

# Spaces of Resistance: Informal Settlement, Communication and Community Organisation in a Cape Town Township

Andrew Skuse and Thomas Cousins

[Paper first received, October 2005; in final form, July 2006]

**Summary.** This paper examines struggles for urban permanency in an informal settlement on the fringes of Cape Town in the run up to the South African national election of 2004. It focuses on the rapid emergence of the settlement of Nkanini (Forceful) and the key social, cultural, political and communicative dynamics that framed the ensuing bitter struggle between residents and local City of Cape Town authorities over claims to occupy the land. Analysis frames this struggle in terms of a local appropriation of basic human rights legislation that informs community action and therein claims to residential formality.

## Introduction

The contemporary pace of informal urbanisation in developing countries is placing significant pressure on local and national authorities to deal with influxes of internal and regional migrants whilst ensuring that basic standards of human settlement are met (Harris, 1992; Kothari, 2002; UN-Habitat, 2003a, 2003b, 2004). South Africa is no exception and faces a range of complex yet compounding issues associated with rapid urbanisation, attempts by the state to provide low-cost formal housing and the parallel persistence of widespread informal settlement, urban inequality and poverty (Apuzzo, 2001; Bekker and Cross, 2002; Berner, 2000; Durand-Lasserve and Tribillon, 2001; Peberdy *et al.*, 2004).

In addressing these complex and interlocking issues, this paper explores the ways in which communities struggle to claim urban space and in the process battle to redraw the urban boundaries between informality and residential formality (Guillaume and

Houssay-Holzschuch, 2002). More specifically, it argues that such struggles are revealing of formative historical processes, discrete modes of community organisation and, therein, unique communicative ecologies and localised claims to rights (Slater *et al.*, 2003). Further still, such struggles reflect diverse notions and 'ideals' of community and legitimacy, with competing groups seeking out vantage-points from which the better to articulate themselves and their claims to various facets of the larger urban system and polity.

The analysis draws upon detailed qualitative ethnographic research conducted over a one-year period (2004) in both formal and informal areas of Khayelitsha, Cape Town.<sup>1</sup> In keeping with the principles of ethnographic practice, research design was principally exploratory and iterative, in the sense of seeking to integrate a fine-grained understanding of the often-competing communication and information flows within complex

Andrew Skuse is in the Department of Anthropology, University of Adelaide, North Terrace, Adelaide, South Australia, SA5005. Fax: +61 8 8303 4285. E-mail: andrewskuse@yahoo.com. Thomas Cousins is in the Department of Anthropology, Johns Hopkins University, 3400 North Charles Street, Baltimore, Maryland 21218, USA. Fax: 410 516 6080. E-mail: thomas.cousins@jhu.edu.

claims to rights and social development, such as those evident in claims to housing and tenure. For example, new residents of informal areas such as those that flourish on the margins and unclaimed spaces of Khayelitsha, typically pursue multifaceted strategies, alliances and livelihoods as they seek to 'hedge their bets' with local power structures, whilst simultaneously attempting to manage the vulnerability they routinely face.

One such strategy that is addressed in detail within this paper examines the ways in which those staking a claim to informal urban space actively resist 'being known' or 'understood' by local authorities. 'Being known' is often viewed by residents of informal settlements and their community leaders as counterproductive to the promotion of coherent 'informal settlement discourses' that may assert, amongst other things, that regardless of the actual complexity of settlement patterns all residents come from a given urban location characterised by poverty and marginalisation. In turn, the structuring of coherent discourses enhances the potential of a 'successful outcome' in terms of claims to tenure, with collective action and cohesion constituting fundamental features of both historical and contemporary township community resistance and resilience practices. Whilst processes of face-to-face everyday social communication remain fundamentally important to the structuring of such discourse, to resistance and to the dynamic processes of communication that are born of struggle in informal areas, such processes now intersect with rapidly deepening communications technology access, even in the poorest of urban areas. The confluence of resistance, social communication and technology that emerges in the context of the claims to informal settlement currently occurring on the urban fringes of contemporary Cape Town lies at the heart of this paper and the detailed ethnographic data presented therein.

### **Locating Rights in Community Discourse and Action**

In post-*apartheid* South Africa, deep-seated social and economic inequalities persist within

both rural and urban areas. The capitalist free-market principles upon which the national economy rests remains reliant on certain sections of society being incorporated into both the polity, and especially the economy, on fundamentally adverse terms (Hulme *et al.*, 2001; Bracking, 2003). For the poor, despite the rhetoric of equality and inclusion, this incorporation is expressed in the form of unequal access to rights, goods and services and in particular to formal employment, formal housing and accountable local and national governance. From this perspective, struggle and resistance are reflective of both community attempts to claim such rights and of the complex difficulties and dialogues—state to citizens and citizens to state—associated with staking such claims. Such struggles resonate to the context of the numerous informal urban settlements that continue to spread out across the Cape Flats where more positive orientations to polity and economy are being urgently and actively sought (du Toit, 2004; Natrass and Seekings, 2001).<sup>2</sup>

Whilst the notion of 'adverse incorporation' has been usefully employed as a term and condition that rightly questions the limitations of 'social exclusion' theorising (see de Haan, 1998; de Haan and Maxwell, 1998), the term erects perhaps too neat and coherent a division between notional cores and peripheries, be they economic, spatial, political or otherwise. From this perspective, the state into which informal urban locations and poor people are integrated may be far from the well-cohered, identifiable and locatable entity with which residents strive to engage and struggle to imagine (see Anderson, 1983). Indeed, in a context such as South Africa, it could be argued that the state, its limitations and responsibilities are being continually redefined through negotiation with a significant portion of its urban territory, informal urban areas in particular, on a daily basis. Whilst problems of legality and security of tenure haunt informal settlements and their status and orientation to local and national authorities remain fraught and contested, community mobilisation and activism force inclusion in dialogues that are at the vanguard of a range

of critical debates concerning rights, poverty and housing (Escobar, 1997; Ferguson, 1994/2001; Messer, 1993; Wright, 1994).

Rights-based approaches to development posit an interesting intersection between the global and local that is well expressed in the context of South African claims to urban tenure (Häusermann, 1998). If we conceive of human rights treaties as global cultural products that are disseminated widely, appropriated locally and incorporated into discrete strategies and discourses of political activism and community action, then it is quite reasonable to concur with Rapport (2002) who suggests that increasingly communities are able to adapt normative 'national and essentialising' culture and legislation in pursuit of highly localised outcomes. From the perspective of human rights, their perceived universality is rendered relative in processes of highly localised claims, to things such as rights to housing, tenure, water and sanitation. So whilst rights-based approaches to development provide a reasonable means of quantifying progress against discrete goals and targets, greater recognition of 'how' claims to rights are actually staked in contexts in which development does or does not 'happen' to poor people needs deeper qualitative elaboration.

If transnational culture in the shape of universal rights conventions is interpreted locally, then attempts to promote 'good governance', transparency and accountability can be thought of as 'supply-side' factors that enable certain of these rights to be realised. In a sense, 'good governance' at all levels is thought to help to produce the institutional conditions in which, for example, equity of service delivery of the very same legislatures may be scrutinised. In apparently democratic societies such as South Africa, given its brutal history of state-sanctioned oppression of the majority Black population, transparency, accountability and the realisation of rights are critical agendas in processes of addressing areas of previous disadvantage, in efforts to promote Black economic empowerment and therein a more positive and equal incorporation into the economy and polity (Southall, 2004). A case in point is the issue

of informal urban settlement, an issue that is tirelessly mediated, debated, interpreted and reinterpreted within many of the critical local and national dialogues occurring within South Africa. One such urban area is the new informal settlement of Nkanini (Forceful), a panorama of weather-beaten shacks located on the fringes of the township of Khayelitsha, itself a peripheral suburb on the outskirts of Cape Town.

Since Khayelitsha's founding in the 1980s as a 'strategy' for the *apartheid* state to cope with an urban resistance movement that was becoming uncontrollable in areas such as Crossroads, it has exploded into a sprawling suburb that some argue is both socially and economically disconnected from much of the rest of Cape Town (Cook, 1986). It continues to grow, with waves of new, predominantly Xhosa migrants, placing significant pressure on the surrounding unoccupied land.<sup>3</sup> This is evidenced both by the frequency of internal migration within Khayelitsha, a process that is often overlooked, and by the sheer diversity of housing types, from privately built and owned formal housing, to the uniform and formal Reconstruction and Development Programme (RDP) houses that are colloquially known as 'matchboxes' by residents, to a complex array of informal housing styles, each of which reflects a complex social typology.<sup>4</sup>

In December 2003, Nkanini did not exist; but within only a few months of the initial settlers erecting their rudimentary shacks, some 9000 other shacks had been built, effectively transforming a scrubby area of bush land on the edge of Khayelitsha into a dense informal urban environment. The ensuing community struggle to occupy this marginal piece of land reflects a larger 'conversation' occurring in South African civil society over the socio-economic rights to which citizens are entitled and over the roles and responsibilities of national and local governments in delivering such rights. Liebenberg and Pillay (2000) highlight the extent to which rights issues have become enmeshed, as it were, in the 'delivery of the state' and identify the 'Grootboom case' as critical to the contemporary

definition of informal urban areas and residents' security of tenure in South Africa.

The case gave expression to a set of obligations under section 26 of the South African Constitution, which gives everyone the right of access to adequate housing, and section 28(1)(c), which affords children the right to shelter.<sup>5</sup> In effect, informal structures that have stayed in place for longer than 48 hours cannot legally be destroyed without the state taking responsibility for the maintenance or provision of basic shelter and other services (water and sanitation). Debate surrounding the 'Grootboom case' in locations such as Nkanini constitutes a key stimulus for the generation of discrete discourses that challenge the South African state to deliver against its stated legislation and objectives, which are in turn tied to wider global commitments to basic standards of decency and rights in human habitation.

### **Nkanini: The Emergence of an Informal Settlement**

Nkanini is named for the attitude that imbued those early pioneers in their determination to claim a space for themselves within the urban landscape of Cape Town. In English, Nkanini, quite appropriately, translates as 'Forceful'. The coastal Baden Powell Drive and sprawling suburbs of Kuyasa and Makhaza bound Nkanini on each side, with Kuyasa a relatively new government-planned low-income RDP housing estate, while Makhaza is older and has a mix of formal brick houses and informal shacks. The early rationale given by Nkanini residents for their land-grab was that 'most' were living in 'backyard shacks' in neighbouring Makhaza. The building of 'backyard shacks', simply the building of a smaller shack adjacent to a tenured larger shack or more typically, a formal township house, is a well-established income-generating practice in townships. Typically, a backyard shack rents for R150 (US\$20.75) per month, exclusive of services such as water, sanitation and electricity.<sup>6</sup>

In this early phase of settlement (between December 2003 and March 2004), one's

origins from Makhaza and 'backyard shack' credentials were initially used as a 'gate-keeping' device for excluding opportunists who might threaten 'their' (people from Makhaza) claims to the land. Indeed, most of the early settlers 'were' in fact from Makhaza and their agitation to invade the land was the spur for rumours concerning the occupation to spread around the city, as well as for subsequent settlers to chance their arm with the local authorities and also build a shack. Their motivations for settling Nkanini, within this early logic, were clearly rooted in real marginalisation and chronic poverty. Amusi, a young man in his early twenties, moved to Nkanini from a backyard shack in Makhaza in January 2004, having first arrived in Cape Town from the rural Eastern Cape in 2002, looking for work. He firmly believes that the government has a humanitarian duty to provide for those less fortunate, but equally takes a swipe at those formal residents of Kuyasa and Makhaza who stand to profit from building shacks to rent out

If someone can build a shack and not move in, it means they are not desperate. But I am! The government must understand this! We have children, parents, families, other dependants—not only are we young, but we don't have a place to stay!

This is a common refrain that highlights how, in practice, rights are claimed by tapping in to discourses surrounding identity that have a certain contemporary valency and legitimacy. Valency here is defined by the fact that housing is a pervasive issue in South Africa that has both historical and contemporary resonance, its expression being that many poor Black people have still no access to tenured and adequate housing. Legitimacy is framed in terms of being a 'backyarder' in Makhaza and being able to stake a claim to something to which there is a perceived right. Nkanini thus has become a microcosm of many larger urban processes at work in townships across South Africa. For example, processes such as those emerging from the sub-letting of backyard shacks that in turn serve to

create often deeply exploitative patron–client relationships between a layer of better-off residents (landlords) and a layer of particularly vulnerable poor people (tenants) (du Toit, 2004; Murray, 2001).

As Nkanini flourished, it became clear that not everyone was indeed from Makhaza and that laying claim to the discourse of origin in Makhaza was a mechanism for gaining access to this emerging community that later coalesced into a coherent community-wide discourse suitable for articulating to local authorities. Namely, this is a claim to the *idea* of the impoverishment of Makhaza, which was perceived to have potentially more moral credibility in the face of city council scrutiny. Consequently, people now living in Nkanini privately admit to coming from other formal and informal townships on the Cape Flats—for example, from the neighbouring RDP houses of Kuyasa, or from areas as far as the long-established suburbs of Langa, Nyanga and Philippi. Also, some residents are newly arrived from other parts of South Africa (the rural Eastern Cape) and others who are popularly referred to as ‘African brothers’, those hailing from countries such as Nigeria, Democratic Republic of Congo and Mozambique. Whilst this makes for a cacophony of languages, dialects, styles and fashions, all have one thing in common: they promote the notion, whether true or not, that they come from Makhaza, and because of this they need a house of their own. This also implies a basic familiarity and literacy with rights in South Africa—ultimately stemming from the Grootboom case, but in practice, and experientially, from a number of other land invasions that occur frequently across the country.

Timing was critical to the settlement of Nkanini and the proximity of the national election in April 2004 can be regarded as a key trigger for movement. Many early settlers recognised that it was a clear gamble staking out a land claim and then going to the expense of erecting a shack only to have it potentially removed by force. Since the area being settled was City of Cape Town-owned land, which had already been set aside for

Kuyasa 2, many felt that the government would be reluctant to challenge the informality of Nkanini and risk condemnation by the press. The hope was that in time residents might have their shacks upgraded to formal RDP houses like those in neighbouring Kuyasa. Here, the issue of the credibility of one’s poverty and suburban origin resurfaces. For example, claiming to be a backyarder from Makhaza, whilst actually being an RDP house-owner from Kuyasa, appealed as a perfectly reasonable strategy through which one might actually come to possess two RDP houses. This strategy is made possible by the ownership complexities generated by the sale of RDP houses on the open market, as well as through existing RDP house-owners inserting a near relative into the emerging community as the shack ‘occupant’.

The manipulation of formal politics is another key theme in the struggle for urban space across South Africa, Nkanini included. Such a manipulation featured prominently in the basic strategy of those co-ordinating the settlement efforts for Nkanini residents and this was reflected in discussion during initial meetings of the fledgling ‘community’ held in January 2004. Efforts by the government to get citizens registered for the upcoming April national elections prompted those in Nkanini to consider declaring themselves as residents of Nkanini, even though a fixed and permanent address is an essential requirement of such registration. This condition eludes many marginalised voters enmeshed in a long and complex history of migration and works to create significant pockets of unregistered voters and therein a locally manipulable electoral politics.

In openly conveying to the ANC-controlled council that Nkanini residents had no other place to live, and thus no formal address with which to register to vote, the message was sent to the ANC that they might miss out on a significant number of votes (about 10 000) that would otherwise go their way. The 2004 national elections proved to be an historical moment in Western Cape politics when the ANC for the first time was able to win an outright (albeit closely fought)

majority—thus avoiding a coalition government with more conservative parties such as the Democratic Alliance (DA) or the New National Party (NNP), who largely represented Coloured working-class people and Whites. Thus these 10 000 votes became a significant tool in the hands of those demanding resources and attention from the state.

In November 2003, a meeting had been held in Makhaza amongst a group of backyard shack occupants so that they could ‘share their pain’ of poverty and insecurity. At the meeting, it was decided that an initial group of 18 households would move to occupy what would ultimately become Nkanini. This group claimed that their actions were intended to alert City of Cape Town officials to the difficult and degrading circumstances in which backyard shack dwellers live. However, the City claims to have had no knowledge of the situation in Makhaza. This moral claim by the ‘backyarders’ makes implicit reference to the politics of the Grootboom case. In many ways, the case of Nkanini can be seen as a *communiqué* writ large to the government: we are poor people in Makhaza and we need decent housing. Word of Nkanini spread quickly by word-of-mouth (facilitated by cell phones) around Cape Town and soon people were flocking there.

Ward 98, into which Nkanini falls, consists of about 30 000 people and the primary modes for communicating bureaucratic information and news about the community at large are the two key forums, the South African National Civics Organisation (SANCO) and the Khayelitsha Development Forum (KDF), as well as through community radio (Radio Zibonele) and township newspapers (such as *Vukani* and vastly popular free soccer tabloids such as *Laduma*), which are locally based and focused (see Pieterse and Oldfield, 2002). The KDF and SANCO have parallel and devolved structures from street-level committees, through sections and wards to the whole of Khayelitsha; thus, they act as powerful channels for community dialogue, information flows and organisation.<sup>7</sup>

Whilst some wards and streets have highly active and effective organisational structures

and committees, others exist only in name and even then only serve as tools in the machinations of very local battles for power and resources. Some residents decry the dilapidated state of many of the SANCO committees in particular and refer back to a time when they were more active and representative of actual community needs (Cole, 1984, 1990). Nonetheless, the forum of the ‘community meeting’ in Khayelitsha has a particular locus and role that is deeply embedded in the diverse and divisive politics of resistance, removal, dislocation and migration. The story of Nkanini is thus remarkable because in both organisational and discursive terms it references that history in novel ways.

### Organising Community Coherence and Resistance

At early community meetings, residents were asked to contribute R1 (US\$0.15) each to cover the cost of transporting the committee to the city centre offices of the City of Cape Town unitary council. At the first meeting R235 (US\$32.50) was collected and at the second, R350 (US\$48.50), with names of all of the donors duly recorded by the committee secretary. By contributing to this coffer, a commitment to the ‘idea’ of Nkanini was collectively created and demonstrated. In addition to the cost of travel, the committee decided that the purchase of a cheap loudhailer would be strategically useful in communicating with the burgeoning number of new residents of Nkanini. Whilst many people have access to cellular phones, due to the relatively high charges associated with them (R2.75 [US\$0.40] per minute) they are used principally to receive, rather than make calls. Whilst key community committee members, critically, did use cell phones to arrange the activities of the core group, communicating with the community writ-large was more problematic and demanded the more conventional response of the loudhailer. This strategy was complemented by the topography of Nkanini, with its occasional sandy dunes rising above the shacks, which made for useful vantage-points at which to rally a

community response to potential emergencies such as the bulldozing of shacks.

The communications ecology of low-income urban and rural residents is one that typically relies on cellular telephony and radio technologies (Skuse and Cousins, 2005). As of July 2004, Nkanini did not have electricity, which meant that residents wishing to charge their valuable cell phones had to draw on a range of social networks spread across the city for their energy needs. Because of the difficulty of recharging phones, some residents rely on neighbours' and friends' cell phones for checking their messages by switching their SIM-cards over. This aside, nearly all calls made by Nkanini residents are from 'container-phones', subsidised public phone outlets made from converted shipping containers. There are three containers (two Vodacom, one MTN) within a 20-minute walk of Nkanini, these being situated in the neighbouring suburbs of Kuyasa and Makhaza. So, whilst disadvantaged in terms of infrastructure (electricity, water and sanitation) Nkanini residents were nonetheless able to tap in to extended social networks through telecommunications in particular, to advise others of the availability of land for informal settlement and to organise essential support in terms of cash, transport, labour and building materials.

From community meetings early in 2004, the Nkanini committee can be seen to have been actively pursuing a number of discrete communication strategies: money was collected from residents for the purchase of the aforementioned loudhailer that could effectively summon Nkanini to meetings, or to announce the latest news or co-ordinate crowds in response to law enforcement visitations. In addition, Radio Zibonele featured news pieces on developments in Nkanini, hosted chat shows with the local councillors and debated the key issues during phone-in programmes. Residents of Nkanini gleaned whatever information they could from the radio, local newspapers and neighbours or family who had contacts within local government. It was on Zibonele, for example, that Nkanini residents first heard that the mayor

and two local councillors had been looking for alternative land to which the squatters could be relocated and the current crisis ameliorated.

By mid January, the flurry of building amongst the thick dune bushes signalled an early victory for the new arrivals in Nkanini. Over the previous month there had been several attempts by law enforcement officials to destroy new shacks—although it appeared that in halting their visits to Nkanini, they were implicitly acknowledging that they needed a more coherent strategy—brute force simply would not suffice. As previously mentioned, one of the principal repercussions of the Grootboom case for housing issues in South Africa is that any informal structure that has been in place for longer than 48 hours invokes the state's responsibility to provide ultimately both alternative and suitable shelter and basic services. This early victory prompted many people to invest variously in ready-made shacks costing as much as R2500 (US\$345), in less ostentatious building materials with which to erect shacks and ultimately to begin moving furniture—although the risks were by no means diminished.

Towards the end of January, bright pink letter Xs were sprayed on the side of some of the houses, marking them out for demolition. It later transpired that on 27 January the original 18 shack-dwellers had been served with an eviction notice issued by the City Council. Two Coloured officials, with a Black translator, had previously been seen mapping the area and now returned to serve an eviction notice to these original residents. This notice was intimidatingly large and alienating in the sense that it used a highly legalistic discourse that was inaccessible. The eviction notice referenced early warnings that had been issued within the two-day time-frame allowed in law before the state became responsible for housing provision. The notice gave the initial residents seven days to remove their shacks or have them destroyed. It also notified them of an impending court hearing on 26 February at which the 18 'named' shack-dwellers, who had invaded

the land as early as November 2003, would be formally charged with occupying private council-owned land. It seemed that if the city authorities could have the initial land-grab declared illegal, then the entire occupation of what had become Nkanini would be placed in grave legal jeopardy.

In response to these developments, a community meeting was held on 28 January 2004 at which a rallying call was made to resist the evictions and develop a strategy of action. Accordingly a committee of 10 was elected to make a formal approach—in the form of a delegation with a written submission stating their case—to Nomaindia Mfeketo, the then mayor of Cape Town, to plead for access to land and housing and to overturn the eviction order. Turning to the mayor of the city as the one person who personally had the power to overturn a municipal law exhibits, on the one hand, a familiarity and fluency with the bureaucratic processes and loopholes of the state; and on the other an orientation towards formal politics that relies on personal connections, affiliations, clans, heritage and other constructions of identity, which pervades southern African politics more generally (Lodge, 1999). In this instance, the people of Nkanini, through the astute Robert, the chairman of the community committee, were hoping to make a special claim on the Mayor's sympathies because, as the first Black woman in this position, they expected 'access' on the basis of a shared experience of living in informal townships, of a history of discrimination and poverty, that would make her sympathetic, if not to their cause, then to the political threat they posed in local politics.

This attempt to connect to 'Nomaindia', as she is familiarly referred to, is an attempt to enliven a (potentially) shared experience of a state that was brutal and unjust (i.e. a reference to *apartheid*) and in essence an attempt to realign their relative powerlessness and tap into her power. Whilst the committee visit to the City of Cape Town offices was unsuccessful in as much as they failed to meet with the mayor, the deputy mayor, Gawa Samuels, assured the committee that

their shacks would not be destroyed on the date set out in the eviction notice. Nonetheless, officials in the local council had been surprised to hear that the committee represented such a large group of former 'backyarders' from Makhaza.

On 29 January 2004, a further community meeting was held at the 'big sand dune' that was attended by approximately 500 people, to let them know what had happened with regard to the attempt to see the mayor. At the meeting, Robert, the elected head of the Nkanini community committee, publicly stated that "Nkanini will not be moved on Monday" and that everyone should build their shacks as quickly as possible before the court case on 26 February. He exhorted that "the area must be full of shacks" so that it would not be so easy to destroy many if a confrontation with the police transpired. With emotions running high, many speakers voiced their right to occupy the land and their dire need for formal housing and services. To this effect, a woman at the meeting shouted out "if we have to go back to where we came from [backyard shacks] it shows the government doesn't care and it looks bad for them". In response to this, Robert, the leader of the committee added that the land had been bought some time ago by the government (in 1998) and that nothing had happened since and that it was only the land invasion that had prompted the government to act and push for the commencement of Kuyasa 2.

Although the pivotal community meeting on 29 January ended with a sense that the shacks would not be targeted for demolition, the tension within the community was raised palpably in the lead-up to the eviction date. Despite this, the committee had stressed that the community should respect the police and not throw stones at them, even if they did move in to demolish shacks. At this point, the concern to build within what were popularly perceived to be the permissible limits of Nkanini was reiterated. It was suggested by the committee that any shacks erected beyond the 'blue sign'—a notional boundary that ironically proclaimed 'No Dumping'—should be relocated as they were on land set



aside for Kuyasa 2. Here, a sense of community differentiation emerges very clearly, with those deemed in 'desperate need' of housing being encouraged to occupy plots that had already been staked out but which had yet to be built upon. It was subsequently suggested that many of the Makhaza and Kuyasa existing house-owners who had prospectively staked out a plot in Nkanini were not really serious about building, this being evidenced by their hesitancy to commit to erecting shacks.

This meeting at the end of January saw the introduction of another threat: an internal struggle for power. It emerged that another committee had been established, with its own leader, on the far side of Nkanini—in fact, the area of the original settlement of shacks. That these two committees had no knowledge of each other's existence speaks to the complexity of communicative ecologies in Khayelitsha: the settlement was physically dispersed enough that disparate and conflicting processes were at work. The collection of shacks was still loose and not yet formed around a broader sense of community, word-of-mouth had failed and telecommunications were so difficult and expensive that two separate committees emerged, each with its own strategy and agenda. While Robert emerged as a legitimate leader for the whole of Nkanini (being able to reference his experience in the labour movement, amongst other personal qualities which undoubtedly brought him to the fore of this group), events in later months demonstrate the temporary and fluid nature of legitimacy and contests over power.

At a community meeting a week later, on 5 February, the committee stressed the need for shacks to be completed by 16 February so that the committee could develop a list of all shack-dwellers because local officials would begin registering people. This was purportedly in support of the court hearing in February and served to add weight to the squatters' claims to reside and at minimum would at least ensure some kind of formal recognition of the significant numbers involved from the authorities. In the meantime, a rumour that the mayor had promised them alternative

tenured land was circulating throughout Nkanini. The role of rumour in shaping the communicative ecology and thus the trajectory of the establishment of Nkanini needs to be understood in the context of severe uncertainty—which can be reinterpreted as a 'lack of information'—and need. In one sense, rumour served to galvanise hope, muster support, stir up emotion and influence the decisions individual households make in the everyday calculus of survival on the margins. Thus, to hear that 'the government' had already decided on alternative land for Nkanini, or that there already existed the necessary water and sanitation infrastructure under the ground (but that the government in their meanness was withholding it from them), or that committee members had embezzled the money collected from the community, constitute examples of how particular kinds of 'stories' affect community processes, as well as giving expression to the relationship that such marginalised people experience *vis-à-vis* the state.

### **Connecting to the Mythos of Community and Struggle**

Over several days in early February, City of Cape Town police had visited Nkanini to demolish shacks in areas that had earlier been designated as off-limits for informal building. During this time, the residents began a strategy of intimidation, as they gathered together to watch the police do their work. On 18 February, immediately after the community committee cut-off date for residents to have completed their shacks, the police, aided by a gang of young Coloured male prisoners from nearby Pollsmoor Prison, arrived and began demolishing newly erected homes on the Kuyasa side of Nkanini. Due to the presence of an increasingly large crowd, they decided to retreat to the far side of Nkanini (closer to the sea). However, by this time, a combination of strategic cell-phone calls and word-of-mouth resulted in an even larger crowd materialising in the place where the police had started demolition afresh

We heard people *toyi-toying, ja*, so then we drove over there and we saw everyone walking over that sand dune, because the bulldozers had been on that side, beyond the blue sign . . . and then they destroyed a couple of shacks there and they took some material and then the police and these guys, the prisoners were going to the other side . . . the police like were attacking the shacks, they were attacking the shacks that weren't finished, but in the process people were saying even the shacks that were finished, they've taken them out and they've taken the material.

When a critical mass had accumulated, people in the crowd started with more daring tactics: laying cut bushes across the road and setting them on fire, burning car tyres, throwing rocks. The police truck drivers became nervous of being trapped and within 15 minutes a group of 30 police and 10 large vehicles arrived, including armoured *caspirs* (a large vehicle synonymous with crowd control during the *apartheid* era), equipped for crowd control with visors, batons, rifles, tear gas and dogs.

The situation, unsettlingly similar to township scenes from the height of the anti-*apartheid* conflict, contained a number of symbolic gestures, which conjured up powerful emotions and experiences for these township residents and imbued the larger dynamic with a political flavour that resonates strongly with the current politics of elections and representation. A number of images stand out from that afternoon: the Coloured prisoners leaping down from trucks with crowbars in hand to prise apart the walls of shacks that had just been erected, and the ensuing chant – referring to the militancy of the Soweto uprising—went up in response, with fists in the air: “Youth of ‘76! Youth of ‘76! The Coloureds sold us out then, and they are selling us out again! Youth of ‘76!” The aforementioned conflicts of the 1970s and 1980s in the townships, the state-sponsored division of Black communities and the duplicity of the Coloureds in the Cape (or rather, the manipulation of race by the White government to

manufacture betrayals and broken allegiances to weaken opposition), are a dark underside of the *apartheid* struggle that does not receive significant critical attention in the ‘new South Africa’. Here, in a conflict over the basic resources of human survival—a roof over one’s head—something struck a chord—some dead hand of the past, which is conjured up because it serves to unite the ‘afflicted’ around a common discourse and cause—namely, that we are Black and we are continuing to be persecuted because of our Blackness and our associated poverty and that Coloureds are to blame.<sup>8</sup> To this end, as the police attempted to destroy shacks, a palpable connection is made across generations to the *apartheid* struggle. As one member of the crowd explained

It was like . . ., 1976 youth, the Coloureds screwed us in the *apartheid* days and again in this new South Africa, bladdie Coloureds, people are starting to swear at Coloureds, even these unhealthy coloured prisoners, bladdie fools, they are going to rot in jail. The Coloureds are always the dogs of the Whites.

With the image of a visored policeman firing a tear-gas canister into the crowd, the full weight of recent history comes crashing down on the City of Cape Town Council in this the 10th anniversary year of South African democracy. The itinerant crowd at this moment are united in their persecution, in their collective memory of being at the receiving end of a historically unjust and, popularly perceived, contemporary uncaring state system.

Cole (1984, 1990) suggests that within communities in South Africa such as Khayelitsha, there seems to be a visceral resistance to telling younger people about the past, perhaps because the memories are too horrific, or perhaps because the younger generation is simply not interested. According to this argument, younger people do not have the confidence to try and stake a claim to rights, goods, services and a legitimate place in the city. The ‘hooks and linkages’, Cole suggests, simply are not available through which to

make a connection to a historically grounded sense of community. However, the evidence presented herein suggests otherwise. It would appear that in fact when faced with similar levels of pressure, contemporary generations can and do identify with the youth and militancy of previous generations. This suggests that, rather than a loss of memory, or some other breakdown in the transmission of stories about the painful *apartheid* past, connections are forged when they need to be forged and, at that critical moment, the present is imbued with a sense of the spirit of the past. It is at this point that, as Appadurai (1981) has pointed out, the past becomes a useable, but not endlessly symbolic and plastic resource—in other words, the point at which the legitimacy of struggle in the present aligns with the legitimacy of past conflicts. Thus, in order to understand the impact of the police intervention, it is necessary to view that moment as charged with a valency rooted in a particular experience in the past. Thus, the police intervention was not only about maintaining law and order; it was also about the failure of an attempt to negotiate a settlement. The inability of the community committee to stem the tide of building also recreates anew that sense of invasion that *apartheid* planners fought so hard to quell.

The essence of that day was captured in the scene of a young man lying on a mattress in the ruins of his shack; the walls are intact around him, although horizontal now. The shopping trolley that transported the shiny new ‘zinc’ corrugated iron sheets stands in what was his front door. Although the crowd managed to keep the police from destroying any more houses, the air of uncertainty over the settlement was palpably raised, yet again. Nonetheless, the police intervention was strategically timed. Whilst Robert, the chairman of the Nkanini committee, was meeting with mayoral officials in the city centre, the police had been moving in on their mission of destruction in consultation with a rival Nkanini committee, apparently without Robert’s knowledge. Fortunately, he had received a well-timed call on his cellular phone alerting him to the fact that the

police were firing tear gas into the crowd of Nkanini residents that had accumulated. Naturally, he quickly rushed out to Khayelitsha by taxi and was able to intervene, to calm the crowd and persuade the police to stop destroying shacks.

Events in Nkanini rekindle memories from *apartheid*-era township struggle, especially the conflicting dynamic evident between the two competing community committees and the city authorities (see Marinovich, 1998 and Robins, 1999, on the divide-and-rule township control tactics of the *apartheid* era). Later, it emerged that an alternative committee had had a meeting with a council official in charge of the informal settlement demolition and had come to an arrangement that they would start to dismantle shacks on the Baden Powell Drive side of Nkanini, which as it turned out was on the furthest possible side from where this particular committee was located. The demolition then effectively targeted the Nkanini households represented by Robert’s committee. Unbeknownst to him and the rest of Nkanini, the council official had met with an unspecific Nkanini ‘street committee’ at ‘Stocks and Stocks’, the local city authority offices in Khayelitsha, the day before. In clarifying with Robert in the heat of the confrontation, the police retorted: “That’s the problem with you people—you’re fighting for one place but you have too many street committees. The other street committee that was there, you don’t know about that, but they were there”. To which Robert replied: “Who said to do this? Because I was in a meeting with the Mayor and she was here on Sunday, saw this place, this area, and she promised that she would do something”. Inevitably, the city authorities were surprised to hear of the incident, claiming not to have given authority for this to happen, which highlights that either communication problems exist at the level of the city council or that they decided to pay lip service to the Nkanini residents’ claims and needs.

In time, a deal was struck with the city council to stop building new shacks by a certain date. The fact that community leaders

encouraged residents to build as fast as possible up to that point exhibits a community literacy in interacting with the state that is built on deep and often bitter experience of the politics and practice of establishing an informal residence. It also exhibits a kind of elasticity in the process, one in which both sides understand that deadlines and decrees are there to be challenged and may be interpreted differentially. This in turn establishes grey areas begging for an interpretation that maximises benefit, especially for the community, who potentially have more scope for manoeuvre than the city council. Thus the discourses of 'don't build beyond this point', or 'don't build after this date', or 'you can't move this shack because I'm living in it' are eminently flexible because they tap in to known rights, such as rights to shelter or rights not to be evicted from a shack in which you are resident for more than two days. Further, the example speaks very powerfully to the notion that the state and informal communities are enmeshed in an on-going dialogue that is continually constructing and amending discrete power positions.

To complete the story, it emerged later that in fact Robert 'did' know that the police would arrive in Nkanini on that day, thus rendering him in some way complicit, albeit not to destroy the shacks of his own constituents, which in turn reflects again the competition between opposing committees. The story of Nkanini thus becomes, to an extent, a story of an individual's rise to power, through a fluency in the ways of battles with bureaucracies. Whilst Robert was lured to the ANC by promise of political office, reputation and a stable income, he also encouraged Nkanini residents to carry on building, to carry on moving in and carry on establishing themselves as a 'community'. In many ways, Robert's story reflects important dimensions of the struggle for housing, for legitimacy and community in contemporary South Africa. It is deeply revealing of both the ecology of local communication practices and also of the depth and diversity of contestation and consensus building within emerging informal communities such as Nkanini. Here, we can perceive of community

organisation, protestation and claims to specific rights or services in terms of multivalent strategies that at any one time may win out or variously implode, forcing reassessment, recalibration and new anchor points, perhaps within an alternative claim to community effected through a different and competing social network or alliance.

By August of 2004, Robert was offered a formal position within the ANC party structures, either as a reward for having proved his mettle, or as a strategy to neutralise him. Either way, he became unpopular on the sandy streets of Nkanini, as some saw him as a sell-out—absent, not pushing their agenda, subservient to the ANC. Nonetheless, through his increasing intimacy with the formal powers in the city, Robert was able to make sure that water-stands were built throughout the community in June and that toilets arrived on the outskirts of Nkanini in mid July. This alleviated the immediate pressures around water and sanitation—although not for long, because the toilets worked for roughly 3 weeks before collapsing under the strain of more than 100 users per toilet.

By September 2004, it became widely known that alternative land for Nkanini had been found, although its exact location was kept secret in case others decided to invade it. In preparation for this, another round of counting and registering of residents took place—this time with all the trappings of bureaucracy. On 7 October, the first 1000 residents went to the Solomon Mahlangu Community Hall in Khayelitsha to fill in various forms to register officially for an RDP government house.<sup>9</sup> At this registration, single men were being turned away: only those with certifiable dependants, under the rights made tangible by the Grootboom case, were eligible. One room in the hall had a long queue of people wanting to make photocopies of their precious documents; another queue wanted to get their documents certified by filling out an affidavit with the councillor; the last queue contained those waiting to fill in the actual housing forms. Finally, after nearly a year of struggle, the community of Nkanini was here taking its first step towards formality

and tenure, maybe not in Nkanini's current physical location, perhaps elsewhere. For Nkanini's residents, the 'where' was not so important; what was important was that in this particular challenge to the state their collective action, their literacy and coherence of claims carried the day and ultimately the state was held accountable. Whilst a victory that is deeply reflective of highly localised struggles to realise basic human rights and services, it should not be forgotten that the state into which the residents of Nkanini are ultimately incorporated, perceived here as formal and tenured state-provided housing, remains barely adequate.

### Conclusion

The 'idea' of Nkanini as a community that works—for in practice it has been shown to work—is borne out through the everyday micro-conflicts and responses to crises that threaten both individual and collective existence. For example, the fight between a group of women and a group of young men in early February 2004 over a particular plot that had been staked out was resolved eventually by the women acceding the plot to the men in exchange for their assistance in finding, clearing and marking out a new one. At a collective level, the experience of meeting *en masse* on one side of Nkanini to witness the destruction of shacks demonstrates a togetherness that helps to forge collective ideas and ideals about human rights, dignity, solidarity and community.

The imaginary of the community of Nkanini, as a viable idea, speaks to the tensions and stresses of competing and various identities—for example, "we are from Makhaza, they are *amakwerekwere*" (a derogatory term for foreigners)—as well as claims to power and authority, between residents over a plot of land, between competing committees, between the committee and city council that lie within the idea of Nkanini. In reality, its boundaries are porous in the extreme—physically, socially and ideationally. It continues to act out 'forceful' processes and its existence as an evolving space is mediated by the ways

that ideas and information are communicated among residents, between representatives and authorities, and between competing committees. Nkanini's existence on the fringes of Khayelitsha, itself a seemingly peripheral place, ultimately contradicts both Cole's (1984, 1990) and Cook's (1986) version of Khayelitsha as a somehow inherently disconnected community. Khayelitsha rather is very much connected to the rest of Cape Town: the political economy of labour, livelihoods and migration is such that residents of locales such as Nkanini do in fact form an integral part of the economy and social life of greater Cape Town, albeit on very unequal, exploitative terms and strictly delimited in a number of ways—through constructions of space, urban geography, language, class and race.

From this perspective, we can see events such as the sudden reference to 'street committees' emerging in Nkanini by May 2004 as signalling an important moment of definition for Nkanini. It is generally accepted by township residents that informal areas do not have street committees. This is a civic structure particular to formal, established townships and thus embodies a particular set of assumptions, values, scope for action and institutional capacity. Street committees are a crucial tool for communication and inclusion in democratic governance processes and are viewed as such by township residents. They allow for a textured, interpenetrated expression of traditional forms of governance such as *imbizos*, a form of traditional meeting where a chief listens to his people's complaints and concerns, within a modern framework of democratic norms and values. In an informal area such as Nkanini, references to community structures rooted in formal institutions speak to a desire and discourse of the need to formalise and of the attendant benefits that come with fixity of tenure and state recognition—namely, electricity, water and sanitation, housing and respect.

The complex interaction of demands for the realisation of rights and references to 'struggle practices' highlight broader community literacy in ways of creating agency in the context of structural powerlessness and

disadvantage. There emerges a *bricolage* of discursive practices that, in suggesting the outline of a 'community', reveal an urban form applying new strategies. They are new because communication technologies allow different ways of relating to extended social networks and mobilising both the physical community and key modes of support. They are new because legislation and the previous challenges of the poor and disempowered in informal areas have created discrete new spaces in which rights can be both debated and potentially realised. At the same time, the dynamism of urban space in South Africa is fuelled by old modes of interaction and practice. There is the continued spatial marginalisation of those at the periphery of South Africa's racialised polity and economy, the traditional *toyi-toying* tactics and social communication practices of the disempowered that spread by word-of-mouth and instil in the community a sense and spirit of resistance. Further, there is the traditional brutality of police engagement with its echoes to an *apartheid* past and militancy that the community enlists in active pursuit of highly localised claims to rights and social justice within the present.

The ways in which informal urban spaces are imagined, successfully constructed or ultimately disintegrate reflect degrees of competency and literacy in community organisation, in framing a cohesive and 'deserving' discourse and in the actual dialogue with local and national expressions of power. This paper has sought to analyse how these expressions interact, how they communicate, and the practices that underlie their respective orientations towards rights, whether they are understood as localised appropriations of global cultural products, or absolute benchmarks of international standards.

## Notes

1. In keeping with long-term qualitative research practices, the names of key informants have been altered to afford them a degree of anonymity, although placenames have been retained in order that the analysis may more accurately reflect real and critical urban

processes, such as the struggles to access informal housing. Research was conducted as part of a broader UK Department for International Development (DFID) funded research programme (2003–05) that examined information and communication uses by poor urban and rural households in South Africa, Ghana, India and Jamaica. The principal purpose of this research was to enhance understanding of the extent and value of the diverse information flows and emerging communicative connections forged between poor rural and urban households. In the South African context, the research also included a focus on rural villages in the Eastern Cape region and examined the connections to urban households in areas such as Khayelitsha that actively help to sustain rural livelihoods.

2. South Africa's particular experience of state-sponsored *apartheid* urban influx controls, racial and spatial segregation constitutes perhaps the most insidious example of contemporary social engineering and state-sanctioned social, economic and political exclusion (Crankshaw and Parnell, 1998; Swilling, 1997). With the advent of democracy in 1994, a new interventionist South African state has emerged, one that seeks to challenge the deep-seated, on-going and highly racialised urban inequalities and disadvantage that are evident in both contemporary economic and social development indicators (see Beall *et al.*, 2002 on intervention in informal urban settlements).
3. Khayelitsha, meaning 'New Home', is large sprawling suburb about 30 km from the centre of Cape Town that houses about 450 000 people (although estimates vary between 350 000 and 1 million). The exact number of people in Khayelitsha is difficult to gauge partly because of the fluid nature of residence that the history of the place has given rise to, and partly because of the nature of the housing of which it consists. Many residents maintain a strong sense of connectedness with rural homesteads and a sense of migrancy strongly pervades the mythos of Khayelitsha.
4. The Reconstruction and Development Programme was devised by COSATU in conjunction with the ANC and SACP in response to their mutual socialist concerns over committing to a market economy in the post-*apartheid* South Africa of 1994. Davenport (1998) notes that the programme was designed to address some of the salient inequalities evident in housing, health, land tenure, education and service provision, such as water and electricity. The programme was critical to the validity and credence of the

- first majority rule Government of National Unity (1994–99) and how it was popularly perceived, especially by those who had been previously disadvantaged under *apartheid*. A budget of R7882 million was allocated for the programme in June 1995; 1996 saw the quiet shelving of the RDP (although it officially continues) in favour of the Growth, Employment and Redistribution Policy (GEAR) and Industrial Strategy Project Running that sought ostensibly to stimulate the economy and provide the additional growth necessary to fund the RDP (Davenport, 1998). State-built houses under the RDP of the new democratic government are intended for people who earn less than R1500 (US\$207) per month.
5. Mrs Irene Grootboom was one of a group which included 390 adults and 510 children living in appalling conditions in an informal settlement called Wallacedene, Cape Town. When they were evicted from the illegally occupied land which they had occupied, the High Court found that the children and, through them, their parents were entitled to shelter under section 28(1)(c) of the Constitution and ordered that the national and provincial governments, as well as the then Cape Metropolitan Council provide them with tents, portable latrines and a regular supply of water as minimum rights to shelter (High Court of South Africa, 1999; Liebenberg and Pillay, 2000).
  6. Backyard-shack dwellers are particularly exploited and often live in appalling conditions at the mercy of their landlords. They do in many senses represent the poorest of the poor in modern South Africa (Beall *et al.*, 1999).
  7. Each street has a committee of representatives, with a chairperson who attends section meetings. Each section has a committee and a chairperson who attends ward meetings. Each area has a committee with an executive who meets at a SANCO meeting of all the other executives. It is strictly a civic structure and works in parallel to the Khayelitsha Development Forum, which is made up of Ward Development Forums. The Development Forum consists of both civic bodies and private enterprises.
  8. The enmity between Coloureds and Blacks in the Western Cape stems partly from the fact that the Western Cape has historically had a large number of Coloureds that received preferential treatment, since they were critical to the local economy and polity and numerically dominant, under the *apartheid* state (Worden, 1994). In the mid 1970s Coloured Labour Preference policies were put in place in the Western Cape, in an attempt to keep African migrants out of the province (Cousins *et al.*, 2005).
  9. In order to qualify, one needed to be married or have financial dependants, be a citizen of South Africa or a permanent resident, be legally competent to contract, have a gross monthly household income of less than R3500 (US\$484), and not have received previous housing benefits (<http://www.housing.gov.za/content/subsidy%20basics/qualification.htm>).

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