nature, quality, and location of the accommodation need not be questioned. The report further notes that Wolwerivier is almost at capacity, but that a unit may become available in a few months, particularly given plans to expand the IDA. Still, the court was implored not to require the provision of this unit unless absolutely

necessary because of "an ever-increasing demand… placing the City in an unenviable position to provide relief with limited resources."

By July 2019, Wolwerivier was full. At this point, a magistrate at the Cape Town Magistrate's Court called for a City official to testify in court about the state of available alternative accommodation in a case where a couple were facing homelessness if an eviction order was granted. The City official echoed the increasing number of people in need of emergency housing, explaining that his department is increasingly "burdened with people becoming homeless due to evictions." Many of these people, he testified, are not coming through the court system, suggesting that evictions are taking place at a far greater rate than is suggested by the number of eviction cases heard in court. "They flood our offices on a daily basis," he lamented. Thus, all current spaces are "allocated," meaning no one can move in unless someone else moves out which, he admitted, is a rare occurrence. With this information, the magistrate focused on understanding the City's process of developing alternative accommodation to determine what might be available and when. Thus, the official described "a multi-year process" of at least three years from the identification of suitable land to the final construction. He shared that the planned expansion of Wolwerivier has been "cancelled" due to protests from current residents over the expansion and the vandalism of some newly erected structures as part of the protest.

Currently, the City has no other available housing as they are still in the "planning phase" for the development of further alternative accommodation. Therefore, as an alternative, the City is offering emergency "housing kits" that include building materials to "enable the evictee to put up a unit." The building materials comprise wooden poles, corrugated steel sheets, a door, hinges, a lockset, a window, and nails that will create a three by six meter structure (approx. 10 x 20 ft) with no guaranteed access to water, sanitation, or electricity (see Figure 17). The City will deliver the

materials but requires that the evictee first find a piece of land on which to erect the structure "legally" and secure written permission from the owner of the land to do so. Then, they have to construct the unit themselves. When asked if the City has any plans to provide land for erecting structures, the answer was a wry "no," because if they did, "we would soon find the land would be invaded."

Figure 17

An example of the structures that can be built with the City of Cape Town's emergency housing kits.

Note. Image by Gallo Images/Brenton Geach. Retrieved from https://www.dailymaverick.co.za/article/2021-02-16-temporary-housing-relief-for-some-of-the-4000-displaced-by-masiphumelele-fire/

I left Cape Town before the judgment in this case was handed down, but this same offer of building materials was made to Aliya (mentioned above) who faced eviction from a house in Salt River. She was told that it would take five months to receive her building materials from when she notified the City of where she would erect the structure and provided proof of her permission to do so. With this information, the eviction order was granted, giving her three months to vacate the

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house. So, she asked me while discussing this, where should she and her three children live for the other two months, assuming that she could somehow find a piece of land immediately on which to legally build her "unit"? She declined the City's offer, choosing instead to live with her family at Cissie Gool House in Woodstock. Her decision was based both on the impossibility of actually using the building materials that the City wanted to give her and her desire not to be displaced from the relative safety and convenience of the Woodstock/Salt River area where she has lived for most of her life.

Preservation through transformation

Returning to the idea of preservation through transformation, it can be argued that although apartheid's "arbitrary evictions" to emergency camps have been outlawed, we now have an evictions process that, in the name of upholding the right to housing, displaces predominantly Black people to far flung "alternative accommodation" or supplies them with unusable building materials to precariously house themselves. This occurs despite the fact that, in the post-apartheid era, it seems fair to say that any laws, policies, or legislation that segregates, dispossesses, or forcibly removes people on the basis of race would be quickly condemned as unconstitutional. Yet, courts do not question where alternative accommodation is provided, interrogate its quality or nature, consider whether it violates other rights (such as access to basic services), or what its impact will be on people's lives, livelihoods, and life chances.

As legal scholars Margot Strauss and Sandra Liebenberg (2014) note, if courts attended to the imperative to promote spatial justice as outlined in the country's spatial planning and land-use management legislation, they could "assist in preventing or mitigating the spatial exclusion caused by the forcible eviction and relocation of poor and vulnerable groups from inner-city properties or informal settlements to poorly located or peripheral areas" (p. 432). Instead, the provision of

alternative accommodation is accepted as a reasonable measure to uphold the right to housing and is treated as a technocratic issue such that the court's only concern becomes determining if it can be provided and when. Arguably, socioeconomic rights have thus been incorporated into the new rhetoric of a legal system that, in upholding the right to housing, continues to facilitate and legalize racial/spatial segregation and racial banishment (Roy, 2017, 2019a). In this process, courts are not just undermining the intentions of the right to housing (to improve "quality of life"), but using it to justify as reasonable, actions that legally displace, precariously house, and threaten the lives of predominantly Black people. This is another way that racism operates through the legal system and is perhaps why, as Mandy suggested at the Advice Assembly, "the law will not protect you."

Enabling courts to effectively ignore the racial/spatial impacts of their eviction decisions are the ways in which evictions are thoroughly depoliticized within the legal system. Since property continues to be treated as an individual entitlement, evictions are treated as disputes between individuals (tenants/owners) rather than differently positioned and privileged social groups. As Blomley (2020, p. 43) explains:

> landlord tenant relations, in law, are between individual landlords and individual tenants, as compared to rentiers and the working class. This is possible, in part, through the prevalence of contract as a legal form that works to conceal the coercive relationships that structure access to housing, producing a pervasive ideological imagery that imagines the social order as organized through voluntary, privatised collaborations between individuals.

Treated as disputes between individuals, the court's focus in an eviction case becomes determining reasonable relief in the particular case before them. Each case is regarded as separate from the next and is examined without reference to the broader context in which they arise. Contextual information that goes beyond individual circumstances (e.g., lack of affordable housing, high unemployment, exclusionary urban development practices, and the imperative to redress histories of racial/spatial violence) are rendered beyond the court's purview and irrelevant to adjudicating

eviction cases. Thus, even as a City official testifies to the sheer number of people facing eviction and homelessness, disparagingly likening them to a natural disaster that "floods" their offices and threatens to "invade" any available land, courts remain focused on resolving the "contractual" dispute between the individuals before them.

Legal scholars also note how South Africa's conservative legal culture leads to formalistic approaches to determining what constitutes reasonable relief based on "supposedly clear-cut rules in what is regarded as a scientific system of rights and remedies" (van der Walt, 2009, p. 18-19). Although this "highly structured, technicist, literal and rule-bound" approach (Klare, 1998, p. 168) makes the eviction process and its outcomes seem impartial and neutral, they are not. Supposedly neutral rules preclude scrutiny of the cumulative, racialized socio-spatial effect of relief like "alternative accommodation" that play a part in racially/spatially organizing the city as well as distributing critical socio-spatial resources (e.g., housing) and the goods that flow from them. This makes eviction decisions and their remedies highly political. As Modiri (2012) suggests, "neutrality always normalises the status quo, and in situations where material inequality suffered by Blacks is the status quo, neutrality can have disastrous racist consequences." (p. 416). Bound up in courts' neutrality is acceptance of the supremacy of property ownership, treating it as a right that may be temporarily frustrated but which is, ultimately, inviolable. This is not a neutral stance, but one specifically traceable to property law's colonial roots and its creation to secure the power and wealth of European settlers (see Chapter 1).

Acknowledging this, however, would arguably create a crisis of legitimacy for the legal system and constitutionalism more broadly. Central to the constitutional project is a belief in the law as "a site of redemption and purity" (Blomley & The Right to Remain Collective, 2019, p. 83). The law, we are told, can deliver social justice and, in the case of housing, ensure "just and

equitable evictions" (PIE, 1998, p. 6 & 8). But if, as the above analysis suggests, current resolutions to the conflicts between property and housing rights are indicative of institutionalized racism, then the law, legal systems, and legal cultures are not redemptive or pure, but "implicated in structuring and strengthening existing social arrangements and power relationships" (Modiri, 2012, p. 435) as well as entrenching the city's unjust racial/spatial order.

Can such legal systems be reformed? The present analysis does not provide a definitive answer to this question. Yet, fighting for reforms remains important. As Critical Race theorist Kimberlé Crenshaw (1988) long ago cautioned, it is crucial not to discount the significance and importance of equality under the law – even if it is a victory that is largely symbolic. As she argues, efforts to win new rights and protections may reflect a pragmatic social change strategy and as others suggest, may work to build social movements and inspire collective action on important social justice issues (Dugard & Langford, 2011; Pieterse, 2007; Sheingold, 2004). A key realization from this analysis is, however, that racially equitable access to land as shelter will require more than socioeconomic rights, more than reforms aimed at increasing access to justice, and likely, more than changes to conservative legal culture. This is not to suggest that reforms in these areas are not important, they are critical. Rather, it is to highlight the ways in which rights of private property, embedded as they are in colonial regimes, might fundamentally "conflict with ideas of humanity" (Brophy, 2005, p. 320) and that this conflict is not meaningfully disrupted by housing rights alone. As such, courts cannot be relied upon to advance racial/spatial justice or contribute to the development of alternative, more humane, just, and equitable property regimes on their own. Such alternatives, as I will suggest in the next chapter, will be conceived of and struggled for through political (rather than only legal) actions that arise out of the efforts of ordinary people to recenter human life and human needs.

CHAPTER 5

MAKING A COMMUNITY OF RESISTANCE AT CISSIE GOOL HOUSE

Figure 18

A view of the Woodstock Hospital, now Cissie Gool House.

Note. Image from Google Maps.

I'm talking with Theo, a 57-year-old Black man, long-time activist, and Woodstock Chapter leader in his room at Reclaim the City's occupation at the disused Woodstock Hospital. Reflecting on his decision to join the occupation he tells me, "it gave me the opportunity to live what I believe in." In his room, which I imagine was once a consulting room, the door stands ajar, while children are playing in the long echoey corridor outside. Theo (or Uncle Theo as most young people refer to him) likes to keep watch over them and signal his availability for informal conversations and impromptu interactions with a literal open door. As such, our talk is interrupted several times as passersby notice that he's home and come inside for a chat. Clearly, this old hospital is no longer a hospital. In 2017, it became Cissie Gool House when Reclaim the City (RTC) members and supporters occupied the old building. The House is named for Zainunnisa "Cissie" Gool, an anti-apartheid political and civil rights leader who founded the National Liberation League and helped

to form the Non-European United Front. She was "the only South African woman to preside over nationalist organizations ... and the only woman of colour to serve on the Cape Town City Council before the demise of apartheid" (van der Spuy & Clowes, 2013, p. 35). Gool also represented District Six on the City Council between 1938-51 at a time when she herself did not have the right to vote. She earned a law degree from the University of Cape Town, making her the first woman of color to earn a master's degree from the university and be called to the Cape Bar (South African History Online, 2015; SA Venues, n.d.).

By 2018, Cissie Gool House (CGH) was home to over 700 people in desperate need of housing, most from the Woodstock area. Theo's reflection that moving into the House has allowed him to "live what I believe in" speaks to his commitment to RTC and their agenda to push the government toward a more equitable, inclusive urban agenda. For him, living at CGH is a political act that, in the face of evictions and the threat of displacement and homelessness, demonstrates unhoused people's willingness to illegally occupy or reclaim urban land to house themselves. Yet, what Theo "believes in," extends beyond the idea of occupation as a form of protest or contestation of how public land is currently used in Cape Town. For him, the House is also political because people's presence here has created the possibility of engaging in the work of "reimagining this space" – that is, of bringing into existence an alternative way of living and being together. For him, this possibility includes envisioning and creating:

> our own definition of social housing, of public housing, of housing for the poor. Because all the time at the moment it's a proposal from the City, it's a proposal from the architects, it's a proposal from the social housing company. Where is the people's proposal? And how do we shape that people's proposal so that we ourselves can say, no, we too have proposals! And in January this year we had comrades from Brazil, from the MST[56] - it's a movement in Brazil which talks

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[56]MST stands for *Movimento dos Trabalhadores Sem Terra* or in English, the Landless Workers' Movement. The MST is generally more focused on rural areas and gave rise to an affiliated urban movement called *Movimento dos Trabalhadores Sem Teto* or, in English, Homeless Workers' Movement. Theo refers to both of these movements together under the banner of "MST."

about occupation - but not only of the urban space but also of the rural space - and their first question is, ok, you have occupied this place, what is your plans for this space? And so, it's for me a question that can be realized: why did we create this space? And I think we have done a lot of the groundwork for people to understand that living in the occupation is not just living in the occupation but is being able to participate in different ways.

Theo's question "why did we create this space?" is prompted by representatives of the MST, a Brazilian social movement that has initiated over 2,500 land occupations in rural areas (Friends of the MST, n.d.) and worked to build entire social systems independent of the state (Zibechi, 2010, 2012). Theo's engagement with their provocation to define RTC's plans for the old hospital points to the fact that although the hospital was initially occupied as a protest, it was not necessarily occupied with a predetermined vision for how the space would be used or what it might become in the long-term. Why this space was created and what it is becoming is evolving through practice, as leaders and residents do "groundwork" that concern sheltering themselves, protesting current housing conditions, and in Theo's words, also "being able to participate in various ways."

This chapter is dedicated to exploring the groundwork that is taking place at CGH and the various ways that people have come to participate in the life of the House. I argue that through various practices – both imaginative and concrete – answers to the question "why did we create this space" emerge and suggest that CGH is developing as a *community of resistance*. By this I mean that it is a place where people are coming together "amid and in opposition to violence and injustice" (Watkins & Shulman, 2008, p. 209) in an effort to resist and replace the dehumanizing and divisive social relations of racial capitalism (see Chapter 1) and recover a sense of wholeness and collective responsibility for everyone's survival and well-being.

My analysis examines the development of a community of resistance at CGH in three parts, focusing on three important ways that the space is imagined and put to use: as a reclamation of urban land, as a "headquarters" for building RTC and the Woodstock Chapter, and as "homeplace"

(hooks, 1990/2015) – a domestic site of refuge from a racially/spatially unjust city. I approach this analysis following historian Robin D. G. Kelley's (2002) notion of "freedom dreams." Kelley (2002) advocates for examining social movements and collective actions not only to evaluate whether their actions are successful at bringing about the desired social change (e.g., well-located social housing), but also for the radical futures that are envisioned, imagined, or dreamed within them. He argues that:

> the most powerful, visionary dreams of a new society don't come from little think tanks of smart people or out of the atomized, individualistic world of consumer capitalism where raging against the status quo is simply the hip thing to do. Revolutionary dreams erupt out of political engagement; collective social movements are incubators of new knowledge (p. 8).

Kelley (2002) suggests that by examining the freedom dreams of progressive social movements, we gain a greater appreciation of what their struggles are about: both what they are against, and what they are for. I thus approach my examination of CGH as a community of resistance not with the intention of evaluating the success or failure of "occupation" as a strategy to secure social housing. Instead, I am concerned with inquiring into the kinds of "visionary dreams" of the future that are emerging as a result of the occupation of the old hospital and as the Houses' residents and leaders grapple with the question, "why did we create this space?"

Cissie Gool House as (re)claiming urban land

How did Cissie Gool House (CGH) come to be and how has it begun to form as a community of resistance? CGH came into being as a result of an act of civil disobedience in 2017 when Reclaim the City (RTC) members, Ndifuna Ukwazi (NU) staff, and activists from other organizations took

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the decision to occupy the old Woodstock Hospital.[57] The action was intended to protest the government's failure to use public land in well-located areas for housing as well as the practice of selling public land to private buyers (specifically the Tafelberg site. See Chapter 2). Despite years of promises to build government subsidized housing in areas like Woodstock, and constant talk of commitments to "spatial transformation," very little action has been taken toward these goals (see Chapters 1 and 3).

The old Woodstock Hospital is a case in point. It represents just the kind of building that NU/RTC assert should be prioritized for housing given its size and location. The large three-story hospital, sitting on an entire city block, sits down the street from a school, across from a church and is one block away from Woodstock's busy main road that has grocery stores, banks, a library, public transport stops, and many small businesses. The Cape Town city center is less than three kilometers away (Figure 19). Although the hospital has been earmarked for social housing since at least 2012, by 2017 no concrete plans for housing at the site had been proposed. Instead, the provincial government (the owners) attempted to rezone a large section of the site and transfer it to another government organization (Cape Nature), severely limiting the space left for any future housing. The plan drew the ire of Woodstock residents who felt left out of the public participation process as well as civic organizations (including NU) who argued that the site ought to be used to address the city's severe lack of affordable housing (Muller, 2017).

Converting the site into social housing could have been a powerful demonstration of the governments' commitment to racial/spatial transformation as it would have been the first major social housing development to be located in close proximity to the city center. Furthermore, such a development may have done important racial justice work. Until 1969 the hospital was a Whites-

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[57] I note that the Helen Bowden Nurses Home in Green Point (now Ahmed Kathrada House) was occupied at the same time.

only institution and during apartheid, it was where prisoners from Robben Island (where Nelson Mandela and many other political prisoners were incarcerated) were treated, but also where "scores of bullet-ridden corpses" from the island were routinely disappeared (Harvey, 2016). The hospital lay largely empty for 27 years,[58] occasionally leased as a film set for dystopian themed movies (I heard anecdotally). This hints at the state of the building's interior, but also speaks to the priorities of the government who, rather than salvage and repurpose the building, hired a not-so-small contingent of security guards to protect the site and keep the public out.

Speaking to the intentions behind the decision to occupy the old hospital, Jared (a 38-year-old White man) the co-director of NU and one of approximately ten initial occupiers told me "our intention was to provoke and to point out, like, what the hell? You're selling this land and all this stuff is empty! It's unacceptable." For Joan (a 59-year-old Black woman and Woodstock Chapter leader) occupying the old Woodstock Hospital can be understood as an effort to "secure public land." In other words, to keep it public and working to sustain the possibility that the land will be used in the interests of the city's poorest residents and not lost to the domain of "private property." As such, the initial occupation of the Woodstock Hospital can be understood as arising out of activist efforts to lay claim to public urban land and to contest the government's failures to use such land in the public interest.

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[58] In 1993 large sections of the hospital became disused when the inpatient sections were closed and it was turned into a day-hospital. A few small clinics remained open but were all eventually closed (by 2017) and moved to other areas.

Figure 19

A view of Cissie Gool House in a broader context.

Note. Image from Google Maps.

Following van der Walt (2009), occupation of public land may also be regarded as a political action that protests the "immutability" (p. 167) of the prevailing property regime – that is, the "current system of property holdings and the rules and practices that entrench and protect them" (p. 2). In the case of Woodstock, the contested regime is one in which the state defends holding empty public buildings under lock and key, while gentrification processes are enabled and their detrimental effects on poor residents (eviction, displacement, and homelessness) normalized as the unfortunate by-products of the workings of land/housing markets. As a political action to (re)claim public land, CGH can be understood as a site of resistance, but how is the House forming as a *community* of resistance?

Reflecting on contemporary social movements in Latin America and the communal systems developing within them, Zibechi (2010, p. 14) suggests that communities don't just come

into existence, they are made. He speaks of communities not as entities bound by identities or geographies, but as a process of forming connections or links between people. Community is what happens when people come together and seek to develop alternative ways of living and being in the world. CGH may be understood as a community in the sense that as the House has filled, it has connected people who share lived experiences of spatial injustice by bringing them to live together in one space. After the initial occupation of the old hospital, a decision was ultimately made to extend the occupation. Thus, the old Woodstock Hospital became "Cissie Gool House" (Figure 20) and RTC began to develop leadership and organizational structures in order to create a formal process of adding people to the House and managing day to day life. This marked a point of transition where the House ceased to be a short-term protest action and new possibilities emerged. This included the possibility of creating a place where people with shared experiences of precarious housing situations could come together to build RTC and be sheltered.

Figure 20

One of the entrances to Cissie Gool House with Reclaim the City banners.

Note. Photograph from Independent Online.
https://www.iol.co.za/capetimes/news/woodstock-hospital-occupants-await-court-decision-on-eviction-30480724

From the outset, leaders have sought to operate the House by a different code – one that does not differentially value people based on race, gender, age, family size, national origin, or how much rent one can afford to pay.[59] Inclusion in the House is based on a calculation of human need not profit. This effort resists practices associated with the prevailing property regime including the commodification of housing and rent extraction. Not surprisingly, CGH grew rapidly and by mid-2019 was home to approximately 700 people, most from the Woodstock/Salt River area. The residents of the House include people of all ages, many families with children, single parents, elderly people, people with disabilities, foreign nationals, a majority of Black and Coloured people and a few White people.

Although CGH came into being as a result of an explicitly political action, for many moving into the House was not driven by political or personal convictions so much as necessity. Very often, the alternative to CGH was displacement, living in substandard conditions, homelessness, or being separated from one's family. For several residents, the decision to move into CGH was not an easy one and was often fraught, preceded by crisis, and marked by feelings of desperation and fear. Esther (a 55-year-old woman who identifies as South African), summed it up well when she told me that she never imagined that she would be part of an illegal occupation. "It was never my dream," she said.

The House has thus been rapidly filled not necessarily because of a shared commitment to RTC and its ideals (though this is true for some residents, like Theo), but as a result of the intensity of the housing crisis in Woodstock and Cape Town more broadly. Shared experiences of this crisis and the violence it exacts on poor people is what links the residents of CGH. Even though for many

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[59] No one pays to live at CGH and allegations that individuals are trying to extract rent from each other are taken very seriously by leadership committees. As I discuss later, the leadership have created a process for dealing with "disciplinary issues." Incidents of rent extraction are one example of the kind of the issues they deal with.

living at CGH may not be motivated by political commitments or the desire to be part of an occupation, it may still represent a political act of resistance or the enactment of what Makhulu (2015) calls a "politics of presence" – a politics in which people occupy land in defiance of repressive state policies, practices, and laws in order to survive, build homes, and claim the right to the city. As Makhulu (2015) shows with regard to Black African squatters in Cape Town during apartheid, simply being present in the urban space in defiance of the apartheid state was pivotal to changing apartheid laws and rendering the state's segregationist and urban-rural migration policies unworkable.

Inside CGH, signs and banners declare that long corridors have been named after roads in Cape Town and streets in Woodstock from where people have been evicted and displaced (Figure 21 and 22). Entrances to all kinds of hospital rooms like old wards, consulting rooms, and storerooms have house numbers and/or family names written on them in black ink (Figure 23). An old operating room, with the light still hanging from the ceiling, is unmistakably someone's home (Figure 24). Even the elevator control room at the top of the building has been claimed as a home, made beautiful with all manner of accessories. It's the "penthouse," the room's occupant declares since the room sits at the very top of the building (Figure 25). An old hospital examination chair now forms part of a game for a group of the House's children (Figure 26). Residents have thus claimed this space, declaring themselves as present, as a part of Cape Town, and as people who refuse to be displaced or erased. This arguably represents a politics of presence as residents collectively refuse to be banished to the city's peripheries, choosing to stay put in Woodstock even if that means doing so by illegally occupying public property. This collective refusal is an act of resistance that further connects the residents of CGH and as discussed in Chapter 3, also shapes understandings of what struggling for spatial justice means.

Figure 21

A corridor inside Cissie Gool House. The sign reads "Frere Str Woodstock Pine Rd" after streets in the area where residents used to live.

Figure 22

A corridor in Cissie Gool House has been named for Albert Road in Woodstock from where a number of House residents were evicted.

Figure 23

The entrance to a room with the name of the family and Woodstock road name (Bromwell) where they used to live written on the wall.

The story of CGH and how it has come into being suggests that a community of resistance is not necessarily formed because a group of people set out to create one. This idea is exemplified by Theo's question quoted at the start of this chapter "why did we create this space?" – a question he poses more than two years after the House was founded. Rather than being created intentionally, it appears that communities of resistance may arise out of necessity, emerging as a response to the intolerability of prevailing socioeconomic conditions, the current property regime, and as people are forced to come together in order to survive. In the case of CGH, people have come together in a very literal sense: living side by side in an abandoned hospital, sometimes next to old neighbors or long-time friends and acquaintances. As such, the House continues to develop as a community of resistance through the practice of people living in and using the space.

As I explore in the remainder of this chapter, CGH is not only a place of resistance against intolerable conditions. It is also an effort to build something. To imagine and bring into existence

other ways of living and being together. Returning to Zibechi's (2012) reflections on Latin American social movements (including MST), he points out that one of their most important distinguishing features concerns their "territorial rootedness" (p. 14) because it is through this physical grounding that:

> current movements advance a new organization of geographic space, in which new practices and social relations emerge (Porto, 2001; Fernandes, 1996, 225-246). They see land as more than a means of production, thereby going beyond a narrow economist conception of it.
>
> Territory is the space in which to build a new social organization collectively. Where new subjects take shape and materially and symbolically appropriate their space (p. 18-19).

Figure 24

Operating room turned home.

Figure 25

Elevator control room turned home.
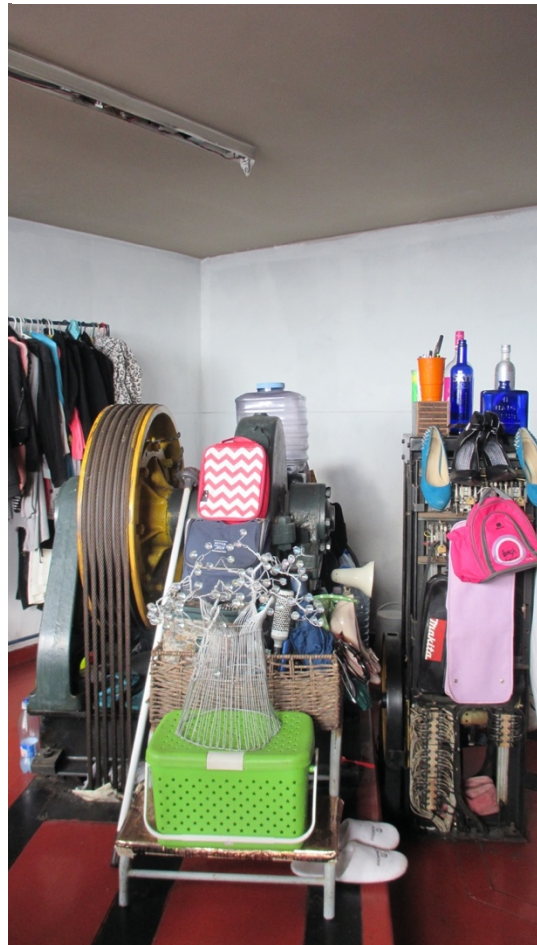
Zibechi's analysis gives some context to the challenge posed by RTC's Brazilian comrades to consider what their long-term plans (or visions) are for CGH. Their provocation points to the idea that, as Zibechi's words above suggest, reclaimed spaces like CGH may be used not only for shelter but as a foundation to ground a movement and build something new (i.e., new/alternative social relations and social organizations). In the next sections, I consider how this work is happening at CGH both through efforts to create an organizing hub (or "headquarters") for RTC at the site as well as to make a more comfortable and safe home for the Houses' residents. As such, I suggest that CGH represents both a reclamation of urban land and an effort to create a space where people can reclaim a social consciousness that stands apart from the exploitative, dehumanizing, and dividing relations of racial capitalism. These are actions that further develop CGH as a community of resistance.

Figure 26

Children playing in "Lower Albert Rd" where an old examination chair forms part of the game.

Cissie Gool House as "the headquarters"

"CGH is not just important for the people who live here. It's the life of this Chapter" stated Sophia at a Chapter meeting at Cissie Gool House (CGH) one Thursday evening. Sophia is a 26-year-old Ndifuna Ukwazi (NU) organizer who identifies as culturally Coloured and politically Black. She has worked closely with the Woodstock Chapter and, on this evening, was talking to Chapter members about the City's efforts to declare CGH a "problem building." She read off a list of criteria that officially defines such a building: abandoned, derelict, structurally unsound, a site of criminal activity, a dumping ground, or illegally occupied. Declaring CGH as a problem building that is unfit for human habitation is one way that the government could justify (and thus fast track) the eviction of residents. The room murmured their collective assent as Sophia's words seemed to spark a moment of reflection on what CGH has come to mean to the Chapter, to Reclaim the City (RTC), and thus what losing it would signify. As Sophia suggested, losing CGH would not only affect the House's residents, but would represent an existential threat to the Chapter and thus to RTC. This is because CGH has become much more than a roof over people's heads. It is, as different people described it to me, a *nucleus*, *center of power, stronghold*, *the last stand*, or as Sophia later described it, "it's the headquarters… it's where people come to meet." All these descriptors suggest a concentration of activity and a place of intentionality, where people come together with a purpose that extends beyond seeking shelter. Indeed, CGH is where House residents, Chapter members, and members of the public can safely and reliably come together to build their movement, to build power.

In practice, as Sophia's description suggests, CGH is where weekly RTC meetings take place. These include meetings of the Woodstock Chapter (to discuss and organize RTC actions and events) and the Advice Assembly (where tenants from Woodstock and other areas get together

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to advise and support one another, particularly in matters of eviction). Meetings are critical sites of community organizing, political education, solidarity building, and practical planning. As a free, centrally located, and big venue, CGH can accommodate a large crowd and given that many RTC members also live in the House, meetings are made that much more accessible. Several organizers and leaders thus stressed to me the significance and importance of having such a space to support their movement-building work, speaking to the reasons CGH is seen as a "nucleus" or "center of power." But further, ideas of CGH as a "stronghold" and "the last stand" point to the idea that CGH is not just any space where people are coming together to build a movement, but one that (as described above) may be considered a reclamation of urban land and as such, a powerful symbol of resistance to racial banishment (Roy, 2017, 2019a). This symbolic significance is communicated to everyone who attends meetings at CGH as they are required to intentionally commit an act of trespass, defying the "no entry" signs posted at every entrance to the hospital grounds (Figure 27). Arguably, Chapter members and members of the public are motivated to cross this literal and figurative boundary because meetings offer a space where people are gathering to talk about and develop responses to shared experiences of racial/spatial injustice or what Luthando (a 20-year-old NU organizer who identifies as Black and African) calls "violence against our people."

As I explore next, focusing on Chapter meetings and the Advice Assembly, CGH is forming as a community of resistance in the sense that it is a place where people are coming together as they live through and seek to contest this violence and injustice and in the process imagine, form, and exercise more "humane ways of being together" (Watkins & Shulman, 2008, p. 209). The development of such alternative social relations is a key feature of communities of resistance as they stand in contrast to the exploitative, dehumanizing, and dividing relations of

racial capitalism (see Chapter 1), while also building a foundation from which to act against violence and injustice (Watkins & Shulman, 2008).

Figure 27

One of the "no entry" sign posted at the entrance gates to Cissie Gool House.

Relating otherwise: Reclaim the City meetings as sites of *conscientização*

Luthando (mentioned above) describes weekly Chapter meetings as a space where Chapter members, organizers, residents, and members of the public come together to "organize themselves to respond to the injustices that they face" and to think together about "how to overcome those." During these meetings, those present share information about land and housing issues in the city, discuss and plan future RTC actions and events, give updates and reflect on past actions, and talk about issues of relevance to the Chapter or to CGH (as was the case with my anecdote about CGH

being declared a problem building). Chapter meetings are a space of learning, where people gather to develop their understandings of housing and urban land issues, where discussions are held about the causes of these issues, and where responses to them and their impacts are formulated and later evaluated to further shape these understandings. Chapter meetings can be thought of as a site of what Paulo Freire (1970/2011) referred to as *conscientização*[60] defined by Montero (2009) as:

> a mobilization of consciousness aiming to produce historic knowledge about oneself and about the groups to which one belongs, thereby producing a different understanding, and giving sense to one's temporal and spatial place in the society, and in one's specific life-world (p. 73-74).

Conscientização is a process of learning that is not simply about gaining information or being taught something by a more knowledgeable other. Rather, it is concerned with an alteration of consciousness, one that shifts the way we understand our position in society, the problems we face, what causes them, and the nature of the problems themselves (structural versus individual, for example). Simply put, it is a process of coming to "grasp what it is we actually suffer from" (Watkins & Shulman, 2008, p. 48) and it is the kind of learning that occurs specifically through a process of seeking to act on the world in order to change it. Importantly, as liberation psychologist Ignacio Martín-Baró (1994) pointed out, *conscientização* is not simply a cognitive process in which a person's perspective, opinion, or attitude to reality changes, rather it:

> supposes that persons change in the process of changing their relations with the surrounding environment and, above all, with other people. No knowledge can be true if it has not attached itself to the task of transforming reality, but the transformative process requires an involvement in the process of transforming human relationships (p. 41).

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[60] In English "conscientization." I elect to retain the term in Portuguese following Paulo Freire's initial impulse to resist translation of the term (See Donaldo Macedo's (2011) introduction to the 30th anniversary edition of Paulo Freire's *Pedagogy of the Oppressed*). If you're wondering, the word is pronounced: con-see-chi-za-sao.

What Martín-Baró emphasizes is that the transformation of social conditions does not occur simply as a result of individual level psychological change, but rather that changing oppressive conditions requires relational change, new ways of being in relationship with others. Such relational change, I argue, is an important aspect of what takes place in RTC's Chapter meetings.

Chapter meetings

At a very full Chapter meeting in September 2018, researchers from Ndifuna Ukwazi (NU) came to CGH to share their latest research on sales of public land, specifically the sale of Site B – a piece of land in downtown Cape Town that was sold by the City to one of South Africa's largest property developers. The researchers asserted that the property was sold at far below its market value, either as a result of corruption or incompetent management (Knoetze, 2018). They explained the technicalities of the sale and identified key City officials who were involved. Organizers framed the situation as the city giving a gift to developers at the expense of the people in the room. "Our city has been captured by property developers!" Mandla asserted, to cheers of agreement from the crowd. After NU presented their research findings, the Chapter was called on to brainstorm ideas about if and how they would like to respond. The room, packed with at least 60 people, came alive as Chapter members jumped out of their chairs to share their ideas:

Stand on the land!

Make a citizen's arrest!

Have a public meeting!

What civil and criminal charges can we make against them?

Go to their houses!

These people are functionaries… we need to start making a noise about the SYSTEM!

Ultimately, from the input from this meeting, a series of *escraché* were planned – that is, a form of protest that involves protesting at the homes and/or places of work of the public officials and, in this case, private developer involved in order to publicly shame them and demand answers.[61] The *eschraché* were followed by a temporary occupation of Site B in December 2018 during which RTC members built shacks on the site to bring attention to the irregularities NU identified in the sale and to symbolically draw attention to the government's failure to use centrally-located public land for housing.

Figure 28

A Woodstock Chapter meeting at Cissie Gool House in October 2018.

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[61] This is an example of RTC being inspired by la PAH (*Plataforma d'Afectats per la Hipoteca* – Platform for People Affected by Mortgages) in Barcelona, who also use *escraché* as a method of protest.

For Theo, Chapter meetings like the one just described are important for affording RTC members an opportunity not only to share information, learn more about housing and land related issues, and plan their protests, but to "pronounce their aspirations… pronounce how they feel about things." Creating a space where people can ask questions, express themselves, and share ideas is, for him, a very important part of what makes RTC radical and not just "noise" (to use his word). This radicalness concerns the effort to create a space where people are approached as people, capable of understanding complex issues, thinking for themselves, as having ideas and knowledge, and something valuable and worthwhile to contribute. This is a process of resistance against the way poor people are routinely shut out of decision-making processes about urban issues, treated as if they lack knowledge and the capacity to engage on these topics. Speaking to this idea, S'bu Zikode (2011, para. 19) a founding member of Abahlali baseMjondolo (the Shack Dwellers Movement) in South Africa has said:

> We are the people that are not meant to think. We are the people that are not meant to participate in planning and to debate on issues that affect us. We are the people that should be happy to live on hampers. The poor are strongly opposed to these dehumanizing characteristics of the top-down system that has terrorized our communities and our lives.

RTC members have been on the receiving end of this dehumanizing system, such as when they occupied the Woodstock Hospital and the Premier of the Western Cape at the time (Helen Zille) suggested that their actions were irrational and that their demands prove that they have little appreciation for "competing government priorities, financial viability, the statutory context or even such things as waiting lists" (Zille, 2017a, para. 24). These are familiar talking points that blame poor people for delays in housing delivery and construct them as stupid, impatient, and unreasonable (e.g., Zille, 2017b). Such constructions fit into a broader, national narrative about poor people who occupy land and seek to shelter themselves, often pejoratively labelled as

criminals, "land invaders," and as people who are selfishly trying to jump the government's housing waitlist, although the existence of such a list has been debunked (Tissington et al., 2013).

Indeed, as Zikode (2011, para. 13) points out "anyone who threatens oppression will find that they are called criminal, violent, unpatriotic, short minded, treasonous and more." Chapter meetings where people are called on to think about and discuss land/housing issues and participate in formulating responses, may be regarded as a space where it is possible to contest such harmful and degrading ideas. Through these meetings, Chapter members engage in a process of *conscientização* in the sense that they come to learn more about land/housing issues but are also invited to engage with one another (and even themselves) on different terms: not as short-minded, irrational, or criminal, but as people whose lived experience of injustice makes them knowledgeable and worthy of engagement. Chapter meetings may thus be considered significant for the ideas and actions they generate, but also for the alternative forms of relationality that they seek to enact.

The process of *conscientização* also takes place as Chapter members plan RTC events (as opposed to protests), another activity that takes place in Chapter meetings. For example, Chapter members came together to plan a "Heritage Day Walk" around Woodstock. Heritage Day is a public holiday celebrating "the cultural heritage of the many cultures that make up the population of South Africa" (South African Government, 2013). Sophia described the proposed event as an "I used to live here" walk, where people evicted or displaced could come together to share their experiences while walking around the Woodstock/Salt River area. At a meeting about the event, Chapter members volunteered to share their stories and a route was planned through the streets of Woodstock. During this planning, those present also suggested sites of significance in the area that they might include. Theo, for example, suggested a stop at the Old Slave Tree: a 500-year-old

milkwood in Woodstock that was a site where slaves were sold and hanged.[62] The suggestion drew

attention to the area's colonial history, pushing back on the discourses of multiculturalism that

tend to dominate Heritage Day celebrations. Heritage, Joan also insisted, does not mean

celebrating Woodstock's built environment, particularly its old Victorian homes. This is "a

colonial heritage, a *kak* heritage" [63] she said.

The invitation in that moment was to think about what heritage means to those in the room.

During the actual Heritage Day Walk, these meanings came through as members of RTC shared

stories not only of displacement and eviction, but also of resistance to these forces as well as

memories of particular people, families, industries, and businesses that once existed in spaces

where upmarket developments and boutique stores now stand. Figure 30, a photograph taken on

the day as the procession walked past the construction site of the upmarket WEX[1] building (see

Chapter 3), shows one RTC member's protest sign that reads "we are part of Woodstock

community. Woodstock is our home too" thus declaring a claim to belonging in the area. An

impassioned speech by Alysa (a Woodstock Chapter leader) affirmed the significance of the event

as a day of remembrance of all the people who have been evicted and threatened with displacement

from the area. Through this remembrance, she asserted, "we are acknowledging that we exist."

Sharing emotive and personal stories or testimony about lived experiences of spatial

injustice and doing so in a highly visible way on the streets of Woodstock, can be understood as

an act of resistance. Sharing such stories works against erasure of residents, their experiences, and

the suffering that has been endured in the face of exclusionary development in Woodstock.

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[62] Also known as "the Treaty Tree," so named to mark the beginning of the British occupation of the Cape (for the second time) in 1806. The treaty between the British and the Dutch (or Batavia) was signed under or close to the tree. Arguably, the renaming (from Slave Tree to Treaty Tree) facilitates erasure of the history of slavery at the Cape which continued until 1834, thus Theo's reference to the tree as "the Old Slave Tree" is significant as it very clearly recalls this history.

[63] *Kak* is a crude (but much loved) Afrikaans word for shit, crap, rubbish, or nonsense.

Following Alysa, sharing public testimony further works to affirm poor residents' very existence, their claims to being and remaining in Woodstock, as well as their claims to personhood. The humanizing work of public testimony is thus connected with processes of *conscientização* and building a community of resistance as it deepens understandings of the systemic nature of issues like eviction, displacement, and poverty. It rejects the idea that such issues are individual, moral failings, and makes it possible to relate to one's own and others' stories with greater empathy. Speaking to the importance of such intra- and interpersonal work Audre Lorde (1984/2007, p. 123) explains:

> …we have built into all of us, old blueprints of expectation and response, old structures of oppression, and these must be altered at the same time as we alter the living conditions which are a result of those structures. For the master's tools will never dismantle the master's house.
>
> As Paulo Freire shows so well in The Pedagogy of the Oppressed, the true focus of revolutionary change is never merely the oppressive situations which we seek to escape, but that piece of the oppressor which is planted deep within each of us, and which knows only the oppressors' tactics, the oppressors' relationships.

Public testimony can thus be understood as serving a dual purpose: bringing attention to or raising public awareness of oppressive situations (e.g., evictions and the threat of displacement) as well as challenging harmful ways in which individuals experiencing these situations may relate to one another and themselves (e.g., as blameworthy). At another of RTC's weekly meetings held at CGH – the Advice Assembly – this kind of relational work is also taking place.

Figure 29

Making signs at Cissie Gool House for the Heritage Day Walk. The sign on the table reads "gentrification stole my home."

Figure 30

The Heritage Day Walk passes by the WEX[1] building – an upmarket residential development on Albert Road, Woodstock. The protest sign reads "We are part of Woodstock community. Woodstock is our home too."

The Advice Assembly

The Advice Assembly (AA) is where tenants from the Woodstock/Salt River area (and very often beyond) come to meet with residents and Chapter members to learn about tenants' rights and get some practical advice. This includes, for example, how to deal with harassment by a landlord or an exorbitant increase in rent, what to do if one receives court papers, how to secure a lawyer, and so on.[64] The AA requires that people with a housing-related question or problem stand up and share their circumstances with the gathered group. This is often an emotional and daunting task, but one designed to build solidarity among those in attendance, foster a recognition of the shared nature of housing-related issues, and develop a practice of collective problem-solving.

Once a person shares their circumstances, the group suggests a number of possible responses, at the same time providing education about the law, housing, property, and tenants' rights, and different resources the person might access (e.g., the Rental Housing Tribunal (RHT) that deals with tenant-landlord disputes). A lawyer from NU's law center is present to provide specific details about the law, but the AA is facilitated by members of RTC's Resisting Displacement and Evictions Task Team (RED TT) while advice comes from anyone in the room.[65] Those present draw on their own experiences as well as what they have learned by attending the AA when giving advice and will often provide support to people in carrying out the actions suggested by the group (e.g., by accompanying them to file a complaint at the RHT or to attend court). When the need arises, the group will also organize to physically resist illegal evictions and show up in support of tenants when their landlords come to threaten or harass them.

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[64] The Advice Assembly is modelled after similar meetings that were started by la PAH in Barcelona.

[65] The Resisting Eviction and Displacement Task Team (RED TT), of which I was a part (see Chapter 2), includes staff members from Ndifuna Ukwazi (NU) as well as members of Reclaim the City, most of whom live at Cissie Gool House. When I began my fieldwork, NU staff took a much more prominent role in facilitating the Advice Assembly but by the time I left, this had shifted with more co-facilitation and independent facilitation by RED TT members.

Similar to Chapter meetings, the AA rests on the beliefs that together, people can educate themselves about complicated topics (such as evictions), develop meaningful responses, and that people will support one another in carrying out actions that may seem to only benefit an individual rather that the group (such as when members agree to resist an illegal eviction). The AA continues to grow and develop because, as one NU organizer suggested at a meeting of the RED TT, people may come to AA because they are in crisis, but they stay involved because of how it feels to learn and find support and then to pass on that learning and support to someone else. Marcus (a 37-year-old man who identifies as South African) is a House Leader and resident of CGH who speaks to this idea when he says of the AA:

> it's actually very liberating, actually. You have that… you can actually help somebody, and you know how they feel. They feel hopeless, like nobody cares. Like for us for instance, all the doors closed in our face. No one really wanted to help. People said yes, we're coming, we're going to help, and they never came. But now we can actually give that advice "no, go there, talk to this person, this is what you must do, that is what you must do."

Thus, while the AA is certainly about learning facts such as what different court issued documents mean and what the Prevention of Illegal Evictions Act says, it is also a space where people are practicing the alternative social relations associated with a community of resistance by engaging their knowledge to demonstrate empathy and care for one another. Uhuro's experience further highlights this. He is a man from central Africa in his 40's who came to the AA in the midst of a dispute with his landlord. Through the advice and support he received, he secured legal representation, won his court case, and thereafter became an active member of the RED TT. Uhuro routinely refers to the AA as a "healing center," because of how it felt for him to receive advice and support in the midst of a stressful situation that he did not know how to handle. This is no small feat in a country and city where many foreign nationals, particularly from other African countries, face high levels of xenophobia and ostracism (Dodson, 2010).

Even when people come to the AA with circumstances that cannot be remedied (e.g., they are facing eviction after not paying rent for several months), getting support and encouragement can be extremely comforting. RTC members, for example, went to court to support a middle-aged woman who had come to the AA seeking advice in her eviction case. At the AA she was advised to request a postponement to get legal representation and was told that RTC members would come to court to support her. On the day of her appearance and after successfully getting the postponement, she expressed her gratitude to the RTC members that came to court. "Thank you so much for being here," she said to the group in the waiting area outside the courtroom. "I didn't know what was going on… I didn't hear anything the lawyer and magistrate said… I just stood there like Lot's wife."

Although, as I demonstrated in the previous chapter, resisting evictions through the legal system is extremely difficult and may not be assisted by simply knowing one's rights, it is imperative to acknowledge that rights-based advocacy efforts like the AA may have significant benefits beyond learning about one's rights or the law (cf. Tissington, 2014). The above reflection on the AA suggests that these benefits include important relational work characterized by sharing useful knowledge, showing up for people in times of distress, and thus demonstrating care in very tangible ways. As "the headquarters" CGH is thus a place where RTC actions and events are resourced with ideas, participants, and protest signs, and where tenants can gather for informal legal advice and support. But it is also where people seek to engage one another in more affirming, humanizing ways. To draw on Lorde (1984/2007), CGH is a place where people endeavor to relate to one another in ways that resist the oppressors' relationships of division and exploitation, contributing to processes of *conscientização* and building a community of resistance.

It is important to highlight that building such alternative relationships is not a straightforward, easy, or conflict-free process. On the contrary. Leaders are constantly debating who should facilitate meetings, how best to facilitate them, and challenging one another for being disorganized, too highbrow, or paternalistic in their approaches. NU staff are also consistently navigating the challenge of when and how to shift leadership responsibilities, decision making, and autonomy to RTC leaders. Efforts to address some of these issues take place in the many leadership meetings that RTC holds as well as through activist trainings and events organized with NU and other local nonprofits. Problems also arise within meetings. For example, meeting attendees have complained that meetings are too long, too late, are not always well facilitated, don't start on time, and may be dominated by a few voices making them an uncomfortable space in which to share one's views. At the AA, attendees sometimes resist sharing their stories publicly and request to speak with RTC members and NU lawyers one-on-one. This arguably speaks to the enormous emotional weight of people's circumstances, but also the ways in which publicly sharing one's painful situation in order to solicit the advice and support of a large group of strangers runs counter to the dominant cultural practice of dealing with such matters as private, personal problems.

To say that NU and RTC always get things right and are always building more empowering, inclusive, and caring relations would be romantic and disingenuous. Yet, all the above-mentioned tensions arise as a seemingly inevitable and perhaps necessary part of building a community of resistance – a process that is by nature experimental, iterative, and developed through practice. It is a process in which each person is required to confront their own positionality and, following Lorde (1984/2007), the unique ways in which each of us internalizes systems of oppression and domination. The presence of contestation, missteps, and even failures in the process of building a

community of resistance does not negate these efforts, but rather signals the immense challenge associated with this task.

Although RTC meetings and the actions that they lead to are important spaces where RTC members are engaging in critical, relational work, they are not the only such spaces at CGH. As much as the House is a venue for meetings and all that that encompasses, it is also a domestic space (albeit an atypical one) where people live and interact on a daily basis. The relational work I have described above, I will argue, also happens as leaders and residents negotiate the challenges of living together and engage the question – in theory and in practice – of what kind of home they want CGH to be and become.

Cissie Gool House as homeplace

As a home and domestic space, Cissie Gool House (CGH) can be a challenging place to live. Residents live in close proximity to each other, have limited privacy, have to share many spaces with one another (such as kitchens and bathrooms), and have to rely on each other for cleaning, fixing, and maintaining the building as well as a certain level of order. Residents, by virtue of necessity, have been thrust into a form of communal living, whether or not this is what they envisioned or desired. Talking with leaders and residents about the challenges of living together I was routinely told, "we are people from different backgrounds" – a phrase that I now understand as being both about the House's demographic diversity and the diversity of life experiences that bring people (and people bring) to the House as well as residents' differing perspectives, personalities, and values. Speaking about the major challenges at CGH, Joan (a Woodstock Chapter leader) shared:

> people living together, making it an inclusive…. being nice to each other, supporting each other… it's the pie in the sky dreams we have […] and quite early

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on we realized that […] people, when the come off the street and they've had to fend for themselves and - no trust - and they bring that in… And so, once they're in there, they're not just going to turn into angels. But I think we've come a long way. There are good people there.

Joan thus identifies making CGH an inclusive space where residents support and care for one another as a present challenge, but also identifies it as her "pie in the sky" dream for the House. She reflects here on the difficult and often traumatic experiences that residents have endured prior to moving into the House and suggests that these experiences contribute to some residents' difficulty with trusting, supporting, and "being nice" to one another. When I asked residents about life inside CGH, many spoke to these challenges, but also the benefits of living in the House. For example, many identified individual-level benefits such as improved mental and physical health, being better able to care for their children and elderly parents and being able to put money toward education and basic necessities such as food.

Echoing Joan's reflection though, residents also spoke about the dynamics between people as a source of frustration. Not everyone sees CGH as their home – a place to love and care for and not everyone is there to be part of a collective. Communal life is further complicated by the challenges of unemployment, drug and alcohol addiction, domestic violence, youth violence, and criminal activity such as theft and vandalism. Few residents denied these struggles, but many pointed out that they are hardly unique to CGH, being very much a part of Cape Town society more broadly.

Rather than ignore these challenges, some leaders and residents are actively working to address them, approaching life in the House with a sense of shared responsibility for everyone's safety and well-being. This labor occurs through various efforts to make CGH a more livable, caring, and socially connected space. It is, I suggest, the work of making what bell hooks (1990/2015) calls "homeplace" – that is, home as a site of refuge, recovery, and resistance to

racism and dehumanization. This is work that is not necessarily recognized as resistance or what is conventionally understood as housing or spatial justice activism. Following hooks (1990/2015), however, I argue that these efforts, which are grounded in an understanding and experience of CGH as a home (versus an occupation or just shelter), represent a "radically subversive political gesture" (hooks, 1990/2015, p. 43; see also Makhulu, 2015). This is because they work to develop or recuperate alternative, more humanizing social relations. As such, making homeplace is also the work of building a community of resistance.

"You can't separate the politics from the personal shit"

Between Ndifuna Ukwazi (NU) staff and Reclaim the City (RTC) leadership there is no clear consensus on how to manage and deal with issues that arise out of "people living together" (to use Joan's phrase). For some, there is a belief that many of the abovementioned challenges can be minimized by "politicizing" CGH residents, which roughly means drawing them into RTC's activities and spaces of political education and direct action. As mentioned earlier, however, not all (or even most) House residents joined the occupation because they were interested in being part of a social movement. Many simply needed shelter. A few NU staff members who view politicization efforts as critical, also voiced their feelings that they lack the capacity to deal with interpersonal or "social" issues. There was also a sense that addressing such issues may not be the work of housing activists:

> [at the Houses] too many resources are spent on the social issue of people living together, which is actually not the work that we're working on. We're a political organization. (Jack)

> I'm not a social worker. I'm not a psychologist. I'm not skilled to resolve societal issues. I'm a housing political activist and that's where my expertise are. I'm an activist. I don't have these qualifications and knowledge and skills to resolve societal issues such as gender-based violence, such as drug abuse, you know, alcohol abuse and so on. (Mandla)

While drawing a clear division between political work and social/societal work, both men went on to acknowledge the importance of attending to these "social" challenges at RTC's Houses but admitted that their difficulty is with knowing *how* to do that. For Sophia, it is imperative to spend time and energy on this question and it is problematic to create a distinction between "the personal" and the "the political," as feminists have long debated (Davis, 1974; Hanisch, 1969; Oloka-Onyango & Tamale, 1995):

> CGH is the headquarters, its where people come to meet, it's all of those things, but at the same time, there's a lot of shit going on in that House! And you can't separate the politics from the personal shit. You must deal with the personal shit. (Sophia)

Sophia's position represents another viewpoint which is that attending to "personal shit" is critical not just for House residents' well-being, but for sustaining RTC. In other words, it has to be recognized as part of the work of movement building. Geeta (a 33-year-old woman who identifies as a South African) is another NU staff member who similarly expressed the idea that "people have to trust each other to be able to really come together" and it is therefore important to attend to any dynamics that threaten or diminish this trust.

While these debates happen among NU staff and between NU and RTC leaders, I came to appreciate that among some RTC leaders and residents, there is already a clear sense of collective responsibility for one another's well-being. This is evidenced in actions that are taken on a daily basis and which, as I detail next, concern making CGH a more livable, sharing, and socially connected space. The motivations for these actions are, in part, pragmatic. A chaotic House would not only be an unpleasant place to live, but it would give the City grounds to expedite their efforts to dismantle the House – a point often stressed in Chapter and House meetings. Leaders' and residents' motivations to address the challenges of living together as well as the hardships that residents face, however, extend beyond the pragmatic and do not simply reflect a desire to claim

that CGH is some kind of model community. Rather, as the quote above from Joan suggests, leaders and residents have visions or "pie in the sky dreams" of what CGH could be: a comfortable, accepting, caring, and safe space within a city that, for many people, feels like none of these things. The steps taken toward this vision, I suggest, is the work of making homeplace (hooks, 1990/2015) and as such, of building a community of resistance.

Making homeplace

Thinking about communities of resistance and what they are, Vietnamese Buddhist monk Thich Nhat Hahn suggests that we should understand "resistance" as:

> opposition to being invaded, occupied, assaulted and destroyed by the system. The purpose of resistance, here, is to seek the healing of yourself in order to be able to see clearly… I think that communities of resistance should be places where people can return to themselves more easily, where the conditions are such that they can heal themselves and recover their wholeness (Nhat Hahn & Berrigan, 2001/1975, p. 129).

Building on the idea of communities of resistance as places where people may heal and recover themselves, hooks (1990/2015) considers how the home may function as just such a place. She reflects on how Black women have been responsible for creating homes "as spaces of care and nurturance" (p. 42) in the midst of racially oppressive societies and names these specifically domestic sites of resistance as "homeplace." She explains:

> Despite the brutal reality of racial apartheid, of domination, one's homeplace was the site where one could freely confront the issue of humanization, where one could resist. Black women resisted by making homes where all Black people could be subjects, not objects, where we could be affirmed in our minds and hearts despite poverty, hardship, and deprivation, where we could restore to ourselves the dignity denied to us on the outside in the public world (p. 42).

Though homeplace might be tenuous and "always subject to violation and destruction" (p. 47) hooks asserts that it is a critical site not only for developing critical consciousness and building

solidarity, but also where a sense of dignity, integrity of being, and hope can be fostered. hooks (1990/2015) thus extends our understanding of what constitutes a community of resistance and where it might form. By drawing attention to the home and Black women's efforts to create homeplace, she emphasizes the idea of caretaking as resistance – that is, as enabling survival of the everyday assault of racism and despite it, maintaining a sense of dignity and wholeness.

In the next section I apply the notion of homeplace to CGH in order to examine the caretaking and home-making efforts taking place there, how these may be understood as resistance, and thus how they contribute to building a community of resistance in the House. In this analysis I don't mean to suggest that the House *is* homeplace for all who live there, but rather that among residents and leaders there exists the desire, the vision, and the effort to make it into such a place. In other words, there is a recognition (conscious or not) that the potential of CGH goes beyond its ability to function as "the headquarters" for movement building activities and extends into what the House – as a domestic space or home – could do and be for its residents. In what follows, I explore some of the efforts associated with making homeplace at CGH, dividing them into three broad, somewhat interrelated categories: making CGH into a more livable space, a space of radical sharing, and a space of increasing social connection.

Livable space

One day I arrived at CGH to see Nonhle (a 36-year-old Black woman and House leader) walking up the road carting two new municipal bins (trash cans) behind her. Originally from the Eastern Cape, Nonhle grew up in Woodstock and moved into CGH when she started struggling to pay her rent after her roommate moved out and she couldn't find an affordable place to live. She joined CGH in the early days of the occupation and quickly emerged as a leader. Today she is a House leader, taking on this role in addition to volunteering with Woodstock's Community Police Forum,

doing contract administrative work for the City of Cape Town, and working toward a degree in electrical engineering.[66] On this particular day, Nonhle was full of energy and was eager to share her plans with me. Dressed in a blue and white striped t-shirt and with a lanyard hanging around her neck, she was all business. Once inside the grounds of the hospital, she added the two bins to a line of several others that she had already carted up. She showed me how she labelled them and detailed her plan to put half of the newly acquired bins here and the other half on the other side of the building, thus making them accessible for most residents. Getting the bins was a bit of a battle and although I asked, I'm still not totally clear how the House leaders managed to get them or convince the City to collect their trash twice a week but, they did.

In figuring out this system, leaders like Nonhle have worked to solve issues of basic service provision for CGH residents. This is just one, simple example of the many voluntary tasks that some residents and leaders undertake daily to keep the House in order and make it that much more livable. Walking through the building, communal seating areas and decorated spaces pop up unexpectedly (Figure 31). Clothes lines have been set up in drafty corridors where the windows are broken or won't close. Small businesses selling everyday item are dotted around (Figure 32). Together, leaders and residents have cleaned up untold amounts of dust, dirt, and bird excrement, painted and partitioned hundreds of rooms, fixed drains and toilets, installed pipes and wires to distribute water and electricity around the building, and devised systems to clean and maintain the building. Residents have experimented with appointing "maintenance task teams" responsible for assisting each other with jobs such as fixing windows or installing locks and new lights. There are

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[66] It is perhaps ironic, but like Nonhle, I met a few people living at CGH who work for the City or government in some capacity – including for the police. The Woodstock Community Police Forum (CPF) that Nonhle works with is a community body created by the neighborhood's police station to improve communication and establish relationships between police and the residents of Woodstock.

also efforts to assign cleaning duties (Figure 33) to residents as well as efforts to maintain decorum

and safety through mutually agreed upon "House rules."

Figure 31

Denver, a Woodstock Chapter leader, sitting in a communal space decorated by residents at Cissie Gool House.

Figure 32

A tuck shop inside Cissie Gool House selling basic necessities, treats, and cigarettes.

Figure 33

One of the many cleaning rosters that can be found pasted in the corridors of Cissie Gool House.

Recognizing that it would be impossible to ban alcohol and drug use, for example, the rules require that intoxicated residents confine themselves to their rooms. This is a rule that certainly does not deal with the issue of addiction but accepts it as a present reality and seeks to diminish the impact on other residents. Different sections of the building have also experimented with self-imposed curfews or times by which residents should be in their rooms. On Nonhle's side of the building, residents agreed to a weekday curfew of 8 pm for children and 10 pm for adults. As it was explained to me, the main motivation for this is safety. It's a way to keep track of who is in the building and to ensure that children are not left unsupervised after a certain hour. The House has also appointed a "security task team" and residents take turns to patrol the building at night in an effort to deter criminal activity. When I left, the House and Chapter leaders were also developing a system for dealing with "disciplinary issues" that arise in the House and having debates about different methods of accountability they might use. Every Friday, leaders currently hold "hearings" where they deal with violations of House rules that include serious issues like reports of domestic violence.[67]

The development of structures to maintain the building and address issues of safety, security, and basic livability may be regarded as efforts that recognize and seek to affirm residents' inherent dignity. Thinking about the efforts to make CGH a more livable space, Sumaira (a CGH resident) thus observed:

> We know it's not our home, but for now we gonna treat it like that. We gonna treat it like that and, you know, restore a little bit more dignity 'cos many people have been lost, hurt.

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[67] Since this was just getting started when I left, I am unable to comment on the structure or methods used in these hearings (or their effectiveness). What I can add, is that, given my background in mental health, leaders invited me to a meeting to think with them about structures of accountability. This meeting made me aware of the presence of conversation and debate around this and the likelihood that they will continue to experiment with different strategies.

Although it is largely understood as temporary, Sumaira's words suggest that the House can still be imagined and treated as homeplace, which is to say a place where those that "have been lost, hurt" may recover a sense of "dignity." Within the activities designed to make CGH more livable is the idea that everyone – simply because they are human – deserve not just to be sheltered, but to live in a dignified and safe place regardless of their income or personal challenges. It approaches residents as worthy of such basic necessities as water, electricity, trash collection, and a safe place to live, regardless of whether they can afford such things or not.

Following Sumaira, actions taken to make CGH into more of a home may be regarded as healing or restorative as they arguably resist the ways in which poor, houseless people are so often constructed in demeaning and subhuman terms while the demeaning and dehumanizing conditions in which they are forced to live are ignored (Ballard, 2004; Speak & Tipple, 2006). Aliya (who lives on Nonhle's side of the building), also reflected on the potential benefits of CGH's developing rules and structures:

> here we have a network of our own, like especially the floor itself… like if you need to borrow some food or something, there is someone you can ask. It's fantastic. Then you've also got the building as a support structure as well, especially this building 'cos we've got our own task team, we've got our own maintenance team, we've got floor monitors, we've got two on each floor, we've got child monitors, we've got a House leader, we've even got a Chapter leader in our building. So, there's more structure here. So, when we leave here, you on your own again. So, are you mentally, emotionally, physically, financially prepared when you go out here? And that's what I hope, that a lot of people are able to gain or able to stabilize before they need to leave this occupation… that we can become strong people and yet while possibly being out there, that we still keep networking and still keep going for RTC.

Aliya's sense is that the various structures at CGH have given rise to the development of social networks that are a meaningful and useful resource for residents. Aside from the practical help they may provide, they also offer a reprieve from the harshness of conditions "out there," where Aliya suggests "you on your own." In contrast, the support networks developing at CGH suggest

a way of living in which caretaking may be regarded as a shared responsibility. Rather than interpreting rules and structures as punitive, Aliya expresses a hope or dream that they might help residents to "stabilize" or to recuperate in body, mind, and spirit, to become "strong people" who don't just manage to survive but have the necessary energy and motivation to "keep going" in the struggle for housing. Reflecting on residents' efforts and various initiatives to make CGH into a livable space, Nonhle told me "you can be poor, but we are not poor with our minds." This was a strong statement against the idea that simply because CGH residents are poor and occupying the building that they are incapable of taking active, informed, and intelligent steps toward making CGH into a comfortable, safe, and ordered space. Following the work of Patricia Hills Collins (2000), the House can thus be regarded as representing a physical counter-narrative to the stereotypes, stigma, and other negative beliefs that emerge under systemic racism.

Radical sharing

Aliya's words hint at another pertinent issue in the House – that of hunger. For some residents, this is an issue that is slightly mitigated by having many neighbors to whom they can turn. In my interactions with individual residents, I became aware of their willingness to share what they have with one another, especially when it comes to food. For example, Roshaan, a woman in her late 20s who identifies as Coloured, is a CGH resident who feels lucky to have a job at an upmarket clothing store. Her modest income, however, cannot cover childcare and rent in Woodstock where she has lived her whole life. "Mid-month I run short on groceries. Then I have to think of ways to survive," she told me. Her inability to find an affordable place to live in Woodstock, combined with her refusal to leave the area resulted in her decision to move into CGH. While drinking coffee together in her room one day and telling me that she is not involved with RTC's political actions, there was a knock at her door. After exchanging some words with a woman who lives across the

hall, she closed the door and explained to me that this woman is one of the people for whom she cooks (aside from her own children, her sister, her father, and a little girl who lives next door whose mother struggles with addiction). She went on to explain:

> When I cook and I dish, I let everyone come and sit. It's not you standing there or you go eat there or you come… if you not here on time, there's no food for you. That is just my theory because it will teach you to be here on time. We eat and we all eat together as a family. I do it with her also – that woman that was here – I do it with her also. I say, come sit! Don't go stand there!

Having people come together to share a meal is not just an act of charity but is an expression of care and a gesture that can be used to develop bonds between people, even strangers. In addition to such individual actions, a group at CGH are also trying to address hunger with a larger effort they call the "feeding scheme." This initiative, which began shortly before I left, entails soliciting donations of food (or money for food) and then getting together on a Friday afternoon to prepare a hot meal for anyone in the House who needs it. The cooking takes place in an old kitchen that once served the nurses' residence at the Woodstock Hospital. The room still contains all the old kitchen equipment and appliances, though none of them work (Figure 34). Still, the room provides a large space in which to prepare a meal and as such, is where cooking for the feeding scheme and other events (including weddings and funerals) generally takes place. Speaking with Alysa (one of the initiators of the feeding scheme) on a Friday afternoon in the kitchen while a meal was being prepared, she reflected on her motivations for being involved in this and other projects in the House:

Alysa: I've always been someone who's participated in outreach programs and I've always been a community kind of person. I'm a very… I'm a very homely person. I'm not very outgoing. And so, because I am a homely person, I have now regarded CGH as my home.

Me: The whole thing?

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Alysa:	The whole thing! So, I regard this as my home and my home takes priority. There was… there's a saying that people still use today: Home is where your heart is. And that is what's happening now, that home is where my heart is.
Me:	It's just that your home is now bigger than it used to be.
Alysa:	My home is a lot bigger. I've got a very big family that just sprang up overnight! But I have to say, where the changes really came in was my time. I was never the kind of person who'd compromise my time. But I've grown so much into doing that now, really sharing everything.

Figure 34

A view of a kitchen at Cissie Gool House that served the old nurses' residence and where the cooking for the weekly feeding scheme and other events takes place.

For both Roshaan and Alysa, living at CGH has expanded their definition of home and family and they both speak to a feeling of responsibility, desire, and satisfaction in caring for those that they have now incorporated into these expanded definitions. Alysa is a Chapter leader who

also cares for her son with a disability and her elderly father. She reflects here on a shift in her thinking about "my time" and how, with an expansive view of home and family, comes a radical sharing not only of resources like money and food, but of time and arguably, attention and care. Moving from a sense of time as belonging to her and her family alone, Alysa suggests embracing or growing into an approach to time as a shared resource – one that can be used to advance collective well-being and nurture life within CGH. The effort to use time and attention otherwise may be regarded as an anti-capitalist impulse, resisting both the way in which our time and attention are commodified and captured in service of capital (Crogan & Kinsley, 2012; Williams, 2018; Wu, 2016) and how we tend to think about time and attention as our personal possessions (as opposed to collective resources). Melamed (2015, p. 78) notes:

> Accumulation under capitalism is necessarily expropriation of labor, land, and resources. But it is also something else: we need a more apposite language and a better way to think about capital as a system of expropriating violence on collective life itself.

Radical sharing may thus be considered to be part of the work of reclaiming collective life and of resistance because it works to promote survival and well-being. Alysa speaks of the feeding scheme as a very modest start. Her vision is that ultimately, the scheme will deliver more frequent meals to CGH residents and to Woodstock residents more broadly. Discussions in the House about food security and income generation has also led to an initiative to plant a vegetable garden that leaders hope will one day be large enough to deliver produce to sustain the feeding scheme, generate an income for the House, and provide a meaningful activity for the House's older residents who have already taken to tending to the garden (Figure 35).

Reflecting on these desires and speaking to another way that leaders imagine using the space they have created at CGH, Alysa went on the say, "so living inside the occupation… one of the positive things about it is to live out the possible alternative." Here, "the possible alternative"

represents a vision (or freedom dream) of self-sufficiency, of creating a communal system in which residents reclaim control of the resources needed to sustain life, freeing them from relying or waiting on the state to affirm their lives, dignity, and humanity (cf. Esteva, 2006; Zibechi, 2010).

Figure 35

A section of the Cissie Gool House vegetable garden. Elderly residents of the House, in particular, have taken responsibility for tending to it.

Socially connected space

Leaders and residents have initiated a number of other small projects that are geared toward enhancing residents' lives through social connection. Recognizing that the young people in the House need some space of their own, Joy (a 52-year-old White woman and CGH resident) started a dance group for teenage girls and also initiated a clean-up of an old parking area filled with debris in order to set up a play area for the children in the House. Despite chronic pain, Joy always has a project on the go and when we spoke, told me about her systematic effort to clean every room on

her side of the building. She described being motivated by intense gratitude and the desire to give back to the movement for saving her from a life of homelessness. She said:

> If it wasn't for them, I would have landed up in the street. I would have. 'Cos I was thinking about it already in my mind, how I would have lived. I didn't know… I wouldn't have made it, 'cos I never ever lived in the street […] I would have died out there. I wouldn't have made it. So, it [RTC/CGH] saved my life. So, I would do anything what I can do in this place to make it work […] It's like I can't wait to finish my porridge in the morning, to get dressed, 'cos I want to start. What am I going to do next? I want to. It's in me now. I just want to work and help where I can for this place, for this movement.

Other residents have started a youth soccer team and a program that brings the young people from each of RTC's Houses together for fun events like fashion shows, sports days, and movie nights. CGH is further becoming a kind of community center as people from outside of the House are invited in to use the space. The House has thus been used as a free venue by Woodstock residents for weddings, funerals, yoga classes, church and interfaith services, and by other community and activist organizations to host their meetings and events.

Speaking to the impulse behind this, Sumaira noted, "we not wanting to start a little RTC village here on our own. We want to be part of society." This sentiment suggests an intentional effort to create spaces of social connection, recognizing that they are an important catalyst for collective recovery, of regaining a sense of wholeness, and thus creating homeplace (Watkins & Shulman, 2008). Initiatives designed to bring people together (e.g., for fun events or faith-based services) and to enable the wider neighborhood to use the CGH space (e.g., for weddings) further emphasizes the significance of RTC's grounding in a particular place. This rootedness creates the possibility for building social spaces that may strengthen residents' connections with one another as well as strengthen social ties among Woodstock residents more broadly.

In an effort to connect further with the surrounding neighborhood, RTC planned to host their first "Open House" in October 2018 and invite members of the public into CGH to learn

about the movement and the House's residents. Together with NU staff and outside volunteers, they planned a guided tour around the House and created an exhibition in one of the House's halls that included photographic portraits of individuals and families living at CGH (Figure 36). The intention of the exhibition was to facilitate dialogue with neighbors by humanizing residents, representing them as ordinary people and families and contesting the pejorative label of "land invaders" usually ascribed by government officials to people who illegally occupy land/property (Clark et al., 2020).

Figure 36

The photographic exhibition at Cissie Gool House that included portraits of House residents and which was meant to form part of the "Open House" event in October 2018. The event was shut down by the City of Cape Town.

Note. Image is from a still from a Reclaim the City video, https://www.facebook.com/ReclaimCT/videos/701928650179125/

The evening before the Open House, however, the City brought an urgent court interdict against RTC that shut down the event. The City alleged that the residents of CGH are not occupying the hospital because "they are homeless," but to "make a political statement" and that the Open House was actually a front for a "massive orchestrated occupation" (quoted in Reynolds,

2018, para. 3). Although the City's actions can be read as a defensive move to "protect" government property and bolster efforts to evict residents, it also shows how efforts to build social connections and solidarity with neighbors is a threatening action. To invite the public in to engage with residents and hear their stories would not only counter the racist lie of the criminal "land invader," it would also display the kinds of living arrangements (the "possible alternative" in Alysa's words) that can be imagined and pursued when people defy the state's authority to keep disused public buildings empty while people face the violence and injustice of eviction, displacement, and homelessness.

"Why did we create this space?": Cissie Gool House in the struggle for house and home(place)

While leaders and residents may not describe the abovementioned actions of making homeplace as necessarily political or activist, they may nonetheless be considered as such. In the same way that the movement-building work described in the section "CGH as the headquarters" is political work contributing to the creation of a community of resistance, so too is the work of homeplace-building. This is because it, too, represents an effort to be otherwise, to relate in ways that stand apart from the terms of "the oppressors' relationships" (Lorde, 1984/2007, p. 123). For hooks (1990/2015), constructing homeplace is "a radically subversive political gesture" (p. 43) because it is a way that Black women, in particular, have resisted White supremacist domination and its divisive, dehumanizing relations, through practices of love, mutual care, and concern (cf. Cowser, 2012; Cowser & Barnes, 2016).[68] Actions undertaken to make homeplace at CGH reflect a deep

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[68] hooks (1990/2015) importantly adds that "[i]t doesn't matter that sexism assigned them this role. It is more important that they took this conventional role and expanded it to include caring for one another, for children, for Black men, in ways that elevated our spirits, that kept us from despair, that taught some of us to be revolutionaries able to struggle for freedom" (p. 44)

understanding – consciously articulated or not – that the residents of CGH have lost much more than shelter. As explored in Chapter 3, this is reflected in RTC members' understandings of the struggle for spatial justice as one not only for resources (such as a house), but for belonging, personhood, and freedom.

Coming back to Theo's question about CGH at the start of this chapter – "why did we create this space?" – it appears that the House has presented residents and leaders with an opportunity not only to be sheltered in the inner city and coordinate their Chapter, but also the space to envision and endeavor to "live out" (to use Alysa's term) alternative ways of living, being, and relating. These alternatives seek to affirm rather than negate life and humanity and to address the psychic, relational, and material harms inflicted in racially/spatially unjust systems. This is the "freedom dream" (Kelley, 2002) that CGH represents: the possibility of occupying public land, not only as a means to reclaim it, protect it from enclosure, to stay put, or repurpose it as a social movement's headquarters, but to recover collective ways of living and being through which people resist by living otherwise; living from the premise that the basic necessities of life (such as shelter, water, care, and attention) cannot be commodified and that everyone's survival and humanity is interconnected and therefore a collective responsibility.

hooks (1990/2015) notes that often the labor involved in constructing homeplace is overlooked as being revolutionary or political in nature, pointing to the ways in which the kinds of labor generally associated with women – caretaking, nurturing, and homemaking – are devalued. This perhaps explains why the homeplace-building efforts that residents and leaders are undertaking may not immediately be recognized as constituting political work or spatial justice activism. For Sophia, who wants organizers to give more attention to the "personal shit" going on

at CGH (the way that leaders and residents are endeavoring to do), the failure to prioritize this kind of work stems from a particular understanding of what constitutes "politics." As Sophia puts it:

> When it comes to politics, it's a dick kind of politics, a patriarchal politics and that's the politics everybody learns. People don't learn a feminized politics.

A patriarchal politics is one that lauds the "dramatic, physical, 'macho'" actions that are often associated with protest and campaigning (Maxey, 1999, p. 200), placing quieter efforts including relationship and community building outside of the realm of the political. Aside from reproducing a problematically gendered notion of what counts as legitimate activism, it also misses the kinds of radical futures being imagined and dreamed within a place like CGH.

What is radical about CGH is firstly and undeniably that it exists, that people were daring and brave enough to occupy the space in protest and continue to live there despite the possible repercussions. There is something powerful about people's presence in this space and their associated refusal to be displaced, forgotten, and banished to Cape Town's urban peripheries. Secondly, though, CGH is radical because it reinforces the idea that the struggle for urban land, housing, and spatial justice is incomplete if it ends with housing provision. The struggle, it appears, can be understood as one for house *and* homeplace, where homeplace functions as a physical space supporting the development of communal systems that enable the production and reproduction of life (rather than of poverty, inequality, death, and despair) (cf. Zibechi, 2012). As such, to struggle for homeplace is to engage in the critical (yet sometimes undervalued work) of collective healing through the enactment of more humanizing social relations characterized by love, sharing, care, and mutuality (cf. Watkins & Shulman, 2008).

Whether Cissie Gool House and Reclaim the City's other Houses will push the government's commitments to housing forward or will inspire the creation of new Houses in the city's disused public buildings is, as yet, unknown. What remains, however, is that Cissie Gool

House is a place where people are imagining and seeking to enact a different way of life – no matter how fragile, challenging, and temporary the circumstances. Arguably, these efforts and the vision of the future they construct will endure, even if the House does not.

CHAPTER 6

CONCLUSION

Since completing my fieldwork in mid-2019, much has happened in the life and evolution of Reclaim the City (RTC) and the movement's on-going struggles for land and housing in Cape Town. In August 2020, Ndifuna Ukwazi's (NU) "Reclaim the City" campaign that ultimately led to the formation of RTC as a movement, had a full circle moment. Four years after taking the government to court to formally object to the sale of the publicly owned Tafelberg site in Sea Point (see Chapter 2), NU/RTC won their case (Figure 37). In this significant victory, the Western Cape High Court set aside the sale of the site to a private buyer, declaring in a 218-page judgment that the sale and the regulations used to justify it were unconstitutional and invalid. As one news media article summarized it:

> The court declares that the province and City have failed in their constitutional duties to provide access to adequate housing and land on an equitable basis. In doing so, they have "failed to take adequate steps to redress spatial apartheid in central Cape Town." (Linde, 2020, The court order section, para 1.)

Theoretically, the Tafelberg site may now be used for social housing as the court prevented the loss of the land to the realm of private property. More broadly, the judgment lends support to RTC's *spatialized politics of housing* that seeks to connect decision making about urban land-use with issues of housing and redress (Chapter 3). It affirms that valuable public urban land ought to be used in the interests of advancing the transformative agenda set out in the Constitution and the state's own housing, land, and spatial development legislation. It acknowledges that urban land has a social value and a value for addressing histories of racialized dispossession that cannot simply be ignored. As NU and RTC have suggested, the judgment also supports the idea that public land-use decisions are inherently political with significant implications for achieving social justice

in the city. Thus, NU's director Mandisa Shandu told the media, "even though this case has been four years in the making, it's really about over 400 years of land dispossession and exclusion in Cape Town" (quoted in Charles 2020a, para. 8).

Figure 37

Reclaim the City members celebrate the Tafelberg victory outside the Western Cape High Court.

Note. Photo by Reclaim the City.

The Tafelberg victory also connects with the discussion in this dissertation about property and the effectiveness of the law in helping to achieve racial/spatial justice. The judgment is an instance where the court proved itself willing to impose restrictions on the state's power as a property owner, taking important contextual information into consideration (such as the city's history, the location of the site, and the state's spatial development goals). In this sense, the court was willing (in the case of public land) to disrupt the rights paradigm in which an owner's rights to their property are valued above all other claims (van der Walt, 2009). The judgment thus does

important work in challenging the government's characterization of themselves as a "property owner" with all the autonomy and power that usually accompany this status. Rather, the court adopted a stance that, as NU and RTC have suggested, the state is better regarded as a custodian of public lands and is constitutionally required to make land-use decisions that actively redress histories of racial/spatial injustice. As my analysis in Chapter 4 suggests, however, this same reasoning remains absent with regard to the state's use of "alternative accommodation" as a response to evictions and homelessness. In this case, using public land in a manner that deepens racial segregation and injustice continues to be allowed.

There are thus contradictions inherent in the legal process and although the Tafelberg judgment is a moment of victory and hope, important questions remain. It remains to be seen what the true impact of this judgment will be given past seemingly significant court rulings and the challenges associated with actioning them (Bilchitz, 2007; Moyo, 2016; Pieterse, 2007; Williams, 2014). In a press statement about the ruling, the provincial government vowed to appeal the decision despite being "absolutely committed to achieving spatial redress" and open to "engage widely and with all those interested" including NU and RTC (Winde & Madikizela, 2020, para. 9 & 12). Still, they argue, the appeal is necessary to correct what they regard as "judicial over-reach" and orders that infringe on the province's rights to make independent decisions about their assets and budget allocation (Winde & Madikizela, 2020, para. 21). If granted leave to appeal this judgement (and certainly if the appeal is won), the present government will almost certainly continue to sell well-located public land, further entrenching racial segregation and inequities in Cape Town. If the judgment stands, will it be an effective mechanism for furthering racial/spatial justice, housing rights, and/or granting access to land on a more equitable basis? Or will the victory remain largely symbolic?

And then there is the reality that court victories, like Tafelberg, are not without their consequences. The province's press statement may have affirmed a commitment to redress, but it also contained a warning that their willingness to engage with "all those interested" in land/housing decisions "will be premised on respect for the rule of law in our province and country" (Winde & Madikizela, 2020, para. 14). It's a curious statement given how the government's own respect for the "rule of law" has been seriously brought into question by the Tafelberg judgment. Still, they suggested they would not engage with the likes of RTC and NU should they continue to "illegally invade property" (Winde & Madikizela, 2020, para. 14). These statements minimize the egregiousness of the government's actions (e.g., selling public land) while attempting to criminalize those of RTC members. They falsely suggest that if RTC members (and poor people more broadly) simply "behave," they will prove themselves worthy of engagement by the state. Acts of civil disobedience such as land occupations, however, are not simply the self-serving actions of petty criminals. As I have shown in this study, those who occupy urban land do so for legitimate reasons including to survive, to resist racial banishment (Roy, 2017, 2019a), to protest unjust social conditions, and to imagine and practice more humane property and social relations (Chapter 5).

Since making these remarks, police harassment and efforts to delegitimize RTC and NU have escalated. A few months after the Tafelberg decision, the Mayor of Cape Town (Dan Plato) and the City's Mayco Member for Human Settlements (Malusi Booi), began publicly denouncing RTC and NU, suggesting that their "toxic legacy" is "one of the biggest obstacles to the building of social housing on well-located sites" (Booi, 2020, para. 1) and making unsubstantiated claims of widespread "criminality, rent extortion rackets, violence and mob activity" (City of Cape Town, 2021, para. 5) at Cissie Gool House (CGH). Such rhetoric, that seriously misrepresents RTC's

Houses and (once again) attempts to criminalize their residents, is not just an unabashed effort to shift the blame for the government's failures to deliver subsidized housing in inner city areas. It lays the groundwork for justifying what the government is planning next: eviction.

As of February 2021, the City of Cape Town has approached the High Court to approve their plan to survey residents of Cissie Gool House (CGH) in order to identify them, assess their eligibility for government subsidized housing, and their "willingness to vacate the property" (City of Cape Town, 2021, para. 2) This will be followed through with an application to evict those who refuse to leave. All the while, the City has renewed leases on golf courses and bowling greens occupying public land in prime areas (Fokazi, 2020; Mkoko, 2020) and leased one of the 11 sites in Woodstock that was identified for social housing development (see Chapter 3) as a parking lot for the next three years (Charles, 2020b). And all of this takes place in the context of a global pandemic, at a time when South Africa's hopes for a significant vaccine rollout is still many months away. The stakes in this threat of eviction could, therefore, not be higher. House residents are facing the prospect of displacement and homelessness, as well as the added threat of COVID-19 which, as evidence suggests, is significantly heightened when people lack access to adequate shelter and basic services (Ahmad et al., 2020; Corburn et al. 2020; Patranabis et al., 2020). Although housing and housing stability are key factors in managing infection and mortality rates (Jowers et al., 2021), the state has nonetheless chosen this moment to initiate their eviction plan.

This decision and its timing are telling. The timing following the Tafelberg case makes it difficult to discount the move as retaliation. Indeed, the Tafelberg victory poses a threat to the government's ability to continue to make urban land-use decisions that contradict their stated housing and spatial development agendas with impunity. Threatening eviction now, during a pandemic, further speaks to housing struggles as representing an on-going fight for freedom

(Chapter 3). It's a decision that demonstrates contempt for residents' well-being and their very lives. Furthermore, the decision not to engage with House residents but to label them and their actions "criminal" shows a persistent disregard for their circumstances as well as the knowledge, skills, and ideas for addressing land and housing issues in the city that arise through the creation of *communities of resistance* (Chapter 5).

These are dehumanizing actions that do not portend the state's ostensibly desired future of greater inclusion or "spatial redress." Rather, they foreshadow a future of further socio-spatial exclusion, dispossession, and even death. As Deborah Bird Rose (2004) writes "the damage we do on our way to the future is already destroying the future we hope to inhabit" (p. 18). Thus, a government cannot realistically work toward a more racially/spatially just future when the actions they take to get there continually fail to recognize and treat poor, predominantly Black people, as people. As long as social movements that legitimately contest unjust conditions are criminalized instead of engaged, it is unlikely that even the most progressive "pro-poor" urban policies will deliver on their promises for greater inclusion of and opportunity for the city's most marginalized residents.

As I conclude, I thus suggest that it is important to draw out, summarize, and momentarily dwell on the lessons for urban land and housing development that can be gleaned from this study. In particular, what kinds of imagined futures for urban land and housing emerge from and within a movement like Reclaim the City? And what kinds of principles, values, and ideals are embodied within these futures?

Urban futures from below: Land for people. Land for living. Land for freedom.

My analysis of Reclaim the City (RTC) has emphasized how, within the movement, fighting for spatial justice means more than fighting for shelter or a house in a well-resourced neighborhood.

It encompasses a call for equitable access to resources and healthy environments as well as for a greater sense of belonging in a racially segregated city, the affirmation of personhood, and for the freedom to live and determine ones' own life (Chapter 3). As I have endeavored to show, RTC does not only rally against the status quo of racial inequity and segregation but is propositional in their politics and suggestive of solutions and ways to move forward. In particular, my analysis of Cissie Gool House as a *community of resistance* (Chapter 5), is suggestive of an evolving set of principles for urban land, housing, and community development that emerge "from below" (cf. de Souza, 2006; Gutiérrez Rivera, 2020; Miraftab, 2009). Broadly construed, these principles turn on ideas of using *land for people*, *land for living,* and *land for freedom* and include interrelated values such as:

- **Decommodification**: Viewing and treating urban land not simply as an economic asset but as having social value. How might urban land be used in ways that first and foremost center people, their needs, particularly for life, dignity, belonging, and livelihoods?

- **Racial/spatial justice**: Acknowledging racial inequities in access to land, housing, and healthy environments and understanding these as issues of social justice. Also, recognizing that valuing land's social value encompasses a consideration of how urban land may be used to redress histories of racialized dispossession, displacement, and segregation. How might urban land be used to advance racial equity and social justice?

- **Place-based solutions**: When planning public/subsidized housing projects, attending to the unique histories as well as social and spatial dynamics of different areas in the city. What is the history of this urban land? What stories of violence, resistance and/or resilience needs to be remembered and considered? How do residents of this place and of the city envision the future of this place?

- **Community-led solutions**: Inviting, respecting, and investing in the views, ideas, and desires of those who struggle most to access land and housing. How might decision-making about urban land-use and housing include structures for listening to, learning from, and incorporating the visions, knowledge, and opinions of marginalized groups?

- **Collective/cooperative ownership and government**: Shifting both resources and power to marginalized groups. How might urban land and subsidized housing be collectively owned and governed, primarily by people who experience the greatest exclusion from the city? How might private property be reimagined?
- **Networks of care**: Recognizing, valuing, and attending to the relationship between urban land-use, social relations, and survival in the city. How might urban land and housing be used to mobilize and strengthen existing community assets and ties, grow a sense of belonging in the city, and bring people together to be with and care for one other?

These values speak to the idea of *land for people* because they affirm the idea that people and their humanity should be central in all decision making about urban land (Chapter 3). The idea of *land for living* is further represented in the idea that land-use should not only address people's basic survival needs but also be used in ways that allow them to grow, thrive, develop relationships, and have greater control over their lives (Chapters 3 and 5). And finally, the idea of *land for freedom* is reflected in the alternative relationality that is implied by using land for people, for living, and for addressing histories of racial violence. It is a relationality that foregrounds survival, care, mutuality, collectivity, and repair of harms and as such is undergirded by anti-racist, anti-colonial, and feminist impulses (see Chapter 5).

The above list is by no means exhaustive but highlights the forms of knowledge and actionable principles that emerge through the work of social movements (cf. Casas-Cortés, et al., 2008; Choudry & Kapoor, 2010; Conway, 2013). Further, RTC's creation of Houses in disused public buildings points to efforts to put such knowledge into practice, though imperfectly and temporarily. Such practices are important reminders of the ways in which people can and do resist racial capitalism by imagining and experimenting with alternative ways of living. The creation of such practices and others (such as the formation of urban food gardens, cooperative enterprises, or community action networks) are evidence, as geographers Gibson-Graham (1996/2006) point out,

that forces like capitalism are never totalizing. Yet, when we (as a public but also as scholars) imagine and theorize as if they are, our capacity to dream and pursue more humane (non-capitalist) ways of living and being are severely diminished. Existing practices of collectivity are thus calls to resist notions such as "there is no alternative" to prevailing economic and property regimes. Further, they are calls to take action on imagined alternatives, even if the results are partial, incomplete, or imperfect.

When governments criminalize, repress, and otherwise seek to discredit social movements, the knowledge and visions of the future that emerge in such spaces are problematically cast aside. In the case of Cape Town and Reclaim the City, the failure of local and provincial governments to engage meaningfully with the movement as well as the public when it comes to urban land-use and housing development in central areas, does not simply reflect a lack of political will. As my analysis suggests, it speaks to the entrenchment of colonial-apartheid logics and structures in the (post)apartheid city and how they enduringly shape socio-spatial relations. Questions concerning the "best use" of urban land, how land-use decisions should be made, whose ideas and perspectives count, who has the right to be heard, and whose lives matter cannot be separated from the operation of these racialized logics and structures. An anti-racist approach to land and housing development would challenge the idea that people, specifically Black people, can be "illegal" in the places they have always called home. It would regard those who take action to survive not as criminals, but as holding the government to account for the transformative ideals and values it purports to champion. And it would take seriously the knowledge, ideas, and perspectives of those who have and continue to live through racial/spatial injustice in working to develop meaningful responses and solutions.

Finally, through my engagement with Reclaim the City and the dissertation research process, I have come to appreciate that the values of survival, care, mutuality, collectivity, and

repair of harms are not only pertinent in land and housing struggles. Rather, these are values to hold and regard as fundamental to any and all relationships in which we seek to disrupt our own or other's exploitation, dehumanization, and dispossession. They are values upon which more liberating and humane ways of living and being with one another are made possible. Importantly, "being with one another" in ways that uphold such ideals includes the relationships forged through research. In this regard, urban studies scholars (myself included) are challenged not only to take progressive social movements seriously as producers of knowledge. Many scholars have built careers by studying social movements and writing about their politics. Rather, I believe that we are called to answer a range of far more challenging questions concerning who we want to be as people, to what extent we regard the struggles that we study to be our struggles, and what our responsibilities are to movements, their members, and their visions of the future.

In saying this, I recognize that each scholar's positionality will importantly and uniquely impact the answers to such questions. I do not mean to suggest that all scholars carry equal responsibility for disrupting systems of oppression. As scholars and researchers, however, I think we are collectively called to consider the (unearned) power that may be afforded to us by virtue of our high levels of education and our affiliations with the academy. Linda Tuhiwai Smith (1999) poignantly writes of academic research:

> Taking apart the story, revealing underlying texts, and giving voice to things that are often known intuitively does not help people to improve their current conditions. It provides words, perhaps, an insight that explains certain experiences – but it does not prevent someone from dying (p. 3)

Thus, although urban studies scholarship that works to expose and theorize the systemic causes of racial/spatial injustice may be critical, it is important to engage with the uncomfortable reality that it may be insufficient if our aim is to inspire, support, and/or participate in radical social change. We are thus challenged to think expansively about our research practices and the possibilities that

exist for conducting research that is not only theoretically interesting, but also pragmatic, strategic, and responsive to real needs and injustices in the places where we live. As such, we need to engage with and continue to expand upon models of community-engaged and activist scholarship (da Cruz, 2017; Derickson & Routledge, 2015; Hale, 2008; Portelli & Tschoepe, 2020). And to do so in collaboration with and in service of the social movements and causes that we care about most.

A final important provocation that surfaces from this study is thus to consider how alternative (anti-racist, anti-colonial, feminist) relationalities of care and collectivity may be made integral to our scholarly practices (cf. Faria et al., 2019; Kessi & Boonzaier, 2018; Mullings & Mukherjee, 2018; Tuck & Yang, 2014). And where such relationalities inevitably conflict with the culture and demands of increasingly corporatized universities that also cling to Eurocentric curricula and modes of knowledge production, we are further challenged to advocate strongly for meaningful institutional reforms (cf. Autonomous Geographies Collective, 2010; de Wit et al., 2021; Mountz et al., 2015; Rhodes Must Fall, 2018).

These are provocations that I continue to reflect on and seek to answer as I consider how the findings of this study can contribute to the fight for racial/spatial justice and sustaining communities of resistance in Cape Town. As local and global housing struggles continue and are likely to intensify in the wake of COVID-19, the need for action has never been more urgent. To guide such action, Reclaim the City continues to offer a radical freedom dream (Kelley, 2002) of a world where survival, well-being, quality of life, and life chances are not determined by race, income, or where one happens to live. Rather, social equity and justice is achieved as people work in cooperation to reclaim urban land for life and freedom, reclaim non-exploitative socio-spatial relations, and reclaim the right to self-determination. This is, perhaps, one of many possible ways to understand what it ultimately means to Reclaim the City.

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APPENDIX A: LEGISLATION TABLE

The table below is a very partial list of events, proclamations, and laws that were enacted between 1700 and 1994 that relate to issues, of land, housing, property, movement, and political rights. The intention of this table is not to be comprehensive, but to demonstrate the significant and long history of land dispossession in South Africa and to gesture toward the interrelated roles of racialization, land theft, private property creation, movement control, and political control in upholding White supremacy.

Table 3

Examples of South African legislation concerning land, housing, voting, and restriction of movement 1700–1994

1700–1740	"Khoi were stripped of their livestock and denied access to grazing and water resources – unless they were prepared to work for the colonialists. Such a process was not, however, instantaneous, nor did it proceed unresisted" (Penn, 1992, p. 4).
1760s	Slaves in the Cape are required to carry passes signed by their "owners" if they want to travel between urban and rural areas (O'Malley, n.d.; Savage, 1986).
1806: British Proclamation	Restricts but does not abolish slavery, prohibiting the capture of people to be sold as slaves while still allowing ownership, buying and selling of already existing "human property" (O'Malley, n.d.).
1809: Hottentot Proclamation	Requires Khoe-San people of the Cape to have a "fixed placed of abode" and carry a pass to travel (O'Malley, n.d.).
1828: Ordinances 49 and 50	49: Black Africans living outside of the Cape Colony and seeking employment required to have a pass to enter; 50: Repeal of Hottentot Proclamation, abolishing pass requirements for Khoe-San, but maintaining pass laws for Black Africans (O'Malley, n.d.).
1833: Abolition of Slavery Act	Abolished slavery in the British Empire (O'Malley, n.d.).
1853: Cape Constitution	Established the franchise for all men living in the colony who owned property to the value of £25. Also established property ownership requirements to be elected to office (O'Malley, n.d.).
1857: Kaffir Pass Act	Prohibited Black African men from entering the Cape Colony unless they were employed there. They could only remain in the colony for 14 days after an employment contract ended (O'Malley, n.d.).
1883: Public Health Act	Using the outbreak of the bubonic plague as a pretext, the "Plague Administration" sought to remove Black African people from Cape Town. Used this Act to create a "native location" at Uitvlugt on the Cape Flats (a sewage farm) (Swanson, 1977)
1887: Parliamentary Voters Registration Act	Raised property ownership requirements for voter qualification in the Cape Colony and excluded communal/tribal ownership as a qualifying criterion thereby disenfranchising a large number of Black Africans (O'Malley, n.d.; South African History Online, 2013b)
1887: The Squatters Act (No. 11)	Limited the number of Black families that could live on White owned farms to five (South African History Online, 2013b; J. Gibson, 2009)
1891: Act 25	Prohibited Indian people from owning property in the Orange Free State (a Boer Republic) outside of government designated areas (South African History Online, 2013b).
1892: Franchise and Ballot Act (No. 9)	Further increased the property qualification for voting and added a literacy test, further disenfranchising Black voters (South African History Online, 2013b).
1894: Glen Grey Act	Created a system of individual land tenure, restricting how much land Black Africans could own in Transkei and Ciskei and created a labor tax for Black African men who were non-wage earners. The Act undermined traditional

	social structures (including communal land ownership), restricted Black African producers by restricting land ownership, and forced Black African men into wage labor. (J. Gibson, 2009; Magubane, 1979; O'Malley, n.d.; Worden, 2012)
1902: Native Reserve Locations Act (No. 40)	Authorized the government to create segregated residential areas for Black Africans outside of towns. The Act was used to forcibly remove Black Africans from District Six to Uitvlugt (later, called Ndabeni) outside of Cape Town (O'Malley, n.d.; South African History Online, 2013b).
1908: Native Occupation of Land Act	Limited the number of Black Africans allowed to live on White farms (J. Gibson, 2009)
1909: South Africa Act	Enabled the creation of the Union of South Africa, an amalgamation of four colonies with a central, White controlled government. Black people were excluded from political participation (South African History Online, 2013b).
1912: Land Settlement Act (No. 12)	Regulated the sale of state land to Whites. Enabled the state to give 210 farms (over 160,000 hectares) over to Whites over 4 years (South African History Online, 2013b).
1913: Natives Land Act (No. 27)	Prohibited Black Africans from owning/leasing or occupying land in 93% of the country. Black African land ownership was confined to just 7% of South Africa's land. Black African cash tenants and sharecroppers were stripped of their land. Sharecropping was replaced with labor tenancy (J. Gibson, 2009; South African History Online, 2013b).
1919: The Asiatics Land and Trading Amendment Act (No. 37)	Prohibited acquisition of land by Indian people while legalizing tenure and occupation prior to 1919 (South African History Online, 2013b).
1919: Public Health Act (No. 36)	Included town planning clauses that entrenched urban privileges for White people (Parnell, 1993)
1920: Housing Act	Created a housing subsidy system in the wake of WWI and Spanish Flu pandemic to fund housing for the poor. Furthered racial segregation by, for example, funding mostly racially segregated housing schemes (Mabin, 2020; Parnell, 2002)
1923: Natives (Urban Areas) Act (No. 21)	Empowered urban local authorities to create "locations" for Black African people: Separate residential urban areas that could be occupied but not be owned by Black Africans. Also provided for "influx control" of Black Africans into urban Areas and regulation of their conduct (J. Gibson, 2009; O'Malley, n.d.; South African History Online, 2013b; Worden, 2012)
1927: Black (Native) Administration Act (No. 38)	Included a section that allowed the state to "order any tribe, portion thereof, or individual Black person, to move from one place to another within the republic of South Africa" (Horrell, 1978 in J. Gibson, 2009)
1934: Slums Clearance Act	Allowed municipalities to expropriate properties deemed to be 'slums' and demolish them without compensation (Bickford-Smith, 2016). "[B]y proclaiming certain non-white areas as 'slums', these areas could be condemned and people moved with overtly 'non-racial' motives." (O'Malley, n.d.)
1936: Native Trust and Land Act (No. 18)	Slightly increased the Black African reserves from 7% to 13.6% of the land. Established the South African Native Trust, government buys all "unowned" reserve land and identifies "Black spots" to be eradicated (i.e. Black-owned land surrounded by White-owned land) (J. Gibson, 2009; South African History Online, 2013b).
1936: Representation of Natives Act (No. 12)	Black African voters removed from the common voters roll in the Cape and prohibited from running for office. Black Africans are "represented" by Whites (South African History Online, 2013b).
1937: Natives Laws Amendment Act (No. 46)	Prohibited Black Africans from buying land in urban areas. Enabled government to keep a record of all Black Africans in urban areas and remove 'excess' Black Africans not needed for labor in urban areas. Effectively controlled rural-urban migration (J. Gibson, 2009; South African History

	Online, 2013b).
1945: Natives (Urban Areas) Consolidation Act (No. 25)	Extended influx control such that those deemed to be living "idle or dissolute lives" or were convicted of certain offences could be deported (J. Gibson, 2009; O'Malley, n.d.; South African History Online, 2013b).
1950: Group Areas Act (No. 41)	Designated certain geographic areas for different state-defined racial groups, forming racialized zones where each group could live and enabling the state to forcibly remove anyone living in the "wrong" area (Thompson & Berat 2014). Gave the government control of all property transfers and cross-racial occupancy changes, preventing owners from selling or renting property to someone of the "wrong" racial group (Bickford-Smith, 2001).
1951: Prevention of Illegal Squatting Act (No. 52)	Compelled local authorities to evict squatters from public and private land and demolish structures built without consent or that violated planning/building regulations. Required creation of emergency/resettlement camps for evictees (J. Gibson, 2009; O'Malley, n.d.; South African History Online, 2013b).
1952: Native Laws Amendment Act (No. 54)	Outlined restricted conditions under which Black Africans could reside permanently in urban areas (had lived there since birth, remained there lawfully for 15 years, or worked for the same employer for 10 years) thereby extending influx control laws (J. Gibson, 2009; South African History Online, 2013b).
1952: Native Abolition of Passes and Coordination of Document Act (No. 67)	Abolished previous pass laws but created requirement for all Black Africans to carry a "reference book" (i.e., a pass). Permission to go to an urban area had to be granted by local authorities. When in urban areas, had to get a permit to seek employment within 72 hours. Extended pass laws to Black African women for the first time (O'Malley, n.d.; South African History Online, 2013b).
1954: Native Resettlement Act (No. 19)	Enabled the forced removal of Black African landowners and tenants with legal rights in urban freehold areas. Led to the forced removals of over 100,000 Black Africans from Sophiatown and western Johannesburg (J. Gibson, 2009; South African History Online, 2013b).
1956: Natives (Prohibition of Interdicts) Act (No. 64)	Prohibited Black Africans from applying to courts for protection (interdicts) against any laws imposed on them by the state. This included denial of the right to appeal against forced removals (J. Gibson, 2009; South African History Online, 2011).
1959: Promotion of Bantu Self-Government Act (No. 46)	Created eight (later ten) Bantustans in previously created native reserves. Sought to grant "independence" to these homelands, stripping Black Africans forced to live there of South African citizenship (O'Malley, n.d.; South African History Online, 2013b; Worden, 2012).
1964: Bantu Laws Amendment Act (No. 42)	Allowed the government "to expel any African from any of the towns or the White farming areas at any time" (Thompson & Berat, 2014, p. 199). Prohibited labor tenancy and squatting on White farms.
1978: Black (Urban) Areas Amendment Act (No. 97)	Enabled certain Black African people to register for a 99-year leasehold for property in township areas. Had to meet criteria of the Native Laws Amendment Act 1952 (J. Gibson, 2009; South African History Online, 2013b).
1984: Black Communities Development Act (No. 4)	"sister legislation to the Group Areas Act" (Mostert, 2010, p. 73) was introduced under the pretext of enabling "slum clearance" but furthered the segregationist aims of the Group Areas Act (South African History Online, 2013b).
1986: Abolition of Influx Control Act (No. 68)	Abolished the pass laws, but this only applied to Black Africans already entitled to be in urban areas (O'Malley, n.d.; J. Gibson, 2009).
1991: Abolition of Racially Based Land Measures Act (No. 108)	Repealed the Black Communities Development Act (1984), the Groups Areas Act (1950), the Native Trust and Land Act (1936), the Natives Land Act (1913), among other legislation enforcing residential racial segregation (South African History Online, 2013b).

APPENDIX B: PERSONAL BACKGROUND AND MOTIVATIONS

I recognize that as researchers, our positionalities influence the research process in important and meaningful ways. This includes why we choose the research projects that we do, how we engage in the research process, and how we analyze, interpret, and present our findings. In addition to the notes on my positionality that I share in Chapter 2, I offer this reflection on who I am and my personal motivations for engaging in this research.

I am a White, middle-class, Jewish South African woman based at a university in the United States. I have lived most of my life in Cape Town (25 years). I was 12 years old when South Africa transitioned to democratic rule and, as such, was aware of apartheid as well as why and how it was formally ending. Still, Cape Town was (and remains) a very racially segregated city, and I experienced it as such. Although Cape Town is less than 16 percent White, I grew up in primarily White neighborhoods and had teachers and friends who were almost all White. I was aware of racialized poverty and inequality, but I didn't have to think about these issues deeply because they didn't obviously impact me in negative ways. Although my Jewish heritage and education taught me a lot about antisemitism, it did not help me to deeply understand anti-Black racism or grapple with what it means to be White, particularly in a country like South Africa.

When I entered university, my world expanded. In particular, my clinical fieldwork (as an occupational therapy student) took to me to parts of the city that I had never visited, including poor, predominantly Black and Colored areas. Through my interactions with community organizations and my patients, I learned more about the massive racial disparities in housing, education, health, and income that apartheid engineered. I learned about their on-going impact on the lives of individuals, families, and whole communities. I came to realize that many of the problems that I was treating were not just individual but systemic. Ultimately, this led me to graduate school and to a program of studies focused on issues of race, racism, and inequality.

In graduate school, I developed an interest in issues of housing, and their relationship with community well-being and on-going racial injustice. During my studies, I became aware of Reclaim the City (RTC), the movement I follow in this study. As a small but active movement, I was interested in the knowledge about urban land and housing that was forming in the movement and how it might contribute to scholarly understandings of these issues. Personally, I was interested in the challenges that RTC's politics pose to White South Africans. By calling for social/public housing in historically White, wealthier, and central areas of Cape Town and occupying buildings in these areas, the movement forces confrontation with the longstanding status quo of racial segregation in the city. They ask us (White South Africans) to evaluate the extent to which we support efforts to redress racial injustices – not just theoretically, but in practice. For example, do we support building social/public housing in historically White, wealthy, and well-resourced areas of the city? Why or why not?

I recognize that my choice to study RTC was motivated, at least in part, by a desire to grapple with such questions. This research enabled me to confront the ways in which I (and other White people) have been ignorant and dismissive of issues of racial injustice and inequity- as if these issues don't implicate or impact us. Engaging with RTC enabled me to learn about issues of housing, racial segregation, and injustice from people experiencing them. And through this learning, also enabled me to better understand myself, including my own ignorance, privilege, and biases. Although awareness of such motivations is important, I don't share this to suggest that I am now somehow "enlightened." Rather, I want to name the personal motivations that I had in carrying out this study simply because they are present and thus part of this research.

APPENDIX C: CRITICAL QUESTIONS FOR RESEARCHERS

Please answer the following questions using language that is easy to understand.

1. What are your research questions?

2. Why are you interested in these questions/doing this research? (Beyond getting a degree, what are your personal motivations for doing this research?)

3. How will you collect information? What methods will you use? (e.g., observation, interviews, surveys, etc.).

4. How many people will you include in your study and how will you recruit them?

5. For how long will you collect information?

6. Are you planning to compensate research participants in any way? If so, how?

7. How will the information you gather be used?

8. How will your research benefit poor and working-class people in Cape Town?

9. How and when will you report the results of your study to RTC?

10. Are you willing/able to donate time, skills, and/or resources to RTC while conducting your research? Please explain.

APPENDIX D: LAND-USE PROPOSALS ANALYZED

Table 4

Description of land-use proposals analyzed

Development Name /Address	Area	Planners / Owners	Type	Status
1 on Albert	Woodstock	D&S Planning Studio for Marsiglia Brothers	8 story, mixed use with 134 residential units ("micro apartments")	Approved
Newlands Peak	Newlands	@Planning Town Planning for Desert Wind Properties	11 story, mixed use development with 236 residential units	Approved
15 Kloof Rd	Fresnaye	Nigel Burls & Associates for Berman Brothers	17 story, mixed use development with 140 residential units	Approved
1 Chelsea Ave & 25 Aandblom Str	Vredehoek	Andrew Pratt Town Planning for Crystal Clad Investments	4 story development with 8 residential units	Withdrawn
89 – 93 Arum Rd	Milnerton	Elco Property Developments	6 story development with 34 residential units	Approved
4 – 8 Braermar Rd	Green Point	Tommy Brummer for Mason Property Investments	7 story development with 51 residential units	Pending
5 Carisbrook Str	Gardens	Urban Dynamics for Future Indefinite Investments 180	14 story, mixed use development with 215 residential units	Approved
30 Marine Dr	Paarden Eiland	Tommy Brummer for Spear Holdco	13 story, mixed use development with 200 residential units	Approved
City Park Building, 86 Church St	City Center	Tommy Brummer for Rabie Property Group and Ingenuity Property	Mixed used redevelopment of existing tall building with 176 residential units	Approved
Erven 79204 & 79208, Diep River	Diep River	Sibane for PRASA	Series of four residential and small-scale commercial buildings with a total of 203 residential units	Approved
Harbour Arch	City Center	Urban Dynamics for Amdec	23 story, mixed use development. Phase one to include 864 residential units	Approved
181 Kinkle Way	Newlands	Headland for Classico Developments	5 story development with 90 residential units	Pending
Quest Marine	Paarden Eiland	LMV for Redwood Property Ventures	13 story, mixed use development with 297 residential units for rental	Approved
1 Pine Ave	Table View / Milnerton	David Bettesworth for Aquacor Property Developers	Mixed-use development with 102 units residential units	Approved
Riverclub	Observatory	Planning partners for Liesbeek Leisure Properties Trust	Mixed-use development with 600 residential units	Pending
Vergenoegd	Croydon	Headland for Vergenoegd Property Holdings	Medium density village with 850 residential units	Approved
13 & 13A Victoria Rd	Clifton	Tommy Brummer for DA'Realty	Development of 5 apartments	Pending
The Vogue	City Center	Tommy Brummer for FWJK Developments & Architecture	39 story, mixed use development with 362 residential units	Approved
WEX 2	Woodstock	D & S Planning for Signatura and Indigo Properties	8 story, mixed-use development with 20 residential units	Pending
WEX 5	Woodstock	D & S Planning for Signatura and Indigo Properties	10 story, mixed use development with 98 residential units	Pending

APPENDIX E: INTERVIEW PROTOCOLS

Interview protocol: Ndifuna Ukwazi staff

About you
- Marital status, age, race, gender
- Your background, how you came to work at NU, position at NU

About NU and RTC
- When did RTC begin, why and how?
- How have you been involved with RTC?
- Is there something that makes NU and RTC different/unique in the way they are taking up issues of land/housing vs. other activist groups?

Spatial justice
- What does spatial justice or injustice mean to you?
- What drives spatial injustice in Cape Town?
- The City also says they pursue "spatial justice." Do you think that you and city officials think about spatial justice in the same way? Why/why not?

The occupations
- How did the decision to occupy come about?
- Why occupy?
- Has this been a successful action? Why/why not?
  - What are some of the current challenges? Within and without?

Responses, impacts, and outcomes
- Where has RTC/NU had an impact? Small or large?
  - Most significant to you personally?
  - Negative reactions/responses?
- Major challenges/threats (from within and without)?
- Significant responses from government, private developers, others?
- How has being involved with this work impacted you?

Reflection/Future
- What do you think will help to strengthen the movement going forward?
  - Are there other areas or issues that need to be developed or given attention?

Additions?
- Is there anything else you would like me to know about you? NU?

Interview protocol: Reclaim the City member

About you
- Marital status, age, race, gender
- Background: When, how and why did you decide to get involved in RTC?
- How are you involved with RTC?

Occupiers:
- How long have you lived at CGH/AKH?
- How did you come to live here and main reasons for moving here?
  - Did you have a choice of moving elsewhere besides the occupation? If so, what made you choose the occupation?

About RTC
- Why has RTC come about and what is it trying to achieve?
- Is there something that makes RTC different in the way it is taking up issues of land/housing versus other groups you know or have been involved in?
- How successful do you think RTC has been in achieving their goals?
- What are some of the challenges/threats the movement faces?

Spatial justice
- What does spatial justice or injustice mean to you?
- What do you think drives spatial injustice in Cape Town?
- Have you been affected by spatial injustice? How?

The occupation
- Why has RTC occupied the Woodstock Hospital and Helen Bowden Nurses Home?

Occupiers
- What has it been like for you to live here?
  - Has your/you family's life changed? How?
- What does it mean to you to live in this area?
  - Do you have a connection with Sea Point/Woodstock?
  - If a longtime resident: changes you've noticed and how you feel about these changes?

Responses, impacts, outcomes
- Where has RTC had an impact, small or large?
  - Most significant to you personally?
  - Negative reactions/responses?
- Have you or has your/your family's life changed since becoming involved with RTC? If so, how?
- How have members of the public, neighbors, government officials reacted to RTC's work and the occupations?
- Major challenges/threats to RTC?

Reflection/future

- What do you think will help to strengthen the movement going forward?
- What is your vision for RTC?

Additions

- Is there anything else you would like me to know about you? RTC? The occupations?

Interview protocol: Woodstock residents

About you

- Marital status, age, race, gender
- How long you've lived in Woodstock, how you came to live here

About Woodstock

- If a longtime resident: changes you've noticed and how you feel about these changes?
- How do you feel about the proposed development of social housing or mixed income housing in Woodstock?
- Why do you think housing has not been built in these areas?

Knowledge of RTC

- How did you become aware of RTC?
- What is your understanding of what the movement is about, what they are fighting for?
- RTC say they are fighting for "spatial justice" – what does this mean to you?

Knowledge of and interaction with CGH

- What do you know about the occupations? Why they happened, what they're about?
- Has the occupation impacted you? How?
- Have you had any interaction with occupiers? Explain

Anything else you want to add?

APPENDIX F: BACKGROUND TO THE RESISTING EVICTION AND

DISPLACEMENT TASK TEAM COURT MONITORING PROGRAM

The following background information was gathered through my interaction with a Ndifuna Ukwazi staff member (Shaun Russell) who was part of the Resisting Eviction and Displacement Task Team (RED TT) and who coordinated research on evictions in Cape Town.

After Reclaim the City (RTC) occupied the old Woodstock Hospital and Helen Bowden Nurses Home in 2017, a weekly meeting called the Advice Assembly (AA) was started in both Woodstock and Sea Point. The meetings are a space where tenants from the area can gather to advise and support one another on housing related issues – especially evictions and the landlord-tenant relationship. At the AA, tenants can receive informal legal advice from others who have gone through similar experiences, can get support in navigating the evictions process, and learn more about their rights (see Chapter 2 and 5). After the establishment of this weekly gathering, RTC members and NU staff routinely began supporting tenants facing eviction by accompanying them to court. They thus observed that there were a large number of eviction cases moving through the court system and became curious to learn more. This led to the establishment of a court monitoring program that had the goal of collecting more information about what is happening in the courts and how eviction cases are handled.

Court monitoring began at the Cape Town Magistrate's Court as it serves the inner city and surrounding areas, including the areas of Woodstock and Sea Point where RTC is most active. Currently, it is practically impossible to access even basic information about evictions such as how many eviction cases are heard at a particular court, let alone the details of how many eviction orders are granted, in which areas, the demographics of those facing eviction, or what the terms were of granting the eviction. Only some court records are digitized, making data collection about evictions a challenging task. Observing the court and gathering data, it was reasoned, could be used to inform future actions and organizing around eviction matters. Thus, NU began collecting data including, for example, the number of eviction cases heard, their outcomes, and whether tenants have representation.

Over time, the court monitoring program has evolved and become more formalized. Although it began with NU staff attending evictions court periodically, it has extended to include RTC members who were frequent attendees at the AA. Beyond collecting information, attending court has also become an opportunity for NU/RTC to extend the kind of support and rights-based education that happens at the AA to tenants who may find themselves facing eviction without representation and further, to inform tenants about the AA and RTC's broader work fighting for affordable housing. In 2018, a local civic technology nonprofit organization (OpenUp) became involved in court monitoring, helping to formalize the data collection process and developing tools and materials to assist people facing an eviction or experiencing disputes with landlords (e.g., a printed evictions guide, a detailed informational website about evictions, and an "affidavit assistant" app that allows tenants to draft legal documents to oppose evictions more easily) (See eviction.org.za). In late 2018, the court monitoring program extended to Wynberg Magistrate's Court that serves more southern areas of Cape Town including many areas on the Cape Flats. In 2019, a few RTC members were also employed by OpenUp to collect data more frequently in order to improve the reliability of the data. This continued until the COVID-19 lockdown in March/April 2020. The future of the program is now uncertain due to funding constraints.