Chapter Six Upgrading Imizamo Yethu: Contests of governance and belonging

On the 11th and 12th of March 2017, a massive fire swept through the informal section on the upper slopes of Imizamo Yethu, commonly known as Dontse Yakhe, destroying 2194 structures and displacing an estimated 9 700 people (CCT 2017a, 2017b). The fire decimated nearly one third of the area of Imizamo Yethu, and razed to the ground all the informal structures in the most densely populated section. In the immediate aftermath of the disaster the City, supported by NGOs like the Red Cross, distributed emergency relief supplies and erected marquees on the sports fields opposite the entrance from Imizamo Yethu. These efforts were greatly aided by substantial donations and others forms of material and logistical support by the wealthier residents of Hout Bay.

The fire was the single greatest disaster ever in Hout Bay, and the largest in a series of fires in Imizamo Yethu’s history. The worst fire previous to this was in 2004 and destroyed an estimated 570 homes leaving 2500 people homeless (Macgregor et al 2005). To add insult to injury in 2017, a second fire swept through Imizamo Yethu in April, destroying a further 112 structures and displacing 500 people (CCT 2017b). In response to the disaster the City initiated a process of upgrading called ‘super-blocking’. ‘Re-blocking’ informal settlements means rebuilding the settlement in 6m by 6m plots, with freestanding structures made of fire-retardant materials and with a gap between them to reduce the chance of fire spreading (City official 2 2015). ‘Super-blocking’ means also building a road, and providing proper amenities for water, electricity and sanitation.

In developing the plan to ‘super block’ Dontse Yakhe, the City set up an elected working committee from a 19 organisation stakeholder forum in Imizamo Yethu that met regularly in the weeks and months following the fire (CCT 2017b; City officials 2017). Yet, despite this process of consultation, opposition to the super-blocking grew among some residents of Dontse Yakhe, leading to the burning of the ANC office, as well as the houses of the Community Development Worker, and two ANC leaders in July 2017 (Cronje 2017; de Villiers 2017; Community leader 2 2017). Then, on the 15 August 2017, around 2,000 protestors marched to City Hall, where a memorandum was handed over to a representative of the Mayor (Adriaanse 2017). Frustrated at the mean-spirited reply by the Mayor, a week later the Dontse Yakhe protesters closed the road to Wynberg by chopping down trees into the road and burning tires (Mediator 2 2017).

Superficially, this protest against super-blocking makes little sense, and was publicly blamed on ‘misinformation’ and ‘meddling’ by leaders of Dontse Yakhe (de Villiers 2017). Others point to
the heavy-handed and dismissive approach of the City that has failed to consult directly with the residents of Dontse Yakhe (Mediator 2 2017). Although in part attributable to these factors, the resistance to super-blocking is also an attempt to defend a range of informal practices around property and livelihoods threatened by the monolithic approach of developmental governance that sees upgrading as only about shelter. Indeed, it is through the frame of contending forms of governance that the tensions that grew between various leaders within Imizamo Yethu after the fire makes the most sense.

![Image](IMIZAMO_YETHU_FIRE_DAMAGE_AREA_11_March_2017.jpg)

**Figure 6.1.** Aerial photograph of Dontse Yakhe after the fire

In what follows, the Chapter traces the politics around settlement upgrading in Imizamo Yethu through two sets of lenses. The first, as indicated above, is the lens of developmental and informal governance, demonstrating the divergent logics of these forms, and the different ways that residents engage with governance. The second, is the different meanings of being and belonging in Hout Bay expressed by contending groups in contests over settlement upgrading in Imizamo Yethu. These notions of belonging, framed in terms of race, party and nationality, are illustrated through three contests linked to upgrading: the ‘battle of the green belt’, the protest against the Disa School, and the resistance to super-blocking in Dontse Yakhe.
While there is no necessary relationship in the tensions between these two sets of dynamics (developmental governance versus formality; and three discourses of belonging in Hout Bay), in the case of Imizamo Yethu they intersect in ways that unsettle the local order and disconnect it from formal democracy. Thus, developmental governance in Imizamo Yethu tends towards party capture, and therefore Chatterjee’s (2004) ‘political-society’ forms of patronage, nepotism and even corruption. Informal practices are closer to Bayat’s (2000) account of quiet encroachment. Neither approach sits comfortably with formal democracy in general, but in the case of Imizamo Yethu these tensions overlay conflicts of race relations between Imizamo Yethu and the Valley, and between residents in formal housing and those in informal housing. The net effect is a disordering of local rule that has a further effect of deepening the legitimacy crisis of local leaders (manifest in the factionalism in SANCO), and weakening the capacity of Imizamo Yethu to respond to crises like the 2017 fire with a united voice.

Facilities, Race and a Suburban Future

The Chapter opens with a moment of protest against informal settlement upgrading after the 2017 fire, but there is another instance just as important for understanding governance in Imizamo Yethu, and that is the protest in November 2011 against the opening of the Disa Primary School. Starting near the entrance of Imizamo Yethu, a smallish crowd of around 100 people marched through the township, stopping at the large, double-story brick house of the 2007 SANCO leader, a public supporter of the school, before continuing to the school grounds. According to the protestors, the 2007 SANCO leader ‘had not consulted’ about the school, and they claimed the community needed housing rather than a school. In reality then, the protest was not really about the school, but rather about different visions for the upgrading of Imizamo Yethu, and even more profoundly about who really belongs in Hout Bay, and on what terms.

When Imizamo Yethu was founded in 1991 in the dying days of apartheid rule, 18 hectares of land were put aside for housing and 16 hectares for ‘community facilities and a green belt’ (Harte et al. 2006). Some civic organisations like Sinethemba, that claimed to represent the ‘original’ multi-racial group of families that settled in Imizamo Yethu, argued against the growth and densification of the settlement and wished to see 16 hectares used for ‘its original purpose’ of community facilities. Sinethemba was supported vociferously in this claim by the middle-class and white-dominated Hout Bay Ratepayers Association that also wanted to contain the growth of Imizamo Yethu, as Hout Bay was ‘too full’ already, and more poor residents was associated with higher crime rates, disease and environmental pollution. Against this view, from the mid-1990s the South African National Civic Organisation (SANCO) lobbied for the use of this land to build more houses, partly due to the clear shortage of such given the high rate of immigration, but also
in the name of racial integration. SANCO argued that building specific facilities for Imizamo Yethu would consolidate, rather than challenge, the racial segregation of Hout Bay.

Built between 2009 and 2011, the Disa Primary School admitted its first intake of students in 2012. The school has excellent facilities that were paid for by German benefactors who live in Hout Bay, Dr Andreas and Susan Streungmann, owners of Hout Bay Manor Hotel. Indeed, these benefactors help pay for running costs on an annual basis, as managed by a Board on which they sit, with the result that poor children in Imizamo Yethu and Hangberg can afford to attend. The Disa School clearly provides an opportunity for at least some residents to secure an excellent education for their children at very affordable rates. The Disa Primary School was officially opened by Western Cape Premier Helen Zille in November 2012, and the Hout Bay Ratepayers and Residents Association (HBRRA) attended the event. Reporting in the monthly newsletter, ‘Hout and About’, long-standing HBRRA chair Len Swimmer (2012c) stated:

On leaving the opening of the Disa Primary School, we were suffocated by the stench of grey water, most probably unadulterated pure raw sewerage running down through the alleys next to the shacks. We had just left a 1st World School, in a 3rd World squalid environment. Our Association pledges to get change here and to do everything we can to force the Authorities to transform this terrible situation without further delay; to make this area into a green leafy suburb of which all of Hout Bay can be proud. For this fight we need the community’s financial help and support, to take this Administration again to the High Court if need be, as it is a crime against humanity and contrary to the South African Constitution to witness the squalid conditions people have to live in on this mountainside.

This statement captures the essence of the Ratepayers’ views on Imizamo Yethu. Hence, in the preceding ten years, the HBRRA had tried everything in its power to limit immigration into Imizamo Yethu, and to advocate for housing development that yielded a ‘green leafy suburb’. There were several elements to this vision. First, was ensuring ‘decent’ size formal housing. Using South Africa's standard low-cost housing model of 40 units per hectare, this would mean around 720 houses on the 18 hectares originally designated for houses. Second, was the provision of facilities like a number of schools and a green ‘buffer zone’ on the remaining 16 hectares. Third, was the removal of all informal housing, especially on the slopes above the formal settlement that later became Dons se Yakhe.

Central to the politics of lobbying for this vision of Imizamo Yethu was pressuring the City of Cape Town, through formal channels, to enforce the original 1991 plan for Imizamo Yethu, and then, when unsuccessful, turning to the courts to rule on land use, zoning and environmental
objections. As the struggle over the development of Imizamo Yethu intensified in the mid-2000s, the HBRRA turned especially to concerns around the lack of sanitation and its impact on health and the environment, issues reflected in the quote above, as the main concerns to justify its actions. Somewhat ironically this conservative ‘politics of sewerage’ prefigured the insurgent ‘poo flinging’ of subsequent radical social movements like the ANC-aligned Ses’khona people’s movement in Khayelitsha of the 2010s.

Initially the HBRRA seemed to be successful in having its case heard by the City of Cape Town. Thus, by 2002 the executive committee of the then ANC-run city agreed that overcrowding in Imizamo Yethu would be solved by removing people to available places in Mitchells’ Plain and Blue Downs (Zille 2007). The City even proceeded to get a court order to begin moving newcomers out. In the words of Len Swimmer (2012a), in ‘the following month trucks with low-bed trailers lined up in Hout bay Main Road to move settlers to a Temporary Relocation Area (TRA)’. However, on 4 June 2003, City Mayor Nomaindia Mfeketo declared a one-month moratorium on shack demolitions in Hout Bay. Mfeketo’s city manager, Wallace Mgoqi, stated that they would instead seek ‘a more humane solution to the overcrowding’ (Zille 2007).

In the event, nothing occurred until February 2004 when a major fire swept through the informal settlement, leaving an estimated 570 shacks destroyed (Monaco 2008). Attempts were made by Niall Mellon to build 100 new houses in the places gutted by the fire, but were delayed until the end of 2005. In the interim, those displaced by the fire were left in tents and community halls, and eventually began to build informal structures above the formal boundary of Imizamo Yethu in Dontse Yakhe (Figure 6.2). When the city started removing trees from the 16 hectares to resettle the families, the Hout Bay Ratepayers Association and Sinethemba obtained a High Court interdict to stop the building.
In response, the Provincial MEC for Housing, Richard Dyantyi, on request from the City of Cape Town, declared that the remaining 16 hectares of land would be rezoned for housing, and amended the Less Formal Township Establishment Act (n113/1991) to overturn the High Court ruling. In 2006, following a study of water quality in the Disa River that showed dangerously high concentrations of E.coli., the Sinethemba Civic Association and the Hout Bay and Llandudno Community Policing Forum took further court action against the City to remove the informal settlers from Dontse Yakhe.

Following the electoral success of the Democratic Alliance in 2006, Helen Zille became Mayor of Cape Town and paid for a facilitation and consensus process with the various leaders of Imizamo Yethu and other communities in Hout Bay. This process was facilitated by the Institute of Justice and Reconciliation, and established the ‘IJR Principles’ by mid-2007. These included,
in the words of Len Swimmer (2012b), agreement that ‘movement of some residents is inevitable’, that ‘voluntary movement of people is also an option for consideration’ and that ‘no person will be moved unless acceptable housing conditions are provided in another setting’. Informed by these principles, in 2008 the City proposed four development options to the Hout Bay community with different combinations of housing and community facilities. Having received comment from the community, the City presented a fifth option (‘option 5’) in late 2008. This provided for 46 single residential units, and 1,000 apartments (of 40m2 each). It included a primary school but excluded a high school. Province authorised these plans in November 2009.

Objecting to these plans, the Hout Bay and Llandudno Environment Conservation Group (ECG), closely allied to the HBRRA, attempted unsuccessfully to have the plans set aside by the High Court. Notably, amongst the objections were the failure to plan for a high school as well as a primary school, and the failure to retain ‘the belt of trees along Main Road, as indeed required by the applicable environmental authorisation’ (ECG v Min Local Government 2010: 6). In this way, the desire for specific facilities for Imizamo Yethu and a visual buffer were reiterated. Further, the HBRRA were somewhat upbeat about their influence on the new plans. Thus Swimmer (2012b) notes:

Having spent R330,000 in legal costs we now have at least a hope that this IY development will be what the residents want and have a human feel, whereas the layout proposed by the City’s planners would have been a sterile wasteland of cheek by jowl dwellings and would have resulted in the destruction of the broad band of trees along Main Road to make way for a wrongly located ‘service road’ parallel to and just metres away from Main Road.

In respect of the informal settlement of Dontse Yakhe, however, little changed. In mid-2011, the City made application to the High Court to evict all those occupants who resided within 15 metres of the water mains that run down its northern edge. The matter was heard on 24 October 2011 and the Court ordered that the parties engage meaningfully about whether alternative accommodation could reasonably be made available to the affected persons. Negotiations broke down, and the City identified the affected dwellings on its own, although no relocations took place. A key reason for this is, apparently, the lack of alternative space for a temporary relocation area in the City.

Critically, at the heart of the HBRRA’s vision of Imizamo Yethu as a ‘green, leafy suburb’ evident in the pages of ‘Hout and About’, is a clear rejection of any form of informality, whether street trading, street mechanics, shebeening or the litter, clutter and noise that currently marks
life in the settlement. However, these views are not just about the environment and conservation, but also about class and social values. Indeed, a key assumption of the HBRRA is that the problems of Imizamo Yethu would disappear if immigrants were simply wealthier. For example, in a letter to the Cape Times on 5 October 2009, Eric Shaug, an HBRRA executive committee member, argued that the technical difficulties of building of slopes means that ‘only the rich can afford to build on sloping sites. One might argue that the poor should not be discriminated against, but there is a finite amount of money available for their housing’.

Further, writing in ‘Hout and About’ in February 2010, Su Ball argued that the City’s development plan for Imizamo Yethu would create a ‘visual blight ... scarring the slopes of Skoorsteenkop. Without sufficient job opportunities and educational facilities, people will live squashed together without hope for a better life, a breeding ground for sickness and crime’. She added:

Such a plan for high density walk up flats robbed of screening trees and a gradual interface with the surrounding suburbs will create a visual blight in the centre of the Valley. Instead of tourists being attracted to the area they will be repelled. Tourist numbers will dwindle causing businesses dependent on the tourist industry to collapse having an economic domino effect on Hout Bay of joblessness, crime and squalor in an ongoing downward spiral. Wealthy landowners and businessmen will abandon Hout Bay diminishing the rates base of the City. Let Hout Bay fulfil its destiny not as a slum and but as a thriving tourist village and an asset to the broader Cape Town economy.

For the HBRRA, Imizamo Yethu ought to become a sprawling, middle-class suburb, not a poor high-rise settlement. Notably, the HBRRA’s turn to the environment as a key reason to intervene in Imizamo Yethu, and to resist immigration by poor, black migrants into Hout Bay more generally, mirrored its conservation discourse around the Table Mountain Nature Reserve in resisting the imposition of the Chapman’s Peak Toll Road by private developers described in Chapter Eight. Conservation, then, is invoked by the champions of the Valley against both private developers, informal practice, and developmental governance in Hout Bay. Indeed, by 2013 the HBRRA’s official slogan was ‘The environment is, and will always be, our priority’.

**Housing, the ANC and Factionalism**

In contrast to the HBRRA, SANCO in Imizamo Yethu has long held a very different vision of appropriate development and the place of poor, black people in Hout Bay. At the heart of the vision is firstly, the use of all 34 hectares of land in Imizamo Yethu for housing; secondly, the concomitant integration of the poor, black residents of Imizamo Yethu into the schools, clinics,
shopping areas and other public facilities of Hout Bay. Thirdly, there is the view often articulated by leaders for the recognition of all as ‘Hout Baynians’, and inclusion in the settlement, rather than treating Imizamo Yethu as a reserve of poor, black labour segregated off from ‘white’ Hout Bay (Community leader 2 2012, 2017). The call for inclusion should not be confused with a rejection of racial ways of thinking, however; indeed race is the primary means used by all leaders to frame local politics.

**Figure 6.3.** Aerial photograph of housing types in Imizamo Yethu

These claims are complicated by the fact of the existence of rival civic organisation Sinethemba to represent the residents of Imizamo Yethu. However, even if Sinethemba could claim to be the first civic in Imizamo Yethu, it is clear that with the influx of a much larger group of mostly isiXhosa-speaking people in 1990s, many of whom were migrants from particular areas of the Eastern Cape, SANCO soon had more support. In addition, as Monaco (2008) notes, from its emergence in 1991 the Imizamo Yethu Civic Association, which affiliated to SANCO in the mid-1990s, lobbied for the 16 hectares of land reserved for community facilities to be used for housing. Thus, virtually from the outset, divergent visions of the development of Imizamo Yethu were at play.
Further, as Sikota (2015) demonstrates, SANCO played a key leadership role in bringing housing to Imizamo Yethu from the late 1990s. Thus, in 1997, SANCO attempted to access the new government housing subsidy to build structures on the assigned plots under what became known as the Makukhanye housing project. Assisted by an NGO, the Development Action Group (DAG), SANCO applied for government funding under the People’s Housing Process (PHP) established in 1998, later amended into the Enhanced People’s Housing Process (EPHP) in the National Housing Code of 2009.

In terms of the PHP, DAG’s role was to assist the community in forming a project committee, develop a plan, and facilitate the engagement with the state. According to key members of the Makukhanye project committee, the constitution of the committee, the development of the plan, and initial engagement with the state went well (Sikota 2015). While Sinethemba members dispute how welcome they were made to feel in this process, it remains clear that the SANCO leaders did enjoy more support and that these formal processes were followed closely by the City and DAG. While the project application was successful, it began to run into implementation problems before long. A key issue was the inability of beneficiaries to comply with the ‘sweat equity’ requirements of a PHP. A Makukhanye leader explains:

... because most of the people are working during the day, they cannot be building houses and sort of working together as Ilima [co-op] to build the houses, so we decided to have a contractor, [and move] from People’s Housing Project to a managed PHP because it’s managed if there is a contractor (in Sikota 2015: 64).

In light of these constraints, the Makukhanye housing project transitioned to a managed PHP in 2002. Initially, the international NGO, Habitat for Humanity, was the contractor, not only building the houses but also providing loans to some beneficiaries for building their houses. However, as the project unfolded, the building process was slow and the government subsidy was insufficient to build the kind of houses that the beneficiaries wanted, even with Habitat’s help (Sikota 2015). A major breakthrough for the project was the introduction of Niall Mellon as a possible contractor in 2002. An Irish property developer who came to Cape Town as a tourist in 2000, Niall Mellon was inspired by his first-hand experience of Imizamo Yethu to help with the housing project.

Mellon’s intervention in the Makukhanye housing project transformed it. He set up the Niall Mellon Township Trust (NMTT) that took over the implementation of the project from the Development Action Group (DAG) and Habitat for Humanity. One of the consultants who compiled the NMTT assessment report believes that ‘Niall Mellon just wanted to build, he
wanted to see progress and that is why he started working on the project before the government subsidy was given’ (Sikota 2015: 69). The project ran from 2003 to 2005 during which time about 448 houses were built with the involvement of the beneficiaries, Niall Mellon, the state and other stakeholders.

Central to the ability to speed up the build was Mellon’s capacity to bridge finance the building while enduring the typically long wait for government subsidies to come through. The project continued Habitat’s approach in which half of the cost of the new homes was paid for by the NMTT, and the other half financed through a combination of state subsidy and beneficiary payments (Rangasami & Gird 2007). However, given the delay in securing government subsidies, NMTT offered an interest free loan to beneficiaries to cover their costs, and reclaimed the subsidy directly from government. As a community leader noted:

Mellon was the preferred candidate because he have all the resources. ... the subsidy at that time was R13,900 so we started rolling on ... the advantage of Mellon was that he was going also to put some money in the project as an addition on the condition that the community will pay back ... and the specification, which means the size of the house at that time was 36m² and then Habitat was coming with 40m² house but Mellon was also prepared to work beyond those because ... the smallest house from Mellon its 38m² and I think it’s maybe five houses but the rest its 50m² house. We’ve got 68, we got 72, we got loft... (in Sikota 2015: 82).

Thus in addition to bridge financing, Mellon also allowed recipients greater architectural choice in terms of house design, a view confirmed by a focus group of recipients (Sikota 2015). The NMTT also assisted with the building of houses by organising Irish volunteers to work alongside locals in housing ‘blitzes’ every year. Notably, though, it was the around the issue of the recipients of housing that conflict began to manifest. Thus, according to one Sinethemba member:

I went to some of the meeting but they did not want us as Sinethemba to be part of the project. They wanted to side line us ... first of all it was the things we put forward in the meeting, especially things that we were not happy with regarding the leaders of the project. Things we were trying to prevent. For example, things like new residents getting houses on other people’s sites just because ... example, Maduna left here and he had a house but we don’t know where he went and another guy who also came from Princess Bush left here and when he came back, his house was given to someone else (in Sikota 2015: 74-5).
The selection of recipients was not a process directly managed by the NMTT but was run through the SANCO-aligned PHP leaders, in association with city officials. It seems the PHP project leaders had significant influence in the process. Hence, when the NMTT suggested they hire a project manager, the civic leadership identified a local resident for this post. They also secured from the city office a space for a Niall Mellon housing office in Imizamo Yethu. This provided beneficiaries with an opportunity to get information on the project, access to project staff, and a place to make their interest free loan repayments.

While the issue of who made the recipient list, and the rivalry between SANCO and Sinethemba, did manifest in public debate as a form of nepotism, including the NMTT 2003-2005 project assessment report (Rangasami & Gird 2007), it does seem that the first phase of the Mellon project was a clear success. No less than 448 houses were built in three years ranging in size from 48m² to 72m², with clearly positive implications for the health, education, safety, and especially a sense of belonging of recipients. According to one: ‘I feel like I’m in heaven. I have found my heaven on earth with my new house’. Another added, ‘Niall Mellon is like Moses from the bible who released the Israelites from persecution in Egypt and took them to Canaan, the land of milk and honey’ (Rangasami & Gird 2007: 8). Finally, and critically, SANCO leaders played a key role in initiating and sustaining engagement with the state and NGOS to get the project done.

Within a few years of the highpoint of the Niall Mellon housing project of 2005, however, conflict about beneficiaries and leadership of housing projects reached new lows. In 2007, a new set of SANCO leaders took office in Imizamo Yethu. This leadership group was quite small and limited to the chairperson and two or three closer associates. While this leadership was very effective in participating in the structures of local governance in Hout Bay, such as the ward forum, the Hout Bay partnership and the like, it soon found itself in conflict with others in the larger ANC network in Imizamo Yethu for embracing the HBRRA’s development vision. In particular, the ANC opposed the building of community-specific facilities on the 16 hectares that SANCO had long lobbied for as space for housing. These issues bubbled under for a few years around the state-led Masakhane housing project before coming to a head with the building of the new Disa primary school in 2011.

The Masakhane Bantu PHP housing project was a state-led sequel to the Niall Mellon project designed to upgrade Dontse Yakhe by providing formal housing for 143 families. Conflict emerged between the PHP committee, aligned to the ANC, the City of Cape Town’s housing department, and the new SANCO leadership about who should be on the beneficiary list. Thus, in 2009, when the keys to about 68 of the houses were handed over to recipients, at least 20
families found that their houses were already occupied. These occupants were families on the original housing list compiled by the project committee who were then removed by the City based on objections that they did not qualify for the PHP programme. The City then gave title deeds to families who had lived in Imizamo Yethu for longer, but the occupants resisted on the basis that the PHP had given them the land and they had used their subsidy to build the houses (Mukadam 2013). At the centre of this conflict were allegations about corruption in the PHP around the allocation of places on the housing list, and the 2007 leadership of SANCO took the side of the City against the PHP committee. The 2007 SANCO leader explained:

These people were accommodated in those houses ... who were illegally accommodated, they are not ... on the long run of being the citizens of Imizamo Yethu ... they bribe the people in order for them to be accommodated. I have been saying this word bribe time and time again because I know exactly what I am talking about, I have been engaged with the city, I have been engaged with the province. They [PHP] decided to tell me that the city has made a mistake but I said to them, call the meeting so that the city and the province must have to explain this to us. They never call that meeting, why they didn’t? It’s because they know that they continue with this corruption from the Niall Mellon houses but nobody follow them on the corruption that was taking place so they decided to continue with it and then we said no its enough (in Sikota 2015: 91).

Not surprisingly, the ANC-aligned leaders of the 2011 SANCO and their allies deny these allegations, and indeed return them, pointing to the fact that the leader of the 2007 SANCO works as a gardener in the Valley and yet has a large double story house in Imizamo Yethu (ANC Youth League leader 2012). Where the 2007 leader points to the generosity of his employer, his rivals point towards corruption, especially from wealthy interests in the Valley. Like Sinethemba, the 2007 leader of SANCO stands accused of being a sell-out to white and DA interests. Notably, over years of fieldwork we had conversations with a wide range of residents who shared a perception that all the SANCO factions were in some way corrupt in their handling of housing.

The SANCO leadership conflict engendered by the Disa School decision continues today. While there have been at least three further SANCO leadership elections since 2011, the 2007 leadership refused to recognise the legitimacy of the subsequent iterations of leaders, appealing to the district and provincial levels of SANCO which, it turns out, are equally factionalised and thus have been unable to resolve the dispute. Thus, as the 2007 leader states, ‘I am the chairperson of SANCO. The term is taking two years but because of problems from the national and provincial, we decided not to continue with the election now until we sort out the problems’. He adds:
... the reason why they keep saying, there is this word, we are not legitimate SANCO is because they want to replace me because I don’t allow any wrongdoing to happen. Because they want some short cut, they want some people who are going to agree with them and allow for the corruption to go on. How long is the corruption going to go, how long is (sic) our people going to suffer because of selfish people who want to lead this community? (in Sikota 2015: 90)

Against this view, the current ANC leadership sees the 2007 SANCO as a front for the interests of the Valley, an entity that has been bought, and is used to legitimate white and DA interests in Hout Bay. Hence:

I was a witness yesterday, I was here when we bless SANCO. ... There was no old SANCO, the one of [2007] ... was defeated long time, six years ago. He came and he was out voted in this hall with the region and province of SANCO being present [in 2013]. He was out voted after an election and stood up thank and blessed the new leadership ... after that he contested against the same leadership. He is an independent SANCO leader with no mandate, no election authorities. He is being used by the white people, he doesn’t want ... he want to use the SANCO name in order to be seen as with the poor ... for him to join the Hout Bay Ratepayers, which is white. So the whole strategy used by those white [laughs] is to use this ... black associated name, SANCO in order to deal the dealings that are anti the people of Imizamo Yethu, that are anti those blacks so that they can have a big say in convincing the Mayor, that SANCO, Hout Bay Ratepayers, all these civic organisation have agree in one thing (Sikota 2014: 89).

It is very clear that the ANC in Imizamo Yethu, and the dominant faction of SANCO aligned to it, perceive the actions by the HBRRA as a racist attempt to control the number of immigrants into Hout Bay to ‘keep it white’, and also to segregate black from white by creating blacks-only facilities and a visual buffer of trees between Imizamo Yethu and the Valley. Indeed, in a conversation with an ANC leader in 2015, we asked whether the large number of foreign nationals in the Valley diluted the alleged racism of white South Africans. He snorted with derision. ‘They’re even worse, especially the Germans’ (ANC leader 2015). Further, the collaboration between Sinethemba and the Ratepayers has led SANCO to see Sinethemba as a stooge of the Valley and its allegedly racist agenda. As one SANCO leader put it, ‘Sinethemba was born through the intervention of the outside Hout Bay, the white people in particular who buy way to develop the 16 hectares for the people of Imizamo Yethu’ (Sikota 2015: 86).

Two insights are offered by this history of contests over formal housing in Imizamo Yethu. The
first is the fact that although the formal democratic system does not establish political representation at any level below the ward, all forms of developmental governance require representation at the level of the settlement. Thus, whether through the PHP, the Masakhane Project, or the current super-blocking process, settlement upgrading requires community engagement with representatives sitting on steering committees, development trusts, consultative forums and the like. This creates opportunities for gatekeeping, brokerage or mediation linked to the distribution of resources in a poor area that are opportunities for a form of career in poor settlements (von Lieres & Piper 2014).

The second insight is that the local leaders who sit on these structures are not formally elected nor selected in legally enforceable ways analogous to the election of a ward councillor. Local leadership positions are thus always vulnerable to contestation, and the authority of local leaders often depends on popularity unless they are able to mobilise some coercive capacity of their own. In the case of Imizamo Yethu, as in the rest of South Africa, the legitimacy of community leaders is shored up by invoking the association with the ANC as the liberator of the black oppressed in South Africa. While this notion of ‘party-society’ does usually restrict leadership of poor, black settlements to ANC-aligned leaders (Piper 2015; Piper & Anciano 2015), as the case of factionalism in SANCO shows, it does not prevent rivalry for office emerging from within the ANC itself. In Imizamo Yethu, the racialised conflict over the development of the ‘green belt’ in Imizamo Yethu has fed the factionalism that currently weakens community leadership.

Considered together, these two factors of (i) gatekeeping opportunities created by developmental governance, and (ii) the party capture of representational claims, do approach Chatterjee’s (2004) characterisation of ‘political society’ in the Global South. That is, rather than treating people as democratic individuals bearing rights, residents of poor communities are managed as populations requiring development, and thus exist in patronage relations with the state, mediated by political parties. In this regard, it is notable that SANCO’s self-conception as a mediator between society and party-state explicitly fits this description (Zuern 2011). The party capture of representation in developmental governance and tendencies to patronage politics has parolous implications for community democracy by limiting inclusion on a partisan basis. As noted in Chapter Three, no settlement upgrading policy allows for community level definition of the substance or standards of upgrading – a point made at the beginning of this Chapter – and democratic elements are restricted to aspects of project implementation. What the argument earlier in this Chapter shows is how these opportunities to influence implementation are often captured by partisan actors who tend to pursue their own ends rather than more collective ones. This granted, what the party wants is almost never entirely what they get.
Informality, Livelihoods and Nationality

As noted in Chapter Three, access to housing in Hout Bay is framed differently depending on the forms of governance that construct the settlement. Thus for wealthy residents, access to housing is about the individual purchase of property through market governance, whereas for poor residents access to housing is through developmental governance that provides shelter for a needy population. Had urbanisation stopped in 1991, all residents of Hout Bay would be in either private or state housing today. However, as noted in Chapter One, with a rate of urbanisation of 3% per annum into the City of Cape Town and of 10% per annum into Hout Bay, around 1,000 new poor, black migrants per annum have settled in Imizamo Yethu. Excluded financially from the market, and undersupplied by developmental governance, poor migrants have built or rented informal structures that constitute more than 75% of all housing in Imizamo Yethu.

This reality gives Imizamo Yethu its ‘grey’ character between formal and informal, legal and illegal (Yiftachel 2009), and this greyness extends beyond housing to services. Until the fire of 2017, most electricity connections were illegal, sanitation took place outdoors, and there was no road through to the top of the settlement. Furthermore, as illustrated in Chapter Three, informality extends to livelihoods too, from residents who trade on the street in Hout Bay, to informal micro-enterprises spread throughout the informal settlement at a ratio of 1 to every 10 households. Notably the most common of these is the shebeen, of which there were 182 in Imizamo Yethu in 2013 and of which only a handful have a liquor license (Figure 3.4). Furthermore, and this is important for understanding the resistance by some to super-blocking, while most proprietors of shebeens are South African, a significant number are foreign nationals. In Dontse Yakhe in particular, Ovambo residents from Namibia and Angola are known to run a few large shebeens located on an interior courtyard surrounded by on all sides by shacks so that they remain concealed from public view (Community leader 2 2017).
Thus, to return to the protest against super-blocking: in addition to the allegations of poorly managed consultations with residents of Dontse Yakhe (Mediator 2 2017), residents have legitimate concerns about the costs to their livelihoods of formalisation, not least as the city approaches the issue exclusively in terms of providing shelter for the needy. The plan for Dontse Yakhe includes building structures on 6m x 6m plots, providing services like electricity, water and sanitation, and building a new road. But, there is no place in the plans for the shebeens,
haircare, food retail, and other current livelihoods uses of informal structures. For example, contrary to the common practice of building an extra room for a shebeen or house shop, City official 2 (2015) from Informal Settlement Upgrading stated ‘We cannot allow it because it could densify our informal settlements’. Thus for those groups who run shebeens, especially foreign nationals who may not enjoy full rights under law in South Africa, the spatial design of super-blocking will likely threaten a livelihood.

In addition to livelihoods practices, another constituency potentially threatened by super-blocking is landlords who own multiple shacks, or rent out rooms in large, sprawling shacks. Indeed, according to a community leader (2017) in support of super-blocking, the main leader of the protest is someone who has a ten-room shack that she stands to lose should the re-blocking proceed. With each room renting at R500/month minimum, that is a monthly income of R5,000 (excluding electricity charges) under threat. While no research exists on the nature of ownership in Dontske Yakhe, residents spoke of the existence of landlords who own multiple shacks or large shacks with multiple rooms. This emergent class of informal entrepreneur stands to lose at least some income from investing in property informally. Lastly, the City’s plans for Dontse Yakhe include building a new road that, per regulation, must be at least 8 metres wide. Most perceive this as taking significant space in a crowded settlement, and therefore implying the relocation of at least some current residents, despite the assurances of the City (Mediator 2 2017).

In short, the framing of super-blocking as about providing shelter for a needy population ignores the multiple potential meanings of a ‘shack’ under conditions of informality. The actual structure itself is but one resource that an informal shelter can provide. A further meaning of a shack is access to land that, albeit informally, has a value over and above the structure itself. Thus in Imizamo Yethu roughly two-thirds of the purchase price of the cheapest shack (R15,000) is the land, and one third (R5,000) is the cost of the structure. The distinction between land and shelter is important, as land can be rented for use that is not shelter. This brings us to the third potential meaning of a shack, and that is use of urban land for livelihoods, whether an educare centre, hair salon, spaza, house shop or shebeen. Finally, if the shack has a number, the owner is on a housing list with the City of Cape Town, and has a right to a formal house at some point in the future. In short, there is far more to an informal structure than just shelter, and framing development primarily in these terms is potentially a threat to land, livelihoods and a place for the poor to belong.

Lastly, informality matters in terms of belonging because a significant proportion of informal settlers in Imizamo Yethu are not South African. Migrants from the rest of Africa have been part of Imizamo Yethu nearly from the start, with a significant Ovambo-speaking population from
Namibian and Angola working in the fishing industry. This has caused tensions with black South Africans. According to a number of respondents, there was an attempt to expel Ovambo migrants from Imizamo Yethu in 1992 that was unsuccessful, as the migrants armed themselves and defended the attack vigorously (Refugee 1; Refugee 2; Community leader 2). Some, including officers we interviewed at the Hout Bay Police Station, suggest that a number of these migrants were formerly part of koevoet or 32 battalion of the apartheid-era South African Defence Force. Whatever the truth of these perceptions, the vigorous defence of the Ovambo population in 1992 garnered them a fearsome reputation that meant that they were not targeted in the xenophobic attacks of 2008.

There is no doubt that the high point of xenophobic conflict in Imizamo Yethu took place in 2008 when, following the wave of attacks that rippled across the country, a similar pogrom took place in Hout Bay. According to respondents living in the settlement at the time, the initial response of the community to the attacks elsewhere in the country was muted. However, as the wave broke closer to Hout Bay, washing through the iconic Cape Town township of Khayelitsha, dynamics began to shift. Hence, a local Zimbabwean leader reports (Refugee 1 2012):

... all of a sudden I was no longer welcome in SANCO meetings. This was strange as I used to attend all of them, and I had good relations with all the leaders. I remember at the start of the week I attended a meeting where we discussed how to stop xenophobia, but then later in the week when I went to the follow-up meeting they told me to go away. The next day the attacks happened.

By the standards of the rest of the country, the 2008 xenophobic mobilisation in Imizamo Yethu was mild. Early on the morning of Saturday June 14 June, 2008, local leaders, including some SANCO people and especially street committee members, circulated the word that all foreigners were to leave Imizamo Yethu. As one respondents recalls: ‘Panic set in. We had seen what had happened in other places, even in Cape Town’. By that evening almost all foreign residents had fled Imizamo Yethu. However, within 48 hours all were back. ‘We heard that once the shops closed and people have to pay to go to checkers to get bread that they wanted the Somalis back ... they got the owners to call them back’ (Refugee 2 2011). No one was killed in this incident, and we witnessed vigorous debate over whether any actual violence took place. According to Refugee 1 (2012), who himself fled Imizamo Yethu in 2009:

... the ANC leaders came in on the Sunday and told everyone to calm down. They said we could come back. But it was their friends in SANCO who chased us out the day before. I think they wanted to show the others that were just as much part of the movement as the big townships, but their heart were not really in it.
Importantly, one of the reasons that the xenophobic attacks in Imizamo Yethu of 2008 and 2009 were relatively muted was due to the work of PASSOP (People Against Suffering and Poverty), a refugee rights NGO. Through running various programmes and events in Imizamo Yethu, PASSOP had succeeded in generating some recognition of migrants by ANC/SANCO leaders as at least partly legitimate residents, and so dampened the attacks of 2008 and 2009. According to former PASSOP director, Braam Hanekom (2012), ‘one of main goals was to work with everyone in the community to unite all poor people in common struggle on whatever the issue was. Whenever there was a march, we were there. We talked about rights for all’. PASSOP’s
presence in Imizamo Yethu was cemented by an advice office where local residents could go for help with various issues, especially accessing state documents, and by the fact that one its staff, Refugee 1 (2012), lived there and had participated in community structures for seven years. He says:

I was well known in Imizamo Yethu. We spoke with the leaders, we spoke with the youth. We spoke with everyone. We would talk about rights, we would explain why people were refugees. ... We would help calm issues down when conflict arose ... They knew us, and mostly there were good people.

This approach has much in common with the ‘slow activism’ employed by the TAC and its allies (Robins 2014). In short, ‘slow activism’ includes the ‘politics of the spectacular’ (popular mobilisation and protest) in a suite of tactics alongside the use of courts, representation in parliamentary and other policy spaces, engagement in the media and public debate, and alliance formation with sympathetic organisations nationally and internationally. This constellation of tactics is embraced in what is envisaged as a long-term struggle for rights through both engaging in both policy work in the public realm and in citizenship building through community mobilisation. It is clear from our own interactions with SANCO and ANC leadership in Imizamo Yethu that they are very aware of issues of refugee rights and xenophobia, and hold PASSOP leaders in high esteem. It does seem likely that this activism helped reduce xenophobic violence, but it was not enough to prevent it. Nevertheless, this politics represents a rights-based alternative to the avoidance of the state discussed in respect of informal housing (Bayat 2000), and the Chatterjee-like (2004) practice of community representatives acting as gatekeepers for developmental governance noted in the section above.

While life returned to normal fairly quickly after the attacks of 2008, Refugee 1 (2012) reports being disturbed by the events to the point that when a similar event happened in 2009 he decided to leave Imizamo Yethu for good. ‘It was sad for me to leave, I had lived there a long time, but the way people turned on me reminded of bad experiences back home in Zimbabwe, and I felt I should get to a safer place’. The 2009 incident was the destruction and looting of a shack belonging to a Malawian man living very close to Refugee 1. He adds (2012): ... he was at work ... and then this crowd of women gathers and starts accusing him of raping a child. People got very angry and trashed him shack and took his stuff. Later I found out that his girlfriend, who was South African, was among them. ... Anyhow, when he came back from work he heard about this and went straight to the police station for protection. No one filed any charges but he never came back. That night they started saying all foreigners must leave IY. I thought how can they
do this again? That man did nothing. And even if he did, why must all foreigners leave? I decided enough was enough.

A critical insight into the 2009 attack is the fact that, perhaps unlike 2008, it clearly had a popular basis to it. Even if only a limited proportion of the South Africans living in Imizamo Yethu participated in the attack and openly endorse anti-foreigner prejudice, it is clear that a significant number do. Indeed, from focus groups we conducted with a variety of foreign residents in 2012, it is clear that belonging is conditional or limited for foreign migrants. Thus respondents described SANCO as ‘a South African thing’ in which they do not participate (Residents 2 2012). Part of the reason for this may be choice by foreigners, as one resident explained. However, another part of the reason is that SANCO meetings are conducted in isiXhosa, a fact that has also annoyed some Afrikaans-speaking coloured residents of Imizamo Yethu. When confronted by one SANCO leader with the reply ‘but I know you understand Xhosa anyway’, the retort was ‘that’s not the point – you make it hard for us’. According to one young Zimbabwean man (Residents 2 2012):

... we know we are not fully welcome here ... we are not seen as the same ... so I make sure I am friends with all the gangsters, the nobody messes with me just because I am a foreigner ... you don’t want a fight with someone over a girlfriend to become a foreigner thing ... that happens a lot ... foreigners all get blamed when two people have a fight.

From our engagement with SANCO and ANC leaders over many years it is clear they are sensitive about allegations of xenophobia, and are quick to downplay any deliberately xenophobic agendas in Imizamo Yethu. While the relative lack of xenophobic violence in Imizamo Yethu largely bears out these views, in part due to the work of PASSOP, it is also clear that most foreigners we engaged with in Imizamo Yethu feel heightened vulnerability because of xenophobic prejudice. There is thus an important gap between a lack of violence or active discrimination, and equal belonging in a place. Key here is the notion of party- society that casts belonging in racial and national terms, effectively excluding foreign African migrants from full membership in Imizamo Yethu. Thus informality has a further aspect beyond the exclusion of the poor, it is also the home of the foreigner. In democratic terms, the informal and foreigners relate to the state as illegal and outsiders respectively, and as such, are excluded from formal democracy.

**Conclusion**

The chapter has framed an analysis of settlement upgrading in Imizamo Yethu in terms of both the contending logics of developmental governance and informality, and in terms of contests
over being and belonging in Hout Bay that take racial, party and national lines. The contests also shed light on the limits of collective control of residents over both formal and informal attempts to upgrade Imizamo Yethu. Thus, the battle over the ‘green belt’ is a racialised conflict over where and how black migrants should live in Hout Bay. The protest over the Disa School is the manifestation of contest over the representational opportunities and patronage benefits offered by developmental governance, even within a context of party capture. The protest over super-blocking is in significant part informed by a desire to avoid developmental governance, and in particular to protect the informality of Dontse Yakhe from perceived threats of eviction, loss of property and loss of livelihoods.

Considered together, these two analytical frames of settlement upgrading - governance and belonging - help us understand the weakness of community leadership in Imizamo Yethu. Thus, both developmental governance and informality are disconnected from forms of local democracy, albeit in different ways. While developmental governance in Imizamo Yethu tends towards party capture, and therefore Chatterjee’s (2004) ‘political-society’ with forms of patronage, nepotism and even corruption, informal practices are closer to Bayat’s (2000) account of the defence of quiet encroachment. In addition, the racial contest over the vision for the ‘green belt’ has provided a basis for factional contest within SANCO; while the partisan and nationalist logic of community representation sits in tension with the multiple nationalities that constitute Imizamo Yethu, further weakening community organisation and leadership legitimacy. This intersection of how governance happens with divergent conceptions of belonging weakens local order, and thus the legitimacy of any one set of leaders.

References


CCT (City of Cape Town). (2017a). Consolidated relief efforts underway in Imizamo Yethu.


Interviews


Notes

1 The 2007 SANCO leader refers to the individual elected as SANCO chairperson in 2007.

2 ‘Sweat equity’ means the contribution to a project in the form of work or labour time rather than money or other material resources.