



DAILY PRACTICES OF INFORMALITY AMIDST URBAN POVERTY

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Acknowledgements

Researchers for the Johannesburg case study: Jennifer van den Bussche and Hayley Gewer; fieldwork in Cape Town undertaken by Suraya Scheba, with assistance from Bahia Claasen.

In addition, Suraya Scheba would like to acknowledge support from the Swedish Research Council Formas grant (MOVE; Dnr: 211-2011-1519) led by Dr Henrik Ernstson and hosted by the African Centre for Cities at the University of Cape Town.

Table of Contents

Table of contents	3
List of figures	4
1. Introduction	5
2. Profiles of the two case study sites	11
2.1 Inner City, Johannesburg	11
2.2 Delft, Cape Town	16
2.3 Comparability: Delft and Joburg Inner City	21
3. Delft: Assembling the urban landscape at the intersection between state action and everyday life	23
3.1 Assembling the urban landscape	23
3.2 Modes of regulation in Delft	29
3.3 Entangled engagements with the state	35
4. The Johannesburg Inner City	38
4.1 Introducing the spaces	38
4.2 Agency and temporality	38
4.3 Modes of regulation:	40
4.4 Entanglements	44
5. Reflections across the cases: Rethinking informality	47
5.1 Intersection	47
5.2 Ambiguity	48
5.3 Agency	49
5.4 Paradox	51
5.5 Entanglement	51
5.6 Reconsidering informality	53
6. Thoughts on policy responses	55
6.1 An orientation towards 'Soft Regulation'	55
6.2 An orientation towards incrementalism	56
6.3 An acceptance of differentiation	57
6.4 An orientation towards co-production	57
6.5 An orientation towards resilience	58
6.6 Working towards a holistic model of community development	58
Conclusion	60
References	61
Annexure 1: Research methodology for Delft	65
Annexure 2: Research methodology for inner city, Johannesburg	67

List of Figures

Figure 1: Street-view of one of the study sites in Delft – Sandelhout Street	7
Figure 2: Street view of one of the study sites in Johannesburg	8
Figure 3: Range of activities to be found in Jhb Inner City basements.....	9
Figure 4: Views of activities in Delft	10
Figure 5: Hillbrow from above (source: Gewer, 2013:25).....	11
Figure 6: Condition of buildings in Hillbrow (Source: Gewer, 2013: 28).....	13
Figure 7: Street-view of Delft – Delft Main Road	16
Figure 8: Public investment in Delft - Source: UCT Architecture Delft Studio (2016).....	18
Figure 9: Delft as a hybrid space of public and private investment - Source: UCT Architecture Delft Studio (2016)	18
Figure 10: Sustainable Livelihoods Foundation Data on Micro-enterprise activity in Delft in 2011	20
Figure 11: Sustainable Livelihoods Foundation Data on Micro-enterprise activity in Delft in 2015.....	21
Figure 12: Delft South demonstrating household modifications.....	24
Figure 13: Asbestos House in Delft South with minor adaptations to the original structure	26
Figure 14: Neighbours on Welwitschia road: The inside of modified house in Delft South, with Asbestos walls retained (left); A double-storey house built over a number of years on a site and service plot (right)	26
Figure 15: Incremental construction in Delft South - Source: UCT Architecture Delft Studio (2016)	27
Figure 16: A municipal plot in Delft South, accessed through approval by the street committee.....	30
Figure 17: A house in Delft South that also functions as a Madrassah and Soup Kitchen.....	31
Figure 18: Open fields in Delft and abandoned playgrounds, used by gangs as sites for drug trade.....	33
Figure 19: A make-shift security fence in Delft South.....	34
Figure 20: A fruit & vegetable stall on Delft Main Road	36
Figure 21: A home-based ECD in Delft South.....	36
Figure 22: A make-shift bedroom in a basement.....	39
Figure 23: A church on the weekend, a workshop during the week	39
Figure 24: A mastanda claiming sovereignty of space	41
Figure 25: Between the visible and the invisible.....	45
Figure 26: Access to power and light.....	46
Figure 27: Working in the dark	48
Figure 28: Stagnant water coating the floor of one of the basements.....	49
Figure 29: Sketch of activities and changing use.....	50
Figure 30: A typical view of Delft on Google Maps, 2018, showing original construction and backyard accommodation	50
Figure 31: Basement with multiple activities that are structured in terms of internal systems of regulation.....	52

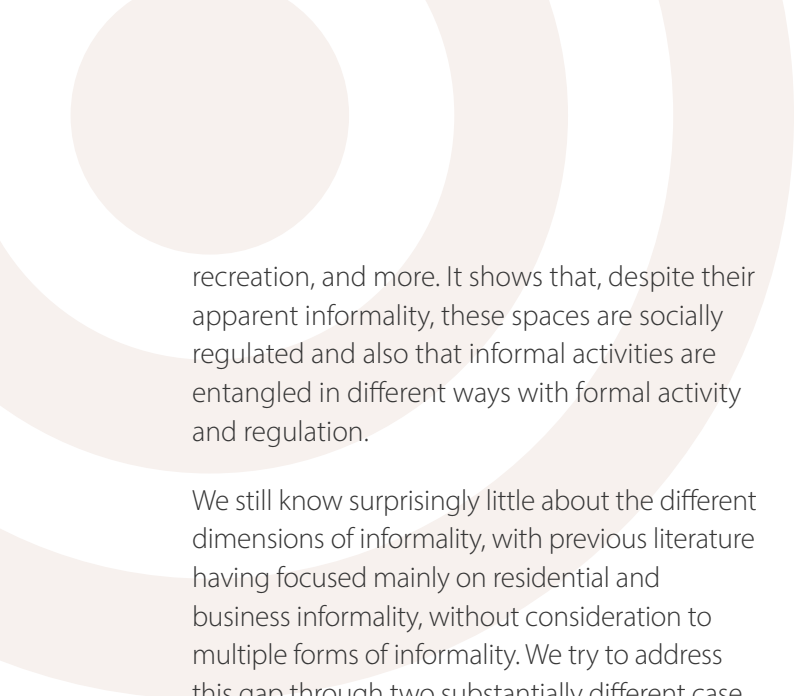
Introduction

The *National Development Plan (NDP)* identified spatial exclusion as one of the causes of inequality in South Africa arguing that we must “respond systematically, and over time, to entrenched spatial patterns across all geographic scales that exacerbate social inequality and spatial inefficiency” (RSA, 2012, p.1). Spatial inequality intersects with many other dimensions of inequality such as gender, ethnicity, race, class, income, level of education, social contacts and access to political power but where people live and work matters as livelihood opportunity, physical infrastructure and public services are distributed extremely unevenly across space. To be confined spatially in a poorly resourced or isolated place severely reduces life chances. This applies to the international scale where borders between countries really matter but also down to a very local scale where even different neighbourhoods offer different degrees of access to social and economic opportunities.

An important dimension of inequality which plays out spatially is the varying capacity that individuals have to meet the regulatory requirements of the state. Many individuals and households occupy precarious, marginalised spaces, sometimes deliberately hidden from the punitive attention of authorities which may view the activities within these spaces as illicit or illegal, even targeting them for erasure. Also, the informality of these spaces may mean that their occupants are excluded from the protection of the state, leaving them vulnerable to exploitative practices.

The existence of spaces and activities labelled as ‘informal’ present dilemmas for policymaking. On the one hand, there are legitimate demands for greater order and regularity in the urban environment, and many regulations are there to protect city dwellers from physical hazards. For example, the deadly spread of *listeriosis* has underscored the need for more attention to the regulation of food safety within formal and informal contexts. On the other hand, ‘disorderly space’ often plays a crucial role in supporting the lives of the most vulnerable segments of society. Informal settlements, for example, offer poor migrants who are otherwise excluded from land and housing markets, an entry point into the city; while informal traders gain a livelihood that would be impossible under the formal regime of commercial zoning, business licenses, safety standards, and taxation. Informal activity also provides many poor people with access to services which would be otherwise unaffordable. The dilemma faced by regulatory authorities is not a simple one. How should these authorities regulate activities and spaces that provide critically needed shelter, livelihoods and services for the urban poor, but may also be detrimental to the health and safety of its occupants and possibly disruptive to the interests of other city residents?

Our research highlights this dilemma in different ways. It uses fine-grained case studies to explore the lives of people who use these spaces for various purposes. It explores the way they integrate multiple forms of informality within their everyday lives – in housing, transport, employment, shopping, healthcare, religion,



recreation, and more. It shows that, despite their apparent informality, these spaces are socially regulated and also that informal activities are entangled in different ways with formal activity and regulation.

We still know surprisingly little about the different dimensions of informality, with previous literature having focused mainly on residential and business informality, without consideration to multiple forms of informality. We try to address this gap through two substantially different case studies: Hillbrow in inner city Johannesburg, and Delft in Cape Town.

The inner city of Johannesburg was founded towards the end of the 19th Century, and has evolved over a long period with the development of the built environment driven mainly through private real estate investments. Hillbrow, is situated on the edge of the business district, developed from the 1940s as a high rise residential precinct with a cosmopolitan flavor. The physical expansion of the inner city ended in the 1970s with increasing competition from decentralized business districts such as Sandton and Rosebank, and the character of the inner city gradually changed, with accelerating processes from the late 1980s. While the external appearance of buildings remained formal, although increasingly dilapidated, a variety of informal residential, business, religious and recreational activities inhabited the buildings, including in their extensive basements, and old parking garages, which are the subject of our study.

Delft is a fairly new urban landscape having emerged from the late 1980s out of state-led housing initiatives. Despite these origins, Delft has evolved in at least partly informal ways, with backyard accommodation, incremental housing extensions, informal enterprise, and informally provided services, now a significant component of urban life and landscape. Delft provides an extraordinary window into the intricate mix of the formal and the informal in lower-middle and

lower income urban contexts in South African cities.

This report brings together the work on these two cases. The research on the Hillbrow basements was undertaken by researchers associated with the South African Research Chair in Spatial Analysis and City Planning (SA&CP) at the University of the Witwatersrand, Johannesburg, while that on Delft was undertaken in association with the South African Research Chair in Urban Policy and the African Centre for Cities (ACC) at the University of Cape Town. The work formed part of the Nelson Mandela Initiative (NMI) which explored multiple dimensions of poverty and inequality in South Africa. A key preoccupation of the NMI was with understanding “why it had not proved possible to give effect to the promised constitutional rights as quickly as we had hoped and expected”. In exploring this question the NMI arranged a series of deliberations culminating in a two-day conference in February 2018. Importantly, however, the NMI ensured that these deliberations were built on a strong empirical base backed by targeted research on different dimensions of poverty and inequality.

The contribution of this report is the empirical support to an argument that South Africa is struggling to address problems of poverty and inequality because many of the processes that shape vulnerability and opportunity in people’s lives are unrecognized or rejected by the state. In some instances, the state is actively hostile to processes that operate at least partly outside its reach, but in other cases social vulnerability is reproduced by state ambivalence towards informality or simply by an inability of the state to know what to do in these contexts.

This report is prepared as a constructive contribution to dealing with tough policy choices. The work is empathetic towards policy makers, recognizing the extraordinary difficulties in managing complex urban environments. It



Figure 1: Street-view of one of the study sites in Delft – Sandelhout Street

does, however, make it clear that unless the state finds a way to engage positively with the actual processes shaping lives and spaces in the city, solutions to poverty and inequality will remain elusive. As Hornby et al (2017) argue, the myriad and complex ways in which people live their lives are often rendered invisible, leaving formal policy as a weak instrument in influencing processes in urban and rural areas.

The report asks a set of questions around: how people live their lives (for example, how they access housing, livelihoods and services); how they engage with each other; how they engage with the state; what spaces they use; and, how these spaces are regulated. Through these questions we explore the multiple forms of informality, and the connections between them; and, also the ways in which formal and informal activities and governance processes connect and disconnect.

The report was prepared with a specific commitment to explore people's lives in an open ended way without either romanticizing or demeaning informality. Our aim was to observe

people's lives as best as we could, identifying practices that support or hinder their efforts at living meaningful lives. "Informality" is the term we have at hand but it is an inadequate term in relation to the multiple forms of activity it embraces and the complex relationships it has with "formality". Although we use the term we do so with an understanding of its limits, and with the hope that a new vocabulary will evolve that relates more precisely to the actual nature of people's lives.

In our method we tried to be as *inductive* as possible, working upwards from the particularities and realities of people's lives and the spaces they occupy, rather than drawing down from the generalities of ideas and theories. However, there is a useful body of work on informality which we engage with elsewhere.

In Delft a total of 37 in-depth interviews were conducted. Of these, 25 were conducted with individuals/ families living in formal state-subsidised housing; primarily in areas that were developed in the period from 1993 to 2004. Home-Based Enterprises were in operation in



Figure 2: Street view of one of the study sites in Johannesburg

10 of these households. A further 12 interviews were conducted with street-traders, primarily along Delft Main Road and Sandelhout Street (in Delft South see Figure 1), as well as a few interviews in the more recently developed Symphony Precinct, to the north of Hindle Road. A full description of the method can be found in Annexure One.

In inner city Johannesburg, five “hidden” spaces formed the basis of the research. These spaces were entirely or partly hidden from street view and were accessed through a network of local contacts (see Figure 2). Each space was a previous parking garage that has

been repurposed for functions that include residential, business (services, retail, storage and manufacture), recreation (for example, a boxing gym) and religious worship. 21 in-depth interviews were undertaken as part of the study, indicated fully in Annexure Two.¹

The report is divided into four sections: the first provides background detail on each case study; the second section offers a discussion of findings for each area in turn; the third offers comparative or cross-cutting insights; while the final offers a set of policy recommendations. The annexures provide additional information and detail on method and data.

¹ We note that this study follows on from a previous one which considered life in Hillbrow basements showing, for example, the temporality of life in ‘underground spaces’ (Rubin et al., 2016)



Figure 3: Range of activities to be found in Jhb Inner City basements



Figure 4: Views of activities in Delft

2. Profiles of the two case study sites

2.1 Inner City, Johannesburg



Figure 5: Hillbrow from above (source: Gewer, 2013:25)

The inner city of Johannesburg is defined here as the 18 km² that falls within the designated Urban Development Zone (UDZ)². This includes the historical Central Business District (CBD) of Johannesburg but also the high-rise residential precincts of Hillbrow and Berea, and “inner ring” suburbs such as Yeoville, Bertrams, Troyeville and Jeppestown.

The entire area has been through massive transformation from the late apartheid era onwards, and continues to experience rapid change. Johannesburg’s CBD was established initially on *uitvalgrond* (leftover land) alongside mining claims but developed over the years as a classic Central Business District (CBD) with office blocks, local and international corporate head offices, and department stores. However, a process of business decentralization from the CBD began in the early 1970s, with the Carlton Centre complex the last major new investment. The process accelerated in the 1980s in the context of political and economic crisis, and of large-scale investment in suburban shopping malls. By the 1990s, there was a wholesale transformation of the inner city with commercial buildings being converted formally and informally into residential apartments, often including informal business on the street level.

The context of the inner city is important to our study, but the focus here is on little more than 1 km² of intensely occupied urban space on a ridge immediately north of the historical business district which holds a prominent place in South Africa’s urban imaginary. Established in 1895, Hillbrow went high-rise from the 1940s, with a private real estate boom driven by immigration from Europe and also by young (initially white) South Africans moving into the freedom of an increasingly cosmopolitan space. Hillbrow was, for example, the cradle of the gay rights movement in South Africa.

From the 1970s, Hillbrow experienced a process of ‘greying’ (de-racialisation). Many white residents took advantage of mortgage subsidies to move north into the suburbs, or emigrated in the wake of the 1976 Soweto uprising. As they left, landlords leased apartments to Indian, coloured and black African households. Poorer than the departing whites, many of the newcomers entered Hillbrow through flat-sharing and sub-letting agreements. The apartheid state, in its final years, struggled to enforce the Group Areas Act in this complex environment and, by the mid-1980s accepted the *de facto* reality of a racially integrated inner city precinct. Then, from the 1990s, many foreign nationals found their entry into Johannesburg through Hillbrow. By the 2000s, the demographic transition was complete with Hillbrow, and the inner city more widely, almost completely black African. In the 2011 National Census, Hillbrow was recorded as being 98.32% black African, with the second largest group being coloured at 0.86%.

The new population was poorer than the previous and predominantly renters rather than owner occupiers. While rental accounts for 41% of household tenure for Johannesburg as a whole, the figure is 95.7% for Hillbrow. The net residential density of Hillbrow increased from 459 persons per hectare in 2001 to 686 in 2011, reflecting the sharing and sub-letting arrangements. Although densities increased, maintenance of buildings deteriorated and the management of the public environment was inadequate (see Figure 6). Hillbrow’s notoriety was consolidated as crime syndicates established in the area. Hillbrow became “Johannesburg’s drug supermarket” (Labrousse and Daniel, 2001, p.258). However, crime trends are in fact quite variable. The number of murders in the police precinct, for example, dropped from 103 in 2016 to 83 in 2017, and there were also declines in general theft and assault,

²The UDZ is designated in terms of a 2003 amendment to the Income Tax Act, 1962, providing an accelerated tax depreciation allowance for new, extended or refurbished buildings within its boundaries. In South Africa it is used primarily as an instrument of inner city regeneration.

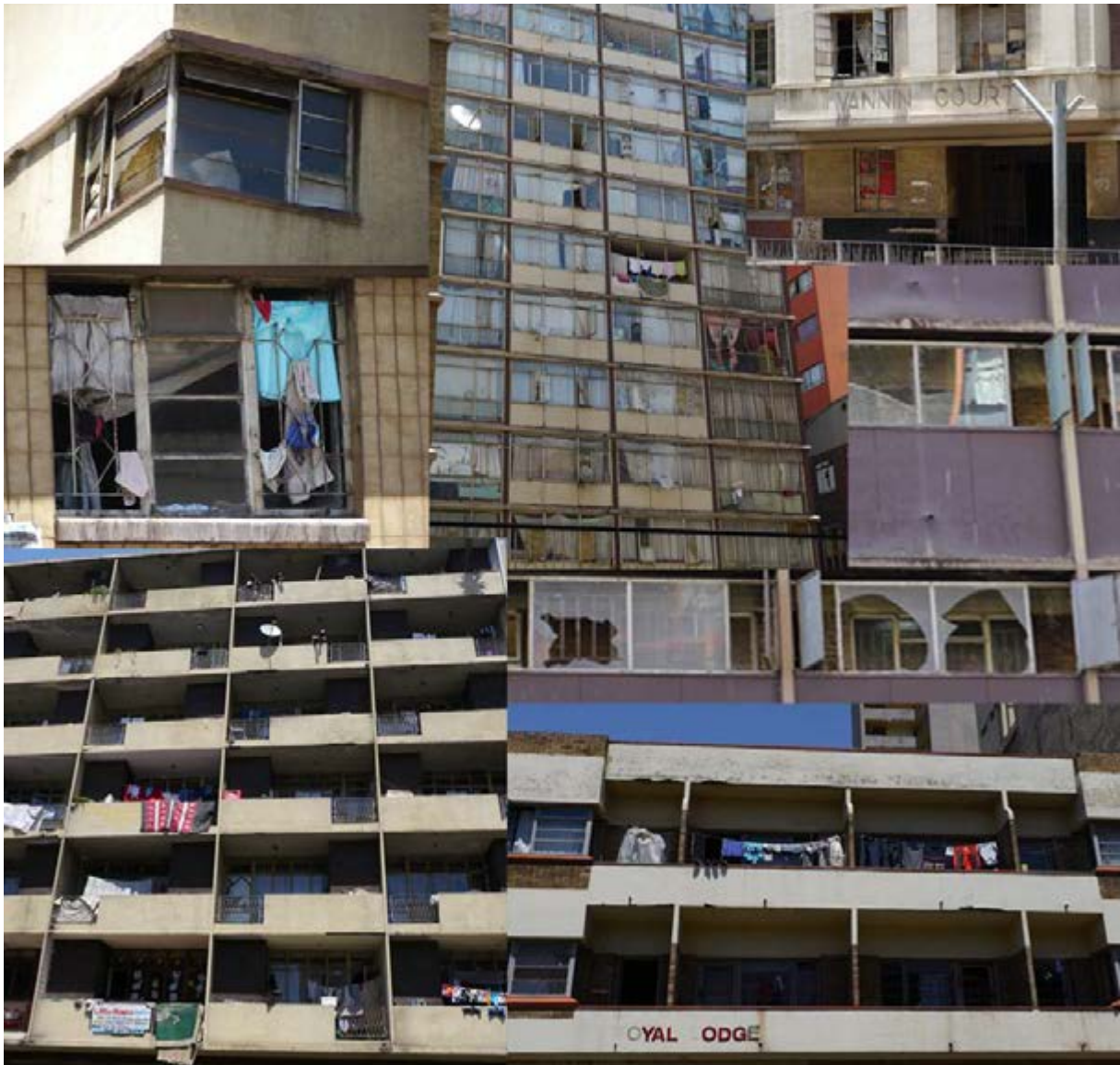


Figure 6: Condition of buildings in Hillbrow (Source: Gewer, 2013: 28).

although with some categories increasing.³

There were various initiatives by local government and the private sector to address the deteriorating environment, including for example the Ekhasa Neighbourhood and Legae La Rona Improvement Districts, and non-governmental organisations have also been very active. A long-term resident told us that “it is not quite the Wild West it once was”. The major factor however may be a demographic shift. In the 1990s and early 2000s, Hillbrow was a gateway for a new wave of migrants into

Johannesburg, and had an overwhelmingly transient character, but these migrants have gradually settled with Zack (2015) suggesting, for example, that there are now more family units than before.

Despite a possible degree of ‘stabilisation’, Hillbrow retains its sense of ‘chaos’ reinforced through media reports and popular films and documentaries such as “Jerusalema” and the “Battle for Johannesburg”. The chaos is associated with insecurity and fear, especially of crimes such as murder, assault and drug-

³ For crime statistics for the Hillbrow precinct see <http://www.crimestatssa.com/precinct.php?id=261>

trafficking, but it clearly also provides a space for those who may struggle to gain entry to the city through more regulated and ordered environments, and a space where it is possible to make a living through economic enterprise that may not be accepted elsewhere (Poulsen 2010; Carey 2009; Gewer and Rubin, 2014).

Socio-economic Conditions⁴

Hillbrow has always been a powerful attractor. It has excellent proximity to major transport and business nodes, and to most urban services, and also has a compelling vitality. Over the years, therefore, it has emerged as Johannesburg's most densely packed urban environment. In 2011, Hillbrow had an enumerated population of 74 131 within an area of 1.08 km², giving it a population density of 68 418 persons per km². Hillbrow has been especially attractive to the youth. In 2011 77.2% of residents were under the age of 35 compared with 65.2% for Johannesburg as a whole.

As we have explained, however, Hillbrow is not the stereotypical male-dominated migrant setting with mainly single period households. In 2011 the average household size was 2.98, not much less than Johannesburg's 3.09, while 49.4% of the population was female compared with Johannesburg's 49.8%. Hillbrow does have a large number of non-South Africans with the census indicating that 41.5% of residents were foreign born compared to Johannesburg's 16.4%. However, even this figure contradicts a popular perception of Hillbrow being 'overwhelmed' by foreigners. Importantly, the mainly youthful population of Hillbrow is quite well educated with 51.3% of adults having a Grade 12 (matric) or tertiary education compared with 37% for Johannesburg as a whole.

The census reported that only 0.4% of households in Hillbrow lived within informal

structures compared with Johannesburg average of 17.4%. The complication of course is that the informality is hidden behind the formal facades with many informal subdivisions, sharing and tenancies, and other informal living and working arrangements. The basements of Hillbrow discussed in this report are but one of many forms of informality not captured within census figures. Similarly, the census indicating of near universal servicing in terms of electricity, piped water and toilets obscures the fact that access to services is often quite limited, shared between numerous households and individuals and with many buildings commonly "informally" managed, and some disconnected from city services.

Livelihoods

The measured unemployment level in 2011 for Hillbrow of 22.8% was slightly lower than the city figure of 24.8%, reflecting the good location of Hillbrow in relation to job opportunities, and also the employability of Hillbrow's educated population. However, the incomes of those employed were less than the city's average figures: 56.7% of the employed reported an income of less than R3 200 monthly compared with 45.7% for Johannesburg overall, reflecting, perhaps, the relative youthfulness of the population and the precarious position of foreign nationals in the job market.

Employment in Hillbrow is dominated by service workers, especially in retail, but there are also a host of other designations such as car guards, domestic workers, cleaners, taxi drivers, hairdressers, security guards and painters. As Tissington (2013) explains inner city locations are favorable to low-end service work as there are opportunities for *ad hoc* employment and transport costs are low. Some of these jobs are formal in the sense of being regulated by employment contracts and labour laws but others are clearly informal. It is difficult to derive

⁴The data used in the analysis is drawn mainly from Census 2011, as provided through the Quantec website

a clear picture of the extent of informality from census figures, due at least partly to hidden and unreported forms of informality. In 2011, 69% of the employment of Hillbrow residents was categorized as formal, with 8.6% informal, 10.6% private domestic, and 11.8% non-categorized. The level of formal employment matched the Johannesburg total. The 2017 Quarterly Labour Force Survey (QLFS), 4th Quarter, however, indicated that 16% of employment in Johannesburg is informal, excluding the 7.3% which is in private domestic employment, a sector which is very weakly regulated (Statistics South Africa, 2017).

Street trading is the most visible component of informal enterprise in the inner city and has attracted a fair degree of attention in the literature (Tissington, 2009; Benit-Gbaffou, 2015 and 2016; Pernegger, 2016; Rogerson, 2016). However the rest of the sector is largely unexplored, with very little work done on the diverse range of other activities. The QLFS, 4th Quarter 2013, indicated that retail trade is indeed the dominant activity among the informal self-employed in Johannesburg

accounting for around 37% of individual participation. However, there are a variety of other informal activities including construction (13%), transport (8%), repair of personal goods (5%), human health activities (3%) and education (3%), with a diversity of others. The bulk of informal trade is in food vending but many other goods are peddled, while services include hairdressing, car repairs and cellphone repairs. Manufacturing is a small component but the informal sector in Johannesburg does include the production of goods such as clothing, shoes, furniture, metal gates, and arts and crafts.

Importantly, studies do show a correlation between the type of work in which people are engaged and their accommodation options. Since informal workers are not able to satisfy the requirements for formal accommodation (e.g. bank statements indicating stable incomes) they are driven into poor accommodation, often in what has been described by the city administration as “bad buildings” (Tissington, 2013; Mayson, 2014).

2.2 Delft, Cape Town



Figure 7: Street-view of Delft – Delft Main Road

Delft is low-income community located approximately 30 kilometres south-east of the Cape Town CBD near Cape Town International Airport. The area has been developed in several phases. The first residential developments, named after Dutch towns and cities, were for coloured communities and include The Hague, Roosendal, Voorbrug, Eindhoven and Leiden⁵. They were constructed between 1989 and 1994 and fell under the jurisdiction of the House of Representatives, the parliamentary chamber which existed between 1984 and 1994 to represent the coloured population.

In 1990, as South Africa, began negotiations towards a non-racial democracy, the Integrated Serviced Land Project (ISLP) was established to provide housing for around 40 000 (mainly black African) households, in-and-around the Cape

Flats, who were living in shacks. The ISLP was to gain impetus after 1994 through the housing subsidies provided as part of the post-apartheid Reconstruction and Development Programme (RDP). The spatial focus of the ISLP was South Delft where nearly 13 000 housing units were to be built. By the end of 2004, when the ISLP initiative for Delft wound down, around 12 500 top structures had been completed on serviced sites, although many of these were 'starter structures', requiring incremental upgrading. The new developments were simply named as Precincts 1 to 9 (Kuyasa Fund, 2005).

Up until 1994 there was a significant racial divide in the development of Delft. Although the Group Areas Act was repealed in 1991, the House of Representatives continued to focus on the housing needs of the coloured

⁵ In South Africa, 'coloured' means 'of mixed race' and was one of the racial designations introduced in terms of the Population Registration Act, 1950.

population while the ISLP targeted black African households. In 1994, it was agreed that all further development would fall under the ISLP but that new developments would be racially mixed with coloured households benefitting from 50% of new sites. The 2011 census indicated, in fact, that a racial mix had been sustained overall, with coloureds accounting for 51.5% of residents black Africans 46.2%, with other groups 2.4%. Delft South, where the newest developments were concentrated, was fairly mixed with 60.4% black African and 37.6% coloured, but the early developments within The Hague, Roosendal, Voorbrug and Eindhoven sub-places remained over 90% coloured. Delft as a whole emerged as an area of both continued segregation and of new degrees of racial mixing (Millstein & Jordhus-Lier, 2012; Penderis, 2013). That is, black and coloured residents were allocated housing, but the history of each of the sub-places, emerging through phased development, continued to contribute to spaces of segregation.

A third phase of development began in 2005, with the commencement of the N2 Gateway Project, one of the first major human settlement initiatives after Breaking New Ground (BNG), a major revision to post-apartheid housing policy. Instead of focusing only on the delivery of housing units, housing was to be an instrument for the construction of sustainable human settlements, in support of longer-term spatial restructuring (SAHRC, 2015). The N2 Gateway Housing Project was to develop fully subsidized and partially bonded rental and owner-occupied accommodation along the N2 freeway across the Cape Flats, and was to involve a partnership between national, provincial and metropolitan governments.

N2 Gateway incorporated Delft Precincts 7-9 and a new development called Delft Symphony. However, whilst promoted as a flagship project it was mired in controversy from the outset⁶. Thubelisha, a private company, was initially given the mandate to implement the project. However, by 2009, the company announced it would withdraw from the project, citing financial concerns, failure to meet deadlines, and challenges with reconciling the differing expectations from the three levels of government. Project management was consequently handed over to the national Housing Development Agency (HDA)⁷ (Penderis, 2013; Smit, et al, 2007; COHRE, 2009). The HDA reports that Delft 7-9 was completed in 2013, with 4 500 houses handed over to beneficiaries, but that Delft Symphony was still in progress.⁸

Delft is a significant extension to Cape Town's urban fabric, representing the outcomes of different phases of state housing strategy over the past thirty years or so. However, state strategy is not the end of the story, with the residents of Delft continually adapting their living conditions by extending, reconstructing and building new structures through processes that are often informal, or at least only partly formal. Although not the topic of this report, the corporate sector also makes an ongoing contribution to city-building in Delft; most recently through the construction of an 11 000 m² shopping mall which has Shoprite Checkers as its anchor tenant. There are conflicts in the process however with the shopping mall, for example, potentially impacting negatively on the livelihoods of informal traders within Delft.

The figures below (Figure 8 and Figure 9) depict Delft, showing the public (represented in black)

⁶ The N2 Gateway project commenced in 2005 in Langa, to replace informal dwellings with formal housing (Jordhus-Lier, 2011). This initiative was fast-tracked following a fire which began in the Joe Slovo settlement of Langa in January 2005. Large numbers of households were relocated to Delft initially to Temporary Relocation Areas (TRAs) from June 2005, onwards (Penderis, 2013; Smit, et al, 2007). Refer to Smit, et al (2007); Levenson (2014, 2017), Symphony Way Pavement Dwellers (2011), COHRE (2009), for more on the contested politics of this project.

⁷ Established in 2009, the HDA is a national agency within the National Department of Human Settlements, charged with acquiring and releasing land for housing and providing project management and support at the request of provinces and municipalities.

⁸ The Delft Symphony development has been especially controversial with pavement dwellers invading houses, and angry protests following evictions.



Figure 8: Public investment in Delft - Source: UCT Architecture Delft Studio (2016)

and private (represented in red) contributions to the built environment; including housing, schools, libraries and clinics. The first map shows the public investments – primarily state-subsidised housing - with the second map reflecting the overlay of private onto public investments. It is clear from these maps that Delft, despite emerging primarily as a site for state housing, has consequently evolved into a hybrid space which includes household alterations and additions by residents (referred to as auto-construction in the Latin American context), as well as other private developments.

Socio-economic trends in Delft

With a population of 152 000 in 2011, Delft makes a sizeable contribution to Cape Town's population. With 13 715 persons per km² it is also one of the denser parts of the city exceeded only by the older townships and pockets of informal settlement.

Like Hillbrow it has a youthful population, with the 2011 national census indicating that 71.7% of residents were under the age of 35 compared

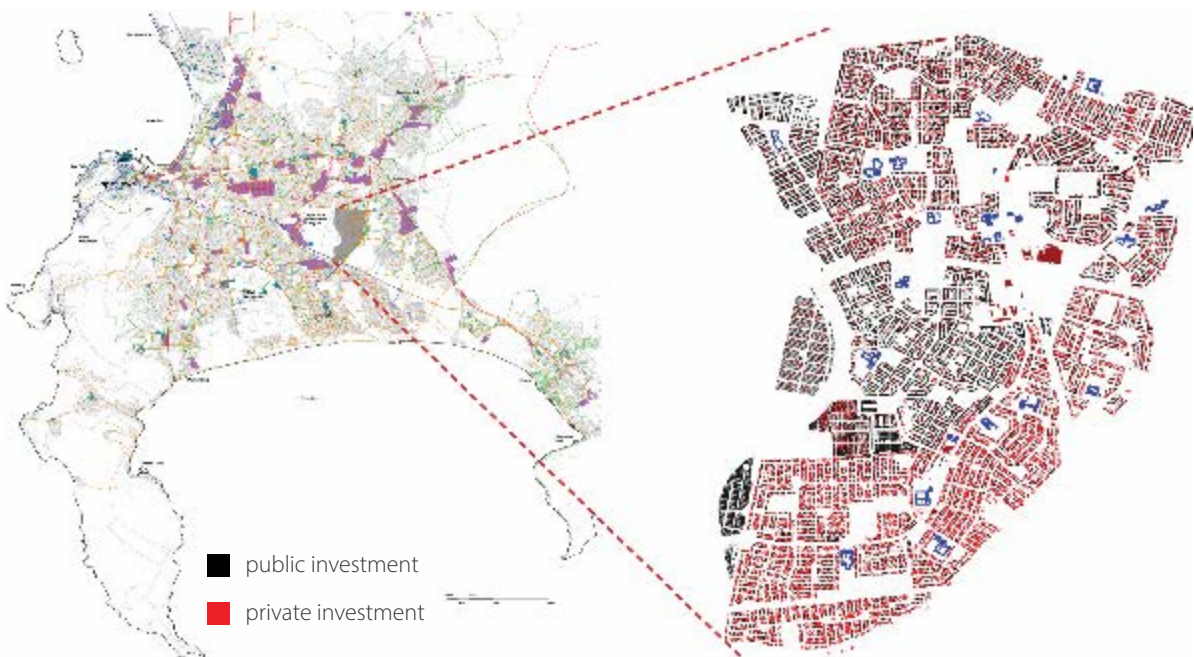


Figure 9: Delft as a hybrid space of public and private investment - Source: UCT Architecture Delft Studio (2016)

to Cape Town's 62.6%. Unlike Hillbrow, Delft is overwhelmingly South African with 4.8% of the population born outside of South Africa, compared with 9.35% for Cape Town as a whole. However, there are in fact profound tensions around foreigners with Somali shopkeepers, for example, a frequent target of physical violence. Also, unlike Hillbrow, levels of education in Delft are very low; clearly, one of the reasons for the reproduction of poverty in this area. Only 26.7% of adult residents have Grade 12 or a tertiary education as their highest qualification, far less than the 45.14% for Cape Town overall.

Delft is a far more marginal space in an urban environment than Hillbrow is but it is marked by significantly higher proportion of owner occupation. 35.5% of households in Delft reported owning their property in 2011, with an additional 35% indicating that they occupied their properties rent free, possibly because the title deeds of state-provided houses were not transferred yet. Only 20% indicated that they were tenants in some form of rental arrangement (compared with Hillbrow's 95.7%).

16.35% households in Delft indicated that they lived in mainly informal structures; much higher than in Hillbrow but this is still a fairly modest figure. This may however have increased significantly since 2011 with the boom in informal backyard accommodation, as indicated on Google Maps. Levels of formal servicing are high in Delft, with nearly 100% of households having access to electricity, 91% with access to flush toilets, and 81% with piped water inside buildings.

Livelihoods

Census 2011 indicated unemployment at around 44%, far higher than the 23% for Cape Town. Of the 39 922 individuals who were employed, 12 130 were in very low end activities known as 'elementary occupations' (e.g. street

sweeping, street trading). Others were in a diversity of other low end services (7942), trades (6547), plant and machinery operations in the manufacturing sector (3571) and clerical work (2165). Delft is a 'poor' to 'working class' area with a very small professional and managerial minority. The census put 13.8% of workers in the informal sector, but a further 10.8% were in domestic service which is also generally poorly regulated and at the low end of the employment spectrum, while 14% of workers could not indicate which sector they were in. Put differently, 61.4% indicated that they were in formal employment which compares to 72% for Cape Town. It is probable however that the percentage in the informal sector is significantly higher than the figure indicated in the census with a significant proportion of the unallocated 14% in this sector. Informal activities are highly visible along the Main Road in Delft but also within the different suburbs; with the most prevalent activities including fruit and vegetable stalls, barbers, hairdressers, mechanics, clothing stalls and spazas (tuck shops).

There are indications that informal activity has been expanding in recent years. Research conducted by the Sustainable Livelihoods Foundation (SLF) in Delft South initially in 2010, with a follow-up small area census conducted in 2015, indicates that the number of informal micro-enterprises doubled from 879 to 1798 (SLF, 2015: see Figure 10 and Figure 11). This may be contrary to national trends, as indicated in the QLFS reports, which suggests that the size of the informal economy has not changed significantly.

One of the consequences of economic stress is that crime is a serious problem in Delft. The number of murders each year has trended up steadily from 70 in 2012 to 183 in 2017, with similarly worrying trends in terms of theft and drug-related crimes. A particular challenge in the area is gang warfare and power of druglords.⁹

⁹ The crime statistics for Delft are available on <http://www.crimestatssa.com/precinct.php?id=1061>

Distribution of micro-enterprises by enterprise category: Delft and Eindhoven, May 2011



Figure 10: SLF Data on Micro-enterprise activity in Delft in 2011

Distribution of micro-enterprises by enterprise category: Delft and Eindhoven, September 2015




Figure 11: SLF Data on Micro-enterprise activity in Delft in 2015

2.3 Comparability: Delft and Joburg Inner City

The study presents both a methodological challenge and opportunity. At first glance, there are striking material and symbolic differences between Hillbrow and Delft.

The physical structures of Hillbrow were constructed by the private sector, mainly during South Africa's economic boom in the 1950s and 60s. The suburb is high rise and, from the

outside, is a formal urban landscape. Delft, of course, is a far more recent construction, with the first developments in the 1980s. It is a product of state policy and is the typically South African single-storey development. There are also significant locational differences. Whereas Hillbrow is in the core of the historical city, Delft is located more peripherally. There are also clear socio-economic differences. Hillbrow has a



mobile population of relatively well-educated people, with a large minority of transnational migrants. Racially, it is now overwhelmingly black African. Delft has a more settled population but one that has far lower levels of education on average and is overwhelmingly South African, with a nearly even mix of coloured and black African households. Delft also has far higher levels of unemployment than Hillbrow which is in fact slightly better off in this regard than the wider city.

But, there are similarities. Both have youthful populations in relation to the cities in which they are embedded, and both are poorer in terms of individual income than the cities as a whole. Both also experience challenges in terms of criminality and violence, with drugs a major concern for both Hillbrow and Delft.

The focus of this report is on informality, and here there are a mix of differences and similarities. In Hillbrow residential informality takes the form of informal subdivisions and tenurial arrangements within formal apartment blocks. In Delft, it is mainly informal shacks, only partially hidden from view (but not from aerial surveillance) in the backyards of formally produced housing. Both Hillbrow and Delft have a significant component of informal enterprise, although this is not the dominant form of livelihood for local residents.¹⁰ In both Delft and Hillbrow, retail (especially food vending) is the dominant form of informal enterprise. However, in Hillbrow there is probably a greater variety of informal activity across sectors, reflecting the

huge market that its' inner city locations offers to local entrepreneurs.

It may seem that, despite some similarities, the comparison is rather 'thin' (Lees, 2012). However, we take encouragement from the "new comparative geography" which is far less concerned with the established conventions of comparison than with using comparison practically for chosen purposes. Rather than claiming that the old parking garages of Hillbrow and the expansive residential precincts of Delft are comparable units of study, we argue only that similar questions may be asked of these two very different environments, with answers that help us think through complex phenomena that are commonly experienced across diverse localities, although in context specific ways. Ward (2010) offers a relational comparative approach, "that uses different cities to pose questions of one another" (p. 480). In a sense we do the same for two different types of precinct within two different cities. The common questions we ask have to do with: the diversity and intersections of informality; the agency of local people; the governance of informal spaces; and, the entanglement of the formal and the informal. Of course, the contexts matter and informality plays out differently across space but the processes are mutually intelligible, allowing us to draw comparable insights informing both theoretical construction and policy-related discussion. In the sections below we delve into the specifics of each context while maintaining comparability in terms of the questions we ask.

¹⁰ The dominant employment type is low end service jobs in sectors including retail.

3. Delft: Assembling the urban landscape at the intersection between state action and everyday life

In the sections below, we first explore the diverse and interconnected ways in which land, housing and services are assembled before considering the forms of social regulation that shape these processes. The section reveals a thoroughly entangled engagement between the state and informal or popular processes.

3.1 Assembling the urban landscape

The urban landscape of Delft was assembled through the interaction between state provided housing and extensions and additions by local residents. The majority of household interviews conducted were in Eindhoven and Delft South. These houses were developed in the period from 1993 to 2004, prior to the introduction of the N2 Gateway project. The decision to focus on older, more established sites within Delft, was taken to support the study's interest in documenting resident adaptation of the landscape over time. Whilst also evident in Symphony Precinct, such adaptation is still relatively new.

It is noteworthy that each of the sub-places reflect particular practices, in part due to the specific materiality of the household structures and development history of these sub-places. Therefore, a focus on other sub-places within Delft would offer other insights into the specificity of resident practices and modes of engagement with land, housing and services. At the same time, whilst this is an important recognition, it also significant that the wider insights of the intertwining of state provision and popular adaptation is evident throughout Delft.

State provision, popular adaptation

The state provided houses in different ways at different times, contrary to wide-spread perceptions of uniformity in state-initiated residential spaces. Delivery modes have included site-and-service schemes in which qualifiers were given plots and then supported with materials to construct their own houses; 'starter houses' in which the state provided a core unit, requiring the beneficiaries to develop incrementally on the sites; and, the conventional RDP houses in which a fully constructed unit is allocated to a household. The RDP house is



Figure 12: Delft South demonstrating household modifications

most commonly understood and generally represents the expectation of those on a housing waiting list. The consequence was that other delivery modes created varying degrees of misunderstanding and unmet expectations amongst recipients.

Recipients of government supplied sites reported receiving land and then being assisted with a cash subsidy and/or building materials in order to construct their own houses. Wendy houses were often brought onto the sites in which the families lived while constructing their dwellings. There were very different outcomes for households. Some clearly struggled and, where incomes were limited, could only build basic structures. Others were able to build substantial structures; far more spacious and adapted to household needs than the standard RDP houses.

Jonathan and Jennie explain that they received a site and lived in a Wendy house with their

two young children. However, the Wendy house burnt down because of a bad electrical connection. Following the fire, the family built one room at the front of the plot living there for five years whilst building incrementally toward the back of the plot. They explained that “we bought 10-20 blocks at a time from a local brick-maker; the entire construction took 8-10 years”. Both spouses had jobs – Jonathan as a security officer and Jenny in sales – and the construction material was bought with monthly savings. The cumulative investment and effort was significant and in 2015 the self-constructed double-storey house was valued at R650 000. The house is also a financial resource as they are now able to rent out the garage to two Angolan immigrants as a spaza shop for R2 000 per month. Jonathan and Jennie take great pride in their construction:

“I can only thank God. When the Wendy house burnt we lost everything, we lost many memories and sentimental items. We had everything and we lost everything ... life happens and takes a turn of events that shocks, but along comes miracles”.

“inside [this house] is not Delft, we just pray that things will get better [outside]; that the drugs will stop, and things will get better. The most exciting part of my life was building this house. It is very hard to sell this house; it has become part of my identity” (Interview Jonathan and Jennie, 24 March 2016).

The ‘starter houses’ were built in Delft South and Leiden by the state between 1994 and 2002 which were meant, by the authorities, to be initial structures. Some residents accepted the intention for incremental upgrading. Lincoln, one of the original residents of Eindhoven, recalled riding on his bicycle as a young boy (during the early construction of the settlement in 1990) to watch as “ten to twenty houses were being constructed per day”. He explains that “The houses were small and people had to develop their own sleeping quarters. The houses were simple and it was thought that people would expand further to make [them] livable. Some people managed and others not. It depends on access to money”. (Interview Lincoln, 8 March 2016).

Whilst others implied that these units were ‘incomplete’ and expressed their unmet expectations, reflecting a disjuncture between popular expectations and an official perception of starter houses as a sensible housing option. One respondent remembered that “when we arrived here in Delft, there were structures, but it was not complete” (Interview N, H16, Delft South). Another lamented that “there was more sand than houses here ... The houses were small and not complete, missing doors and windows, with only one room that we all slept in” (Interview C, H2, Eindhoven).

In site-and-service and starting housing neighbourhoods there is considerable diversity in housing outcomes. However, with the possible expectations of uniform township- or RDP-type developments, some respondents complained that the materials used in these structures were not consistent throughout, with some developed as block (brick) structures and others made of an asbestos roof and brick walls, and that in a single street the housing units were not all of the same size, material quality and level of completion (Interview Nana, 29 March 2016; Interview Pung, 5 April 2016).

Furthermore, there is considerable variation observed, even along a single street in Delft South, in residents’ abilities to adapt a starter structure and build incrementally over time. This variability is shown in Figure 14, contrasting the inside of a ‘starter house’ which has been modified over time through the use of a range of scavenged materials – including wood, zinc and cardboard – whilst retaining the original asbestos structure; to that of a neighboring double storey, constructed on a site and service plot.

However, regardless of the original housing typology, a key research finding, is that Delft, despite originating as a state-driven and funded housing development, is in a constant process of extension and reconstruction. The predominant practices involve self-made



Figure 13: Asbestos house in Delft South with minor adaptations to the original structure



Figure 14: Neighbors on Welwitschia road: The inside of modified house in Delft South, with asbestos walls retained (left); A double-storey house built over a number of years on a site and service plot (right)

extensions or building a subsidiary structure on the site, often a backyard shack. In some cases, however, the original structures are completely replaced. A range of materials are used including brick, corrugated iron, wood, cardboard and plastic bags. In many but not all cases the process of building takes many years and is funded through savings, borrowings and state grants. The following images demonstrate the incremental constructions and their diversity.

The improvisation that is required for incremental upgrading in a context of scarce household resources produces the variety of replications and micro-innovations that continue to transform Delft. These practices are too diverse and widespread to fully capture

here but include innovative use of materials, repurposing, and multiple uses of the same space (as a living and trading space). Accounts from two residents of Eindhoven provide an illustration.

The first is that of Agnus who has lived in Delft since the mid 1990s when “all the structures were container structures with a toilet, over 20 years ago” (Interview Agnus, 28 March 2016). Since then his house and plot have been in a permanent state of reconstruction. Included on the plot is a Wendy house bought from a friend and is used as an addition to the main building. Aunty Lora has also improvised but she uses a caravan which is accessed from the back of the house by a small step. It now provides accommodation but was previously parked in



Figure 15: Incremental construction in Delft South - Source: UCT Architecture Delft Studio (2016)

the front of the house and used by her husband for selling fruit and vegetables (Interview Aunty Lora, 10 March 2016).

Construction does not only involve producing the structure and its extensions but also connecting to water, electricity and sewer infrastructures. Here too there is diversity and improvisation. Again, there is a complex mix of formal and informal means of connecting. There are irregular connections, with residents tapping illegally into electricity supplies, and also informal reconnections of water and electricity for those who have been cut off because of being in arrears. These processes are supported by the Anti Eviction Campaign (AEC), an umbrella of community-based organizations which argue that water and electricity are basic human rights and households should not be deprived because they are unable to afford the charges.

The introduction of pre-paid metering is however making it difficult for households to secure services without paying. Our respondent, Pung, reports that he accepted a pre-paid electricity meter and a water management device (WMD) (the so-called blue meter) from the City of Cape Town in exchange for having leaks fixed and his arrears written off. The WMD regulates the amount of water a household receives daily, but there are times when no water is received and Pung must go to the council offices.

Many property owners now have tenants living in backyard accommodation who they provide with services. In fact, the major reason that

people live in backyards instead of in informal settlement is the availability of these services (Lemanski, 2009). Monthly rentals vary, but are commonly around R400 per month, but tenants generally contribute, in addition, to electricity charges which are on average about R800 per plot (Interview Saadiqah, 5 April 2016). It is in fact often the sharing of electricity that is a challenge. George reports that sharing “causes big trouble, because we don’t all get money at the same time. Also the electricity is too weak and trips a lot because so many households are drawing on one current” (Interview George, 6 April 2016).

In examining housing transformation in Delft it emerges that, as a space, it is still in the making, involving a distinctive temporality; with spaces that are always being transformed, always in the making, producing quite heterogeneous landscapes (Caldeira, 2017: 5-6). This transformation is defined by a high degree of improvisation, innovation and bricolage as demonstrated by the examples of innovative practices cited above. Finally, it is significant that the temporality of spatial adaptation and transformation is not linear, i.e. has a distinct beginning and end point, with accounts provided by interviewees of structures erased through fire or lost through evictions or constantly being under construction (Bhan, 2017). At the same time, access to land, housing and services emerged as a complex, heterogeneous and negotiated process informed both by formal and/or informal spaces of regulation, which is discussed below.

3.2 Modes of Regulation in Delft

Delft does of course fall within the jurisdictions of the Metropolitan City of Cape Town and the Western Cape Provincial Administration, and is formally subject to regulations continued within legislation, by-laws and adopted policies. There are varying degrees of compliance and enforcement. It is clear however that many practices and processes are extra-legal, falling outside the official frameworks. However, as with the case of Hillbrow, it would be a misconception to imagine that this informality implies an absence of control. In fact, there are multiple forms of social control in Delft operated beyond the formal institutions of the state. These include “street committees”, a legacy of struggle era community organization, and faith-based organisations which, as in the case of Hillbrow, are hugely influential in everyday life. They also however include gangs and druglords.

Street committees

Street committees emerged in the 1980s as a tactic of political struggle, with the United Democratic Front (UDF) promoting these alternative forms of organization as a means to wrench control of townships from the apartheid state. They did however largely die out in the post-apartheid era. However, from around 2008 they re-emerged largely as a community response to a township crime wave, and especially to the power of druglords. Some of the street committees fall under the umbrella of the South African National Civic Association (SANCO) but others are more autonomous.

We did not set out to study ‘street committees’ but a number of respondents referred to their significance, not only as a parallel system of justice, but as regulators of land and housing access. They enforce a form of ‘social tenure’.

Muneera explains that she lives on a municipal owned plot previously left vacant and used as a dumping site. After getting married, she occupied the site with her husband, but only after seeking and obtaining permission from “the residents of the road”. However, the informal nature of her tenurial approval means that she does not have access to municipally-provided water, and so she has to source water from neighbors. Muneera is therefore now exploring the prospect of obtaining formal occupation rights from the municipality (Interview Muneera, 8 March 2016).

Shafieqa purchased a property she had occupied as a tenant for over ten years by paying R30 000 with 50% as an upfront payment and the rest in monthly installments. However the transaction was not formal, as legal transfer was not possible as the property had R120 000 worth of service-related debt. When these arrears were eventually written off, the original owner (still the legal owner) arrived to evict Shafieqa and her family so that he could sell the property formally to a new buyer for R220 000. Shafieqa contested the sale, receiving support from the local street committee. In this case, however, there was no success, and the family had to leave. Interestingly, in their new property in Leiden, the family has entered into a ‘rent to buy’ agreement which is overseen by the local street committee, which no doubt offers some security and legitimacy to the transaction. This is a kind of hybridized arrangement with a contractual base but with an informal structure as the guarantor (Interview Shafieqa, 11 April 2016).

Finally, there is the case of Marilyn. This involves a complex dispute between Marilyn, who holds the title deed to the property but had never lived there and a long-term resident who had purchased the property through an informal agreement. Marilyn tried to assert her ownership rights by building a zinc structure on the site but this was demolished the counter-claimants and a complex argument ensued. Significantly, the dispute was not taken to



Figure 16: A municipal plot in Delft South, accessed through approval by the street committee

the courts but rather to the street committee which eventually adjudicated in favor of the occupants.

These three cases suggest a complexity that requires further investigation. The formal framework of a legal cadastre is still present, and legal processes and institutions are used. But, there is also an intersecting informal property market, and street committees operate as parallel informal institutions. Clearly, at times, the formal and the informal conflict, and which mode wins out is case-dependent, but at other times the system is quite hybrid with the formal and informal co-existing. The practices are improvised and calculated.

The reasons for informal and hybrid systems were explored in a study in 2016 conducted in Delft by the Centre for Affordable Housing Finance in Africa (CAHF). It is clear that there are inefficiencies and complications with formal process which drive residents into informal transactions. Often, for example, title deeds have not been transferred to beneficiaries of

state housing programme making onward sale through formal processes impossible. The other reason, however, is poverty. Sellers and buyers simply cannot afford the financial requirements of formal processes while many have poor credit records that prevent them from accessing mortgage finance through formal institutions (CAHF, 2016).

These cases serve to demonstrate the complexity of overlapping governance models and the productive tensions that they generate. Revealing varying understandings of the security of tenure, the role of street committees in influencing this, and how and why these exist in relation to formal modes of regulation. What becomes apparent then, is that the use of informal processes may ensure affordability, with the role of street committees offering some guarantee to agreements and transactions. However, this also comes with the consequence of inherent risks and a permanent state of insecurity and vulnerability.



Figure 17: A house in Delft South that also functions as a Madrassah and Soup Kitchen

Religion

Religion is a central feature of daily life in Delft, with the community divided between Christian and Muslim practice. In many of the interviews conducted reference was made to God – in the acceptance of life circumstances, in expressing gratitude for good fortune, and in speaking of hopes for the future. The ongoing role of churches and mosques in daily life was also a common theme.

Nana spoke of the daily challenges of life in Delft but also of how her religion is crucial to bonds of community and belonging. She is part of a women's group who meet monthly to plan an annual event for the celebration of the Prophet Mohamed's birthday. The group members each contribute R300 to have a dress or scarf made for the event at which food is served and community members are invited. She makes the connection between the deprivation of life and the hope provided by religion and community: "These houses were meant to be temporary, we were told they would be demolished, but

nothing has changed. But we must make the most out of living here. That is why we meet and plan, people enjoy coming to our event and the food" (Interview Nana, 29th March 2016).

There are many quotes we could cite from respondents pointing to the role of religion in personal and community life. Fellow worshippers and religious leaders provide support and guidance in everyday circumstances and decision making and, in the case of Muslims, rituals are practiced daily and so structure the rhythms of everyday life.

Gangs

It is however not only religion that shapes life but also the presence of gangs which are connected to larger networks across the city. The gangs operate as a form of governance, with enforced rules of conduct for their members, but also regulate local business, for example, through protection rackets. Roloff (2014) explains that there are different types of gangs in the Western Cape ranging from the

small and informal “crews” and “cliques” which are mainly in the historically black African townships to the highly formalized “street gangs” common in mainly coloured areas, and the nation-wide prison gangs.

The street gangs have generally been small to medium in size, with between 15 and 200 members each, they are now consolidating into large syndicates with membership of over 500. They are said to have diverse and complex relationships with a variety of other organisations. There are alliances with other gangs but also connections of various sorts to community structures and to state agencies including the South African Police Services and, through the drug trade to international criminal syndicates (Roloff, 2014). That is, criminal syndicates in Cape Town can be found to operate in a number of overlapping, and at times competing, forms, including as corporations, international syndicates, and the networks of drug merchants which include gang leaders. These interconnections prompt Pinnock (2016) to argue that it’s more productive to conceptualize gang involvement as an entanglement. Suggesting an ambiguity in the form and significance of these engagements as a barrier to external threats, as reflective of disorder, whilst at the same time implying tight coils of engagement (Pinnock, 2016: 98).

The latter, street or merchant gangs can be understood as the ‘middle management’ of this entangled structure. They have derived a substantial income from the drug trade with the consequence that these locations have come to operate as localized versions of a narco-economy (Goga, 2014:12). That is, whilst the levels of finance circulating through South Africa from the drug economy is marginal, relative to countries such as Afghanistan – referred to as a narco-state or economy¹¹ –, at a more local scale the Cape Flats reflects a micro drug economy.

This economy is regulated through a hierarchical gang structure; “organized at the top, semi-structured in the middle ranks and fluid and volatile in their lower ranks. They’re the public face of Cape Town’s gangland – buying, shooting and robbing their way to notoriety, fortune and cult status” (Pinnock, 2016: 118). This ‘public face’ is composed mainly of marginalized young men relying on the trade as a source of employment (Goga, 2014: 12; Pinnock, 2016). The consequence is that individuals, families and by extension communities become reliant on and entangled in the drug trade and economy.

The factors driving youth involvement in drug use and the drug trade are primary socio-economic, with both families and neighborhoods in crisis. According to the Western Cape Youth Development Strategy (2013) one quarter of youth in the Western Cape had a parent or sibling who had been to jail, with 15% living in a household where someone was a member of a gang. Furthermore, in South Africa as a whole, between 23% and 29% rated food, housing, clothing and health care to be inadequate. (Pinnock, 2016: 82-83). Within this context, young people are drawn toward spaces that promise to fill the gap created by individual and social precarity. According to a young gang member:

“Most young people growing up in the townships like Khayelitsha are raised by a single mother or granny. In conditions like that, you search for a person outside the house to close the gap and give you what you can’t get at home” (Pinnock, 2016: 83).

¹¹ The term refers to countries where the functioning of the economic and political system are entwined with drug finance, leading to a level of state capture (Goga, 2014: 12)

Gangsterism in Delft reflects this response by youth, in search of money, status and a sense of belonging. Extremely volatile and violent, residents have become accustomed to inter-gang rivalry with frequent shootouts which also affect by-standers. It was reported for example that 31 people were killed in Delft during the single month of August 2016 during gang-related activity (Nkalane, 2016). This situation is made worse by the police to population ratio in the area, with one police officer for every 706 residents in Delft, the third worst in the city (Isaacs, 2016).

Our study did not attempt an ethnography of gang-related governance in Delft, but interviews with respondents revealed the prevalence and impact of gangs. Maureen, for example, spoke candidly of the effects of drugs and gangs on the community and on her family. She had not seen her drug-addicted oldest son for months. Maureen made the explicit connection between these problems and the lack of jobs opportunities, facilities and support structures for the youth:

Besides the poverty, there are no places for the children to play, and no facilities. If they build a park for the children it becomes for the big ones. This is because they also don't have anywhere to go ... everybody is struggling here. There are problems with drugs and gangsterism and no support structures to help. We live from hand to mouth, most of the time we just survive... they [the youth] find themselves doing all kinds of things. (Interview Maureen; 7 April 2016).



Figure 18: Open fields in Delft and abandoned playgrounds, used by gangs as sites for drug trade

An interviewee in Leiden explained how gangs impinge on the way businesses operate:

People target those who are trying to uplift themselves in the community. The gangsters see you making money and target you and ask for protection money. You are approached by someone connected to you. It's not direct; a message is sent to you (Interview Leiden Fruit & Veg seller, 11 April 2016).

Pung spoke of how gang-related activity impacts on everyday life. He has constructed a high wall at the front of his house (similar to the one in Figure 19), made of make-shift materials such as wood and cardboard. He explains that this was built to protect the family from crime. He says that crime has intensified over the years, especially since the gangsters arrived: "You must be scared at night. You must sleep with one eye open and one eye closed in Delft".



Figure 19: A make-shift security fence in Delft South

3.3 Entangled Engagements with the state

Delft challenges any conception of the 'formal' and the 'informal' as binary categories. Processes are complex and entangled. This is clear, for example, in the built environment as well in social relations. As we have seen, the large majority of households have formally constructed houses, but many are adding informal rental accommodation as extensions. Properties are registered against the formal cadaster, and legal transactions do happen, but there are also many informal transactions and the involvement of street committees as mediating institutions in property and land management. A practice of entanglement is also evidenced in criminal governance, prompting Pinnock (2016) to suggest entanglement as more useful concept than gang activity.

This notion of entanglement is illustrated further in the continual entanglement of formal and informal processes and recourse around property related matters; as the interviews with 'Aunty Lora' and her daughter-in-law Joanna show. The complexities of family relations in respect of property ownership cannot be described fully here. An illustrative case is that of Joanna and her husband who have been on the housing waiting list for 16 years and have been renting accommodation in the meanwhile. They are now faced with eviction as they cannot pay their monthly rental of R1 600. They have decided that they need to make a more active claim on the state, especially since they see new RDP-type houses being constructed around their neighbourhood. To make this claim they are considering the local Mosque for assistance. Aunty Lora, herself, has a complex situation with an ongoing fear that certain of her children will access the title deed for her state provided house and then sell the house "under her nose" without

her permission. She and her daughter Jenny are trying to find some form of legal assistance to secure the title deed before her other children do so, and then effect a legal transfer of the house to Jenny (Interview Aunty Lora, 10 March 2016). It is clear that legal frameworks are understood and recognized but that a combination of formal and informal mechanisms are used strategically to achieve personal goals. The result is a curious combination of formal, informal and hybrid practices.

This entanglement is clear also in practices of informal trading. Many of the informal practices of Delft are visible on the streets, taking place along Delft Main Road, and on other busy streets. This visibility suggests a degree of accommodation or tolerance of these practices by formal regulatory authorities, although there is still a level of insecurity as this tolerance is subject to arbitrary punitive action. The reasons for limited enforcement are unclear but may relate to under-capacitated city officials, and the physically and economically peripheral location of Delft in relation to Cape Town city centre and wealthier suburbs, thus posing no significant threat to and within the elite spaces of the city. However, as noted by Denoon-Stevens et.al (2017), the failure of official regulations to properly recognise the organic development of the township economy; characterized by the intertwining of work, public and private life; has served to render the large majority of street traders and home-based enterprises (HBE) illegal. The net effect is that they are then "subject to closure, curtailment, bribery or police harassment" (Denoon-Stevens, 2017; Charman et.al, 2012). In other words, residents exist in a state of illegality, which Denoon-Stevens et.al refer to as an enforced illegality, pointing to the misrecognition of practices within peripheral spaces of the city by formal authorities and related regulations. Another threat to informal trading is the competition from formal enterprise, especially the newly constructed shopping mall.



Figure 20: A fruit & vegetable stall on Delft Main Road



Figure 21: A home-based ECD in Delft South

The formal and the informal also entangled in the provision of services. This is evident for example in the Early Childhood Development (ECD) sector. Informal pre-schools play a crucial role for poor households in Delft, and also provide a livelihood for many individuals in the community (see *Figure 21*). The state's increasing focus on the role of ECD has brought new resources into this sector. A Centre of Excellence has been established in Delft as a centralized formal space for ECD, and local people are being encouraged to apply to work there. However, most informal ECD operators lack the qualifications to move into the formal sector, and the establishment of the Centre may force them out of jobs (Mbarathi et al, 2016).

There are many other examples of entanglement within an urban fabric that was construction by state initiative but has evolved through a complex interaction between state and popular agency.

Overall the research identifies resident practices as reflective of entangled engagements with the state and other actors. However, a further point in thinking through these, is that existing policies are fundamentally disabling and overly bureaucratic – criminalizing activities that are essential. They are currently reflective of a misrecognition of the characteristics of life in peripheral spaces such as Delft, resulting in the manufacture of illegality – this is evidenced in the case of housing construction, housing tenure, street trade and HBEs, including ECDs.

4. The Johannesburg Inner City

4.1 Introducing the spaces

We have selected quite marginal spaces in the inner city which are mainly hidden from the view of those passing by on the outside and also, often, from regulatory authorities. They are of course not representative of all spaces in the inner city but are illustrative of initially formal spaces that are being continually remade by their occupants through processes that we may characterize as 'informal'. These are spaces reflective of what Simone (2006) referred to as "piracy" or "the act of taking things out of their normal and legitimate frameworks of circulation and use" (p. 357). The study looked at five different sites, each of which was initially an old parking garage:

Site One: is the original site where research was conducted, in the basement of a residential building, managed by a network of people, and housing 15 different activities, as well as, churches and sleeping quarters.

Site Two: is also hidden but sits at street level and is open to the public, the manager is less present and contains six activities: 2 restaurants; pool tables; a chip seller, laundromat and internet cafe and computer use.

Site Three: is also a basement, where between 20-25 people run their business. The basement

itself is not really publicly accessible, but tenants and some taxis access it. The public has access to the retail along the street edge where customers can view the furniture repair. Carpenters use the pavement as work space as well as the basement and on the weekends, equipment is moved to make way for a few churches who use this space.

Site Four: has the most limited set of uses, which is a re-purposed parking basement where the central open space has a free standing internal restaurant, with some retail leading onto the street.

Site Five: is a re-purposed petrol station, where the forecourt is used as a boxing gym, after care facility for school children, and also has a cell phone repairer, the lower level is used mainly for residential purposes, and is internally partitioned for the 8-10 people sleeping there.

4.2 Agency and temporality

The Johannesburg respondents were conscious about the role that they play in re-shaping of their spaces and saw it as a part of survival; Thokozani, a carpenter and helper in the children's after school programmes, who has lived in the boxing gym for a number of years noted "...that life is tough you have to

be creative in your mind to survive the tough times". In a comment that is both literal and figurative Thokozani said it is in "his hands mostly to survive". Other users expressed similar sentiments, clear in their own agency, and constantly on the lookout for opportunities but as Tsupang, a young Zimbabwean who sells *pap* from one the basements pointed out, "This [doing business in Hillbrow] is not easy to do. It takes extra energy, and too much thinking, how to manage, how to do business, how to manage customers..." (Tsupang). These users are thus "agents of urbanization" (Caldeira, 2017: 5). However, although these are sites of self-conscious agency, there is also a degree of resignation to inevitability; if not to fate, then to divine agency. These are tough environments with multiple uncertainties and a number of respondents simply replied "if God wills it" to the question of whether they will remain in the space for the next few years.

Although the active reconfiguration of space is common to Delft, there is a difference in terms of temporality and degrees of permanence. In Delft the spaces are largely occupied by permanent residents who gradually transfigure their environments as resources become available. In Hillbrow there is a far greater degree of transience with individuals opportunistically using space that they gain access to; often making makeshift changes. While the temporality in Delft follows the patterns of life of fairly settled communities this is not the case in Hillbrow where mobility and the ability to move on when needed is a key strategy of survival (Mayson and Charlton, 2015).

In the basements there are necessarily fast rates of change and transformation, with spaces reconfigured daily, and often many times during a single day. It is common, for example, for spaces to be used for sleeping at night and then rearranged for business activities during the day and recreational activities in the evening,



Figure 22: A makeshift bedroom in a basement



Figure 23: A church on the weekend, a workshop during the week

before bringing out the beds (Figure 22). Over the weekend, some of the sites are transformed again as they are cleansed, sanctified and rearranged for religious activities (see Figure 23). The occupants are of course not deliberately striving for transformation, but are rearranging on a functional basis in response to the practicality of making things work, with as little complication as possible.

4.3 Modes of regulation

The multi-purpose use of space with such frequent re-organization requires quite elaborate modes of regulation. There is certainly potential here for conflict but there clearly are strong norms and arrangements of social ordering. This supports the arguments of a number of authors that informal space is often misread by outsiders as 'chaos', and that this sometimes produces misguided attempts by regulatory authorities to impose order (Royston and Rubin, 2008; Simone, 2010; Mayson and Charlton, 2015; Drivdal, 2014).

Rules of conduct

One informant in a basement space, Toto, explained simply that "to have peace you must respect the rules". He went on to explain that amicable relations are required to ensure that everyone can get on peacefully with their activities, and also that the customers in these spaces feel comfortable.

The rules include, for example, limiting the amount of alcohol that is consumed, not smoking, keeping to designated spaces, controlling noise, and moving internal fixtures when required. They also, of course, include the timely payment of rental for the spaces that are occupied. As Ryll explained, "you just have to pay what they want and what you agreed or else he will kick you out – no one live for free there" (Ryll). This is consistent with other work on informal contexts prompt payment to landlords is a respected rule despite the lack of written lease agreements (Carey, 2010)¹².

With the absence of formal contracting, there is an element of arbitrariness. It

is a form of 'tenancy at will'. However, interviewees indicated that there are norms of reasonableness and due process. There is, for example, a system of warnings before evictions which includes measures such as removing occupants' belongings until payment is made, or a temporary lock-out of occupants (Poulsen, 2010).

For those who respect the rules and pay rent promptly, there is a stronger sense of tenurial security than may be expected in spaces unregulated by formal contracts. Many respondents expressed acceptance and even comfort derived from the rules, with Toto noting philosophically: "No in every place in society, workplace or even in a company, you respect the rules, ... when you say at this time you should do like this you should close the gate". Chiponde argued that "if you are a human being and you work with other people it's like you should know that this is right and this is not". For these respondents it was not important whether the rules were arbitrarily imposed by informal landlords, or were regulated in terms of a formal contract. They were the rules and needed to be obeyed in order to continue working and living in these spaces.

Enforcement of the rules

The makers and enforcers of the rules were the managers or caretakers of the spaces, known colloquially as *mastanda*¹³. These managers had different relationships to the owners of the spaces. In some case they were the agents of owners with formal title to the buildings, and in other cases were the agents of self-designated owners in buildings that had been 'hi-jacked'. Some managers claimed themselves to be the owners. In all cases the managers are 'quasi-political leaders or gatekeepers' who are the absolute rulers of these spaces (Xaba, 1994).

¹² While payment for occupation is required in most cases, respondents referred also to the exception where the right to occupy was exchanged for a service such as acting as a bodyguard for a landlord.

¹³ Literally means 'the one who owns the stand' in the isiNdebele/isiZulu lingua franca spoken, but in this context refers to a specific type of manager (Hungwe 2013).

Mayson and Charlton, 2015 explore some of this complexity in relation to the managers of buildings in the inner city more broadly. They map out different management formulations in the buildings, noting high levels of organization and well-thought through assignment of responsibilities (ibid.:348). But, they refer to different modes of management existing simultaneously, often combining 'official' and 'non-official' structures. The *mastanda* play a critical role as the mediator between the 'owner' and the tenants, advertising for tenants and subtenants, regulating the use and payment of services, mediating conflicts, evicting where necessary, and ensuring some degree of maintenance.

The basements have their own managers who claim dominion over the space whether as the owner or the agent of the owner. They dictate the rules and conditions of tenure, and are also the enforcers. George, one of the *mastanda* we interviewed, put it directly: "as the owner and manager of this place, I make the rules and the regulations of this place". Figure 24 shows one of the *mastanda* and the way he has claimed

the space by declaring that he is "king". Overall tenants reported little room for negotiation with these managers. Simon complained for example that, "every November [charges] goes up and they do not allow you to have your own pre-paid meter so it costs more. You meet them and tell them you want to have a prepaid meter, they tell you no... We fought them a lot of times but we couldn't win with them".

The key point of authority is the control of access to the space. The managers clearly assess the ability of newcomers to pay, but a link through social networks is also an important recommendation. Even where prospective tenant stumbled upon a space by chance they often had to find someone known to the manager to introduce them. Cassim remembers, for example, how he found the basement accidentally but how he then had to find his way into a network before gaining permission to occupy.

The *mastandas* engagement with the tenants does not end with access and tenure. They were also reported as "meddling" in the daily practices of their tenants. Thokozani says that



Figure 24: A *mastanda* claiming sovereignty of space

basement managers consider the tenants' lives as their domain. Although there was criticism by respondents of the harshness and dictatorial manner of some of the managers, there was also an acceptance that the enforcement of rules is necessary to ensure the orderliness needed to get on with business, and a general resignation to circumstances as the only real option a tenant may have in a conflict with a manager is to leave and find another space. In a few cases, respondents noted a more participatory mode of rule-making. Simon, an informant in one basement, indicated that anyone could initiate a rule, and that it would be complied with if there was adequate consensus:

Rules like – don't do this, do that - you can see "No Smoking" was written there on the board on the pillar there – I wrote that and everybody complied; it is used. So the rules could be made by anybody – you just have to agree before. I always notice before anyone can make some rules we have to call all the party involved to say this is what we want to do, should we do it or should we not do it – then everyone agree and then we initiate it.

Although the managers have the power and willingness to enforce, some respondents indicated that rules become internalised and that basements become nearly self-regulating. This is, if you wish, the 'discipline of the bodies' with tenants becoming their own enforcers and so self-manage without the need for external discipline or force. In some cases tenants

discipline other tenants to avoid the negative attention of the managers. As Joseph explained:

Rule Number One, is pay your rent before the 8th of the month... If we do not pay then we are all locked out. Locked out by Nigerian caretaker (aka Mr A) It doesn't concern the caretaker that we have paid and the others not. They just want their money. If someone else does not pay, we must force him to pay. Or we pack his things up. Must tell him to pay.

The daily routines of work, domestic activities and spiritual rituals also serve to discipline the activities and actions of those in the basements. As Joseph who works as a butcher in the basement explains:

"I wake up 5.30am and pray to my God so he takes care of me. I get here by 6am. I walk. I am very close.

I work until 3 o'clock every day. Then I go buy meat, and go home. I get my meat and spices from the Nigerian butchery

I prepare the meat in the afternoon.

I do the rice, no vegetables, every day, in the morning; Beef or chicken meat”.

Most respondents reported very regulated or routinized lives, overwhelmingly dominated by work, although often punctuated by religious observance. Many are migrants who do not live with their families or who have almost no time to spend with their families. For a number of the informants talking of their stress seemed almost cathartic:

“When I am finished work I go home, and I bath, sleep; I go to bed as early as possible as I am tired... I do not really go out and relax. The last two weeks I am very, very tired .”

“I don’t like Johannesburg, I am just working here. I don’t like it...always working, no time for resting; and no time to look after my kids...I don’t have time to raise my kids.”

“cause I am working alone so I can’t even get sick...too much stress and why I must work every day and I have pain here and I feel stress cause I work every day”.

“In truth I don’t have friends, I last had friends in the 1990s”

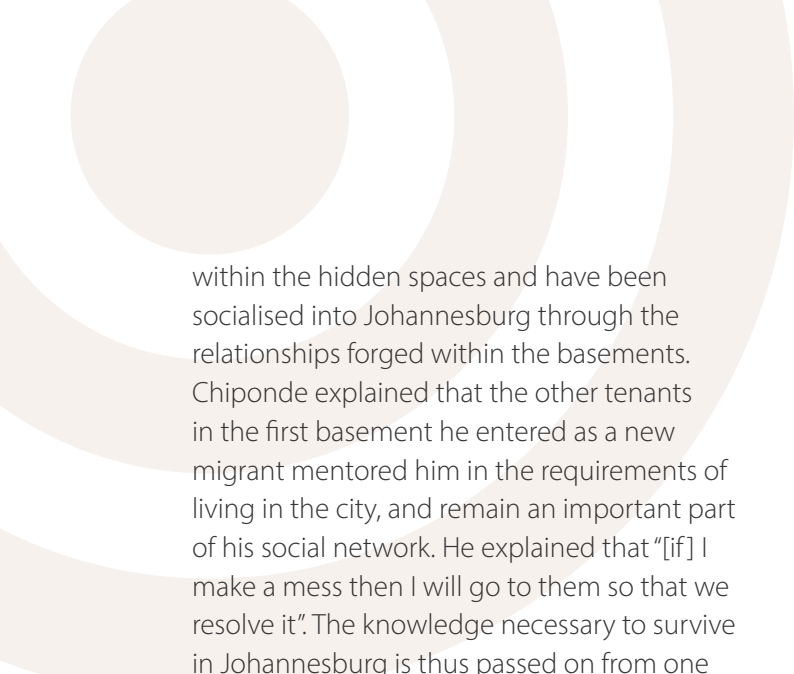
The comfort and structure of religion

Under these circumstances it is not surprising that religion plays a central role in the lives of almost all our respondents. Faith constitutes a repertoire of symbolic, social and material resources and hope in an uncertain and precarious urban context (Mbembe, 2002; Winkler, 2006). Our informant, Tsupang, summed it by saying “Church helps me by knowing that with God everything is possible; I cannot just run a business, you have to pray; we believe if we have faith, it will open doors; I pray for my business to be big, and that I will have the power to get big”.

When people are not at work or at home, they are often at church (or at mosque for a minority). And, it is not only at the place of worship that religion is practiced. As Simon said, “Yes, often during the day, when I leave home I pray, when I get home I pray”. He insists that “yes it helps, yes it really helps”. Religion is solace but it is also an important structuring element in the rhythms of life, and also a form of regulation with church elders, for example, often approached on matters of concern. While there are multiple forms of religious practice in Hillbrow, representing the huge diversity of a migrant society, the new Pentecostalist churches are especially influential. Ukah (2016) writes of how these churches combine belief and material aspiration into a potent cocktail that is thriving in poorer cities across Africa (Ukah, 2016). In many cases, also, African traditional practice is hybridized into Christian and Muslim faith. Both new Pentecostalist churches and hybridized traditional religions seek out ‘informal’ spaces for worship. In Hillbrow, these spaces include the basements we have studied.

Networks of social reproduction

The basements are not only places of social regulation, but also sites of socialisation, mutual support and community building. Many tenants have undertaken some kind of apprenticeship



within the hidden spaces and have been socialised into Johannesburg through the relationships forged within the basements. Chiponde explained that the other tenants in the first basement he entered as a new migrant mentored him in the requirements of living in the city, and remain an important part of his social network. He explained that “[if] I make a mess then I will go to them so that we resolve it”. The knowledge necessary to survive in Johannesburg is thus passed on from one to another within the networks created in the basements of Hillbrow.

The mutual support that tenants offer each other was acknowledged by a number of respondents. Gabriel explained that when there is a problem, the tenants “all get together, and resolve it”. Cassim made a similar point saying that “Ja, we support each other. If there is a problem... we can call all of us and talk about it.”

Although social controls, sometimes arbitrarily enforced by the basement managers, may be oppressive, they are also important for social belonging in symbolic and pragmatic ways. The rules offer predictability in a space of precarity and insecurity, and also a sense of common belonging.

4.4 Entanglements

So far we have referred to the informality and concealed nature of activities in the basements of Hillbrow. But, it is more complex. Many activities in the basements require customers and this means that the spaces must be known. Also, the basements require services that are provided by the state such as water and electricity, and there are times when occupants of these spaces must find recourse in the institutions of the state. The hiddenness and informality of the basement spaces is ambiguous and is always entangled with openness and formality.

Visible invisibility

The occupants of the basements must navigate the fine balance between invisibility to some and visibility to others. Many of the activities happen in the basements because they would attract unwarranted attention from authorities and formal business if they happened at street level. This includes, for example, animal slaughter, informal manufacturing, carpentry, and food preparation. As Tsupang who prepared food in a basement, explained, “I feel safe in this garage, but not safe on the street. I am new to Hillbrow. There is no problem [here] with bribery and corruption. It’s hidden. Not open, where people pass, or when in shops”. The basements may indeed be known to local enforcement officers but their physical obscurity means that they attract little attention, and are rarely the source of public complaints.

However, of course, the need for customers does require a degree of openness and as Figure 25 shows, there are basements with some visibility at street level, and even with open advertising, including street level posters or boards, and individuals standing on the sidewalks soliciting customers by handing out pamphlets. For others however customers were brought into hidden spaces by word-of-mouth and the use of social media. As Simon explained, “You know the truth is when you are good in what you do today, no matter where you are, people will locate you – it is one of the logic, they have the contract, they can phone you and find out where you are”.

Interestingly, there were respondents whose aspirations were to become visible. For them visibility would be a marker of success. As Thokozani said, “I have plans and very big plans: You see my passion is to do it in the open”.



Figure 25: Between the visible and the invisible

Avoiding and engaging

For many, a tactic of survival is to avoid the attention of the state. As Gewer and Rubin (2015, p.75) have written elsewhere of inner city Johannesburg:

The flexibility of land use and the evident limited implementation of official land use controls...means that households and business can circumvent official regulations fairly easily, sub-divide and share spaces more freely, thereby adding a significant degree of spontaneity and proactivity. Thus households and businesses can, and do, use spaces in unplanned and unexpected ways. Flats may

become coffee shops, salons, schools and crèches; garages may be used as shebeens; and parks become sites for business meetings (both legitimate and extra-legal).

However, of course, businesses in the inner city also need infrastructural services and these are mainly provided by local government. For the basements there is a particular requirement. As Chiponde, the operator of a small cellphone repair service put it, "the most important thing is lights, lights, lights". For those involved in manufacturing and repair, there is a need for power to operate their equipment (Figure 26); while for food production, water is critical for cleaning and cooking.

Tenants would not come to the basements if these services were not provided, and so owners or managers must find the means to secure these services. We could not ascertain the extent to which the formal mechanism of



Figure 26: Access to power and light

billing and payment were used, but there is an engagement with the state of some sorts. It should be said, however, that there is a degree of suspicion around the engagement with the state on the part of tenants. Since managers refuse to install meters, tenants are at their mercy in terms of service charges.

As we have shown, the basements are managed on an 'informal' basis, outside the remit of contractual law. None of our respondents questioned whether the "owners" had title deeds or official tenure, the *de facto* appearance of ownership seemed sufficient to grant legitimacy and power to these men and their agents. Most conflicts, for example, were handled internally, either by the managers or collectively by the tenants. There was generally a sense that the

building "owners" had the final say on any issue.

However, curiously, both managers and owners used recourse to the law, and to the machinery of the state, as a threat. Simon said "You can scare them [people who don't obey the rules] that you will call the cops" and basement manager, George, agreed, insisting that "Yes, we take him out or report him to the police". Tenants also suggested recourse to the law. Joseph said that "I will take him [the caretaker] to court if he tells me to leave...I will take him to a South African court". Given the desire to remain hidden, and the irregular status of many of the activities, as well as of many of the migrant occupants, we are uncertain whether these threats would ever be exercised. However, the possibility of recourse to the state is there.

5. Reflections across the cases: Rethinking informality

The term ‘informality’ is so often used that we assume an understanding. And yet, textured empirical study always reveals complexities and ambiguities. We capture some of these below under the headings ‘intersection’, ‘ambiguity’, ‘agency’, ‘paradox’, and ‘entanglement’.

5.1 Intersection

Informality is mainly written of in terms of residential accommodation and business enterprise. Our two cases identified these as significant dimensions of informality, but also indicated other threads of informality intertwined within everyday life.

In the inner city of Johannesburg, residential informality generally takes the form of the informal subdivision of formal spaces while in Delft informality is layered on to formally provided housing through backyard accommodation. In both cases a significant proportion of residents secure their livelihoods through the informal economy. The major features of the informal economy are retail and services, but other informal activities include informal construction and (small-scale) informal manufacturing. This is not, however, the full extent of informality. Although not explicitly explored in our case studies, mobility in the

city is partly informal. Many residents in the city rely, for example, on the minibus taxi which is a form of paratransit, only partly managed and regulated through formal processes. Our studies indicate the significance of religion within daily life, and many of these religious practices are informal in the way in which they use space and avoid formal regulation. Our case studies also pointed to informality in health care (largely non-regulated traditional practice) and education (informal pre-schooling). As we will see below, many spaces are governed outside formal state-regulated frameworks. Some forms of informality remained hidden, even from our study, including the informal banking systems which other studies have at least alluded to.

Informality comes together rather seamlessly in people’s everyday lives. An individual may, for example, live in a backyard shack; travel in a minibus taxi to drop a child at an informal preschool and then go on to a site of informal trade; have a haircut at an informal saloon; meet friends at a *shebeen* (‘informal tavern’); participate in a *stokvel* (an ‘informal rotating credit scheme’); visit a traditional healer for a health concern; refer a problem with a neighbor to an informal street committee; and, worship in an informal space within a garage, for example. Informality may also come together in a particular space. The study shows that a basement in Hillbrow may bring

together informal forms of accommodation, manufacturing, food preparation, religious practice, community services, and recreation, with an informal systems of governance.

5.2 Ambiguity

The findings of our study do not resolve the dilemmas we confront around informality. Instead, they point to the ambiguities that surround informality. They confirm, of course, that informality is critical to the survival of many urban dwellers who simply cannot afford housing and services provided through the market, and/or cannot meet the regulatory requirements of the state for land use and business services¹⁴. Without sufficient jobs

and affordable accommodation and services provided formally by the state and the market, a negative attitude towards informality will simply perpetuate exclusion. Rogan and Reynolds (2015) report that about 37% of South Africa's working poor are operating in the informal economy while about 41% of workers in the informal sector were below the poverty line. Action against the informal sector is likely therefore to have dire consequences for the poor.

However, at the same time, informality may be associated with vulnerability and exploitation. Households may live in overcrowded conditions poorly protected from the elements, and their breadwinners may work in spaces that were never designed for long term use without the enforcement of health and safety standards,



Figure 27: Working in the dark

¹⁴ We acknowledge that some forms of informality do not exist because of affordability constraints but because of cultural practice (e.g. traditional healing) or simple preference or persuasion (e.g. worship).

unprotected also from exploitation by the non-application of labour law (see Figure 27 and Figure 28). In fact, in April 2018, as our study neared an end, three children were killed in Doornfontein, inner city Johannesburg, as a wall in an abandoned warehouse building collapsed. The city was blasted for failing to apply building regulations¹⁵. Our study does not absolve policy makers from the difficult task of discerning the effects of different forms of informality, or of finding ways to mitigate the potentially negative outcomes of informality that is critical to the livelihood and welfare of marginalized urban residents.

5.3 Agency

Our study shows that space is constantly in the making; with spaces that are always being transformed, producing quite heterogeneous landscapes (Caldeira, 2017: 5-6). However, as articulated by Bhan (2017), it is clear that this temporality is not linear; houses and spaces are built, lost, rebuilt, and reconfigured over time. In many cases there is not an end point, a finally finished product but a constant evolution to meet the changing and ongoing needs and demands of households and users, whose worlds are consistently in transition (see Figure 29).

The connection to informality is that much of this change has happened as users of the space have made alterations to spaces in informal ways to spaces that were originally produced through formal processes. In the case of Johannesburg, the existing urban fabric was mainly constructed by private real estate developers in the period from the 1920s to the 1970s. Since then the changes have been mainly internal to buildings to spaces and have been altered to meet new requirements of occupants and users. These changes are not apparent to outsiders although many buildings

have experienced obvious physical decay. Delft, of course, is a much more recent construction. Here, state-initiated programmes produced a



Figure 28: Stagnant water coating the floor of one of the basements

mainly residential landscape but it did not take long for the initial structures to be transformed, and for new, mainly informal, structures to be constructed, as is clearly indicated on Google Maps, for example (see Figure 30).

The practices described above reflect a high degree of agency in multiple and negotiated ways, as they employ strategies to improve their livelihoods and access to the city. These everyday practices, are cumulatively transformative, contributing to the production of these cities spaces, it is through layer upon layer of action that change is wrought and cities are built. The point is that households and inner city users are engaged in a quiet but often highly innovative set of practices that incrementally re-shape cities and spaces. These are not actions of subversion but should be appreciated as ways that people find to make cities and spaces “work” for them and meet their needs.

¹⁵ See Independent News, 9 April, 2018 at <https://www.iol.co.za/news/south-africa/gauteng/doornfontein-wall-collapse-city-blasted-over-unsafe-accommodation-14338114>

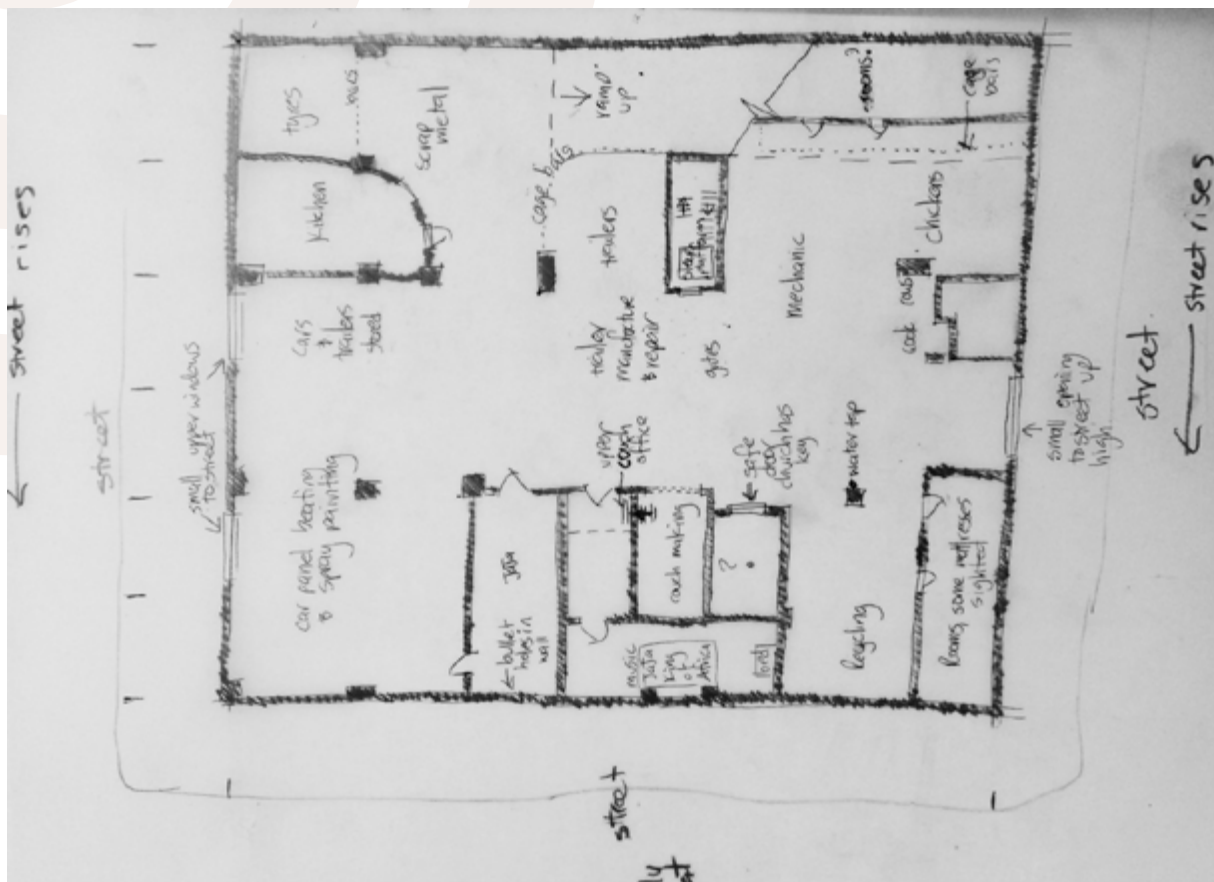


Figure 29: Sketch of activities and changing use



Figure 30: A typical view of Delft on Google Maps, 2018, showing original construction and backyard accommodation

5.4 Paradox

The paradox is that the phenomena we are discussing in this report are termed 'informal' and yet they are subject to complex processes of social organization, management and control. These social practices may be usefully discussed through Foucault's notion of governmentality, which "... indicates a generalised type of power aiming to form and guide the conduct, behaviours and/or the inner-states of individuals – 'the conduct of conducts'" (Foucault 2002c, 341 cited in Huxley, 2008:1641). Roy (2009) has extended the idea into the realm of civil society in what she terms 'civic governmentality', to describe 'grassroots organizations that seek to construct and manage a civic realm', undertaking a tactic of three elements: 'an infrastructure of populist mediation; technologies of governing (for example, knowledge production); and norms of self-rule (for example, concepts of civility and civicness)' (Roy, 2009, p. 159). It is the third element which is most interesting for this report as it discusses the norms that are adopted by civic groups to organize daily life in ways that are mutually acceptable to those engaged in these spaces.

What is often seen in spaces of 'informality' are forms of governance and self-management that may mimic, but do not utilize, the official regulations of the state (Ellis, 2012). These rules regulate acceptable conduct; in turn, defining the rules by which 'belonging' is constituted. In effect, as in formal systems of regulation, a social contract is established with more-or-less clear expectations on both sides. In material terms these become the basis for a host of practical dimensions of daily life, access, security of tenure and continued use of space, access to resources and services and a network of mutual. In the simplest terms, if the rules are obeyed one's membership is more certain. In both research sites, it became apparent that there were codes of behaviour and conduct that were expected from residents and users. It

is these norms, which dictate acceptable sets of behaviour from both the managers of these spaces and their users. It is of course not always simple as there may be multiple overlapping social agents involved in regulation. These include, for example, the *mastanda* of the inner city basements and the street committees of Delft but also faith-based organizations and other community-based agencies.

The social controls cannot be romanticized. While they mediate social relations, and allow for a degree of order within informal settings, often invisible to the outsider, they are obviously not regulated in the way formal structures are, and there is very little recourse for those prejudiced by these controls. They may be highly personalised, arbitrarily enforced, and discriminatory. In some cases, systems of social organisation may be captured by criminal elements such as druglords and other gangsters. Even faith-based organizations may have a Janus face offering social and psychological support for vulnerable individuals while being financially predatory.

5.5 Entanglement

The entanglement referred to here is the intertwined relationship between 'informal' and 'formal' practices and modes of regulation. The use of the binary terms 'formal' and 'informal' suggest distinct phenomena but, in fact, the informal is a product of the formal. The regulations of the state sets up the boundaries of what is considered 'formal', 'regular' or 'legal', and what is outside these boundaries is effectively designated as 'informal', 'irregular' or 'illegal'. Simply by changing regulations, the status of an activity may shift from informal to formal, or *vice versa*.

This point is made by Caldeira (2017) who argues that notions of legality and illegality are manufactured, as "the state itself is responsible

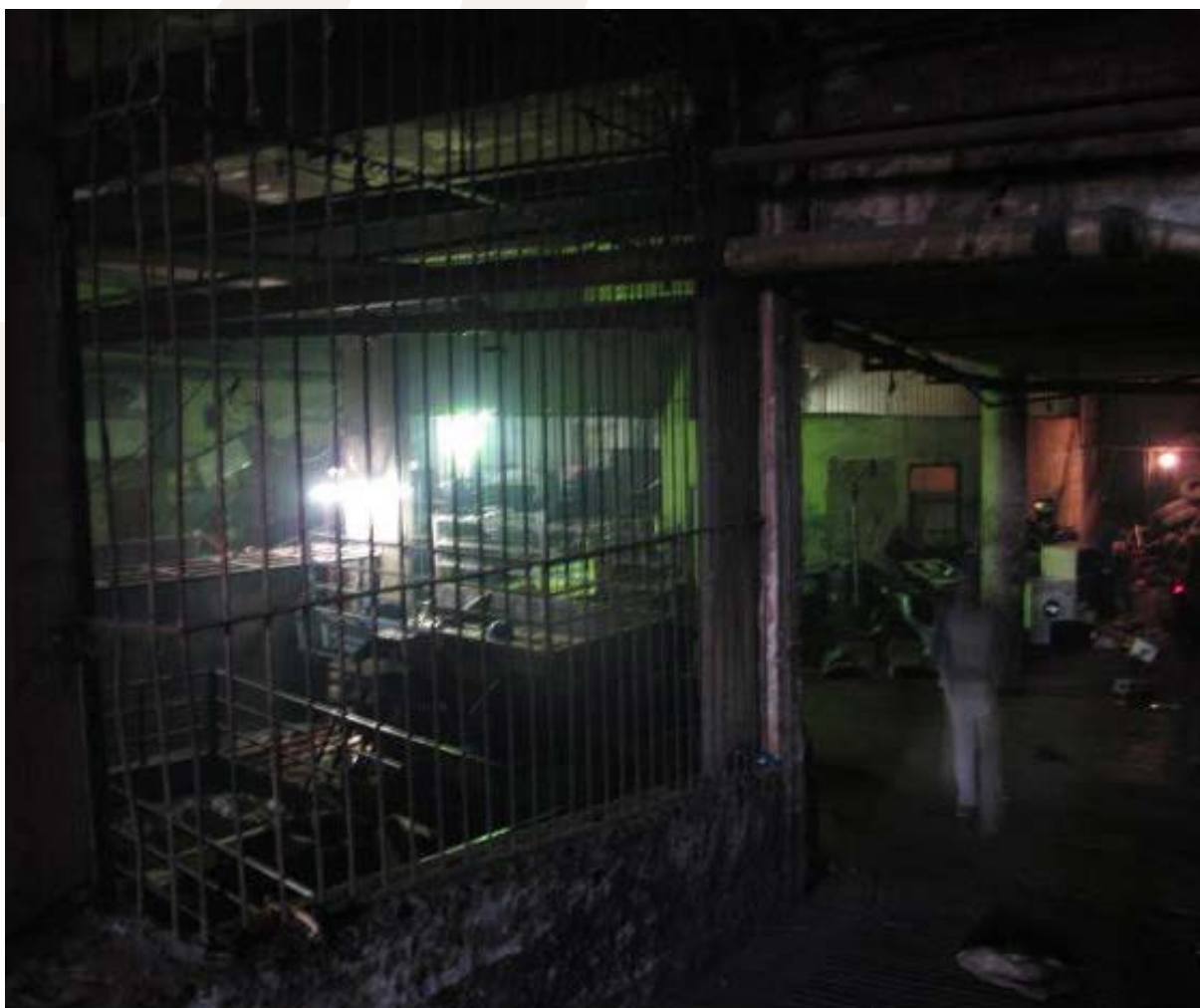


Figure 31: Basement with multiple activities that are structured in terms of internal systems of regulation

for the creation and recreation of irregularity and illegality, as it passes laws and master plans that alter the status of lands and buildings, making the irregular into the regular and vice versa ... a single zoning law can render a whole area irregular or legalize it overnight" (Caldeira, 2017: 8). Once a practice is considered as informal, or even illegal, then it falls outside of formal regulatory arrangements and becomes the subject of emergent of modes of informal regulation.

Of course, it is never entirely simple. Even in supposedly formal mechanisms of governance, informal processes are at work while formal regulation may extend into informal settings (for example, land use arrangements may be

informal but food preparation on these sites may be regulated by health inspectors). In many cases, actual practices of governance are hybridised. So, for example in Delft, properties may be transferred through the formal cadastre but the street committees play a role in giving permission for the transfer. In this case, the formal and the informal modes of regulation do not collide but may in fact be mutually constitutive.

In some cases, of course, a state of informality or illegality means that the individuals involved are subject to bribery or harassment (Denoon-Stevens, 2017; Charman et.al, 2012). There are of course instances where regulations have been applied rigorously and even ruthlessly, such as, for example, during the notorious Operation

Clean Sweep which displaced thousands of informal traders in Johannesburg's inner city in 2013. However, for the most part, enforcement is a more complicated matter with the formal and the informal hybridized through the relationships established between enforcement officers and informal operators. In many cases 'enforcement' takes the form of periodic harassment by municipal police or other officials, or is only very lightly applied, allowing various forms of informal activity to continue. The reasons for this need further investigation. They may relate to the under-capacitation of the enforcement function or even an implicit acknowledgement of the actual consequences of full enforcement. It is likely however that much of the erratic and apparently arbitrary enforcement is a result of opportunities for rent-seeking and patronage by frontline officials. There are strong indications that in inner-city Johannesburg, for example, officials are paid to turn a blind eye or interpret regulations flexibly. However, whether regulations are currently actively enforced, partially enforced, or not enforced, a status of informality, irregularity or illegality leaves many in a condition of ongoing insecurity, uncertain when authorities will take action. This is why some activities at least are actively hidden from sight.


Hybridized practice is common in the regulation of land use and business but an interesting additional example is the ECD sector. According to Mbarathi et al (2016), the national audit on ECD centres (2014) shows that most facilities remain unregistered with the Department of Social Development because they fail to meet the standards presented by the department for a safe, healthy learning environment. These standards have to do with potable water, plumbing, electricity, cooking areas, secured spaces, as so on (Atmore et al., 2012). They also require formal construction. Here is the dilemma: although children's safety is clearly a priority, enforcing these standards will mean that many children in poor areas will not have access to ECD,

and many ECD providers are simply unable to meet the requirements. Regulations with positive intentions may end up perpetuating a cycle of illegality, exclusion and poverty.

5.6 Reconsidering informality

Fine grained accounts of the working and domestic lives of people in the city allow us to think beyond simple categories such as 'formality' and 'informality'. Firstly, it shows us that what we call 'informal' is highly variable and takes multiple forms, and that diverse forms of 'informality' are intersected in different ways. The lives of people are continuously bringing together what may seem as quite separate types of informality. The term informality also encompasses a vast range of activities, many of which may fall short of specific regulations (such as business licenses and zoning) but are legitimate in all other respects, but others which are socially harmful and evidently criminal such as the drug trade, for example. We clearly need to differentiate far more clearly in speaking of specific activities, and avoid easy conflating or informality and illegality.

Secondly, it reveals how difficult it is to mediate the many consequence of informality, positive and negative. Informality presents a policy dilemma that requires sensitive and intelligent deliberation and cannot be resolved through simplistic prescriptions (whether hardline enforcement or blanket acceptance). Thirdly, it shows how informality is tied up with the agency of ordinary people, and how it often serves as an adaptive strategy, allowing individuals and households to modify their domestic and working environments to changing circumstances. Fourthly it reveals that what we consider as informality is, in fact, socially regulated, and that failing to recognize this may result in ill-considered attempts by the



state to impose order on supposedly chaotic environments. We should not simply conflate informality with disorder. Finally, is the reality that the formal and the informal are not binaries but rather entangled phenomenon. They are

imposed conceptual categories that hardly capture the complexity of real life. This requires us to rethink the frames we use to talk of the details of people's lives, and of the spaces they occupy.

6. Thoughts on policy responses

So what does all this mean for policy? This is not a simple question as informality is, as we have shown above, a multifarious phenomenon that plays out differently across contexts, in different combinations with formal practices, and with different consequences. There is no short-cut for policy officials. They must engage intelligently and sensitively with context, seeking appropriate local solutions.

However, we can draw out a set of insights, or pointers, for policy practitioners from the two cases we have presented. Since practices will be locally diverse, the most important implication is for the attitude, orientation or mindset of officials, although we also suggest a few specific directions for policy or planning and especially a methodology for integrated community development.

6.1 An orientation towards ‘Soft Regulation’

Local government is of course a regulatory authority and is mandated to maintain public order, health, and safety, in the city. Where a local authority is seen to fail in its regulatory mandate – for example, with building collapse, food contamination or fire fatalities – it is publicly criticized. However, local government is also a developmental authority that must do its

very best to ensure that all its citizens, including the poorest, have access to housing, livelihoods and basic services. And, since the poor often cannot be served through formal processes (because of issues of market-related affordability and inefficiencies in the state), extra-legal or informal processes are often crucial in supporting their daily lives.

This is a tough contradiction for the state – performing a regulative function effectively while providing the necessary space for informal processes to support the poor. Officials may lean towards regulation because the developmental task is too complex or, alternatively, may take a hands-off approach, fearful of the consequences of their intervention. The challenge is for officials to find the appropriate balance between their regulative and developmental functions within each context.

The policy implications we present here is not for local authorities to stop regulating but rather for local authorities to become far more astute than before in differentiating between types of enforcement that are necessary for public well-being and those which will have negative outcomes for the most vulnerable segments of society (even if it may moderately increase the comfort of others). We may call this approach ‘soft regulation’. It is based on the recognition that not all forms of extra-legal activity are actively harmful; indeed, some forms serve a critical social function, existing because of failures in either market

or state, including inappropriate regulatory frameworks (i.e. 'manufactured illegalities'). Instead of instinctively seeking the erasure of these illegalities, or non-legalities, a far more sensitive and sophisticated approach is needed, with officials required to deliberate over the consequences of enforcement.

In some case, indeed, deliberation of this sort may lead to decisions to increase levels of regulation (for example, in relation to food safety) but in other instances a more complex approach may be adopted (for example, regularization of the informal activity, or actions to mitigate the negative effects of an informal practice). This is deliberation with public authorities but even more so with members of the community involved. Proactive and constant dialogue is required to understand what soft regulation might mean in practice. It is always a matter of judgement in context.

Through the case studies we have identified ECD as an illustration of some of the dilemmas of dealing with informality. As it stands, informal ECD operators play an important child support role in poor areas and yet they cannot meet the requirements of formal standards and so do not qualify for state subsidies and are at risk of being shut down. Arguably, this is a sector which requires soft regulation. Regulators could differentiate between standards which are critical to the safety of children, and must be achieved, and those which are add-ons that could be achieved incrementally over time. Soft regulation requires active support by authorities to service providers to enable them to attain standards rather than immediate punitive action. It does not imply benign neglect.

6.2 An orientation towards incrementalism

Soft regulation comes together with an incrementalism which operates in two ways. Firstly, the regulations themselves may evolve incrementally. We may, for example, put in place basic regulations for building, trading, ECD, and so forth, that guarantee necessary levels of human safety, and then progressively upgrade these regulations. The requirement for periodic review and upgrade may in fact be built into the proclamation of the regulations.

Secondly, the enforcement of regulations may proceed incrementally. Instead of a hardline attempt at erasure or eradication, the regulator may focus initially on contraventions that offer immediate threats to human welfare and then work progressively with informal operators to strengthen degrees of compliance. This requires that public officials work with a full spectrum of informality-to-fully-compliant-formality, and have sufficient training and sensitivity to manage an evolving process that balances the need for compliance enforcement with an understanding of the capacities that people have to meet the requirements, and the real social impacts of enforcement. Officials need the capacity to judge within the contexts of time and space what should and shouldn't be regulated and to what degree. Rather than exercising arbitrariness, the criteria should be "reasonableness". The instinctive response of the regulator should be how do we stamp out contravening activities but rather how do we pursue our responsibility as a regulator while remaining sensitive to the lives and livelihood requirements of those who are economically and socially marginalized.

6.3 An acceptance of differentiation

For reasons that are fully understandable in view of our history, post-apartheid policy has emphasized uniformity. The challenge is that there are hugely variant capacities to meet regulatory requirements and official standards. Uniform building standards, for example, would apply to a large formal developer of a shopping mall as well as to the owner of a local spaza shop. Differentiation of standards would avoid both reduction of quality to the lowest common denominator and unattainable standards for the urban poor and small enterprise. The basis for differentiating has to be handled carefully. In Brazil, for example, there is an official designation of Zones of Special Public Interest (ZEIS) within which regulations can be appropriately tailored to particular conditions. This does not affect the regulatory context outside these zones. Importantly, the idea of the ZEIS is for regulations to be progressively upgraded as standards are attained, eventually incorporating these areas into the mainstream physical and regulatory environment.

6.4 An orientation towards co-production

The point here is that there is immense intricacy in local contexts with much of what is happening even beyond the purview of local authorities. As perceptive and sensitive as an official may be, he or she can never fully grasp the intricacies of what is happening, and what needs to happen. A well-intended intervention could well have unintended destructive consequences, while many opportunities for positive change may be missed. A critical task for any local authority is

arguably therefore to strengthen processes of co-production, which bring local knowledge, ideas and energies into policy and planning processes. Ideally, co-production involves the melding of tacit, experiential knowledge that underpin incremental processes of livelihood and the formal professional knowledge systems of officials. This involves, more than anything else, building trust over time through carefully mediated processes. This is never a simple process, but a necessary one, and involves long-term horizons as community-state relations are almost invariably fraught, given the complexity, fragmentation and internal contradictions of both community and state, and the many short-term disruptions that arise in relationships.

Mediated processes require intermediaries that are trusted by both officials and community members and organization. This points to the importance of understanding the value of intermediary organisations in development processes that seek to intervene into complex, often informal, realities with an eye on achieving better developmental impacts. Practically, it means that local government must build the costs of intermediary organizations into the project lifecycle costs. It is an essential dimension of any effective developmental investment.

A commitment to co-production is quite different to a commitment to a participatory process. Participation is frequently a managed or manipulated process to secure the buy-in of local actors, but co-production requires a willingness of all parties to shift positions through an engagement with each other. An orientation towards co-production also requires recognition that contexts of informality are not devoid of social agency but are often closely regulated environments, with regulations and structures that interventions by formal agencies would be well advised to take account of.

6.5 An orientation towards resilience

We suggest that a focus be placed on the building of resilience. Here the term is not used to imply community capacity to adapt and cope better with social and environmental inequalities. Instead we are advocating for meaningful efforts to address the contributors and effects of these inequalities, alleviating them over time. As we have seen, informality entails a range of intersecting practices, prompting the argument that it is necessary to differentiate between illegality – emerging through regulatory enforcement – and more explicit criminality, with the drug trade as a clear example of the latter. In this case, soft regulation and an orientation towards incrementalism would not be the appropriate policy response, due to the clear dangers that drugs and gangs pose to individual and community well-being.

At the same time however, a primary emphasis on policing interventions and a war on drugs are arguably insufficient and inadequate. Firstly, as they fail to address the challenge of corruption within the police service, and secondly because these responses focus on the symptoms rather than the cause. Instead, at a policy level what is needed are responses that fundamentally address the drivers of drug use, drug trade, gang activity and other related social ills. Two concrete recommendations include firstly an effort to rethink education, beginning at the level of the ECD sector. A focus on capacitating the ECD sector would contribute to a generation of healthy, well-developed children, further underscoring earlier points on the need to rethink the treatment of informal ECDs. Secondly there is a need to contribute to the building of resilient, vibrant and supportive communities (Pinnock, 2016). This should include the availability of after-school facilities and activities. Delft for example, has a substantial amount of public space –

including disused parks and open space – and public facilities – including schools and libraries. These sites however are insufficiently activated. There is significant potential to interconnect this public infrastructure, through policy and design interventions. The potential consequences could be profound. Rethinking the use of existing infrastructure could transform free time into productive time, and create a sense of belonging, especially for youth, away from the current toxic activities and spaces that fill the void.

6.6 Working towards a holistic model of community development

The practical reality is that local government is organized on a departmental basis that coincides with professional domains of expertise and operational competence. For example, engineering services are designed and planned for by professionals who think of city-wide network infrastructure imperatives and not so much the impact of their investment on local economies and livelihood imperatives. In the social development cluster, it is hard for staff involved in library services to coordinate their efforts with colleagues who work on public health, digital outreach, or multi-purpose centres, let alone staff in another level of government, e.g. teachers and school administrators. Yet, if the state is going to adapt to work in a more sensitive and contextual manner in order to stimulate local capacities and priorities, it will have to learn how to work in a more calibrated fashion. This is a tall order. There is clearly a need for the state to devise an operational methodology that can facilitate more effective area-based planning, management and investment, without abdicating departmental or sectoral

responsibilities. It is appropriate for local government to take the lead in developing such an approach in concert with democratic civil society organisations with a vested interest in achieving integrated community development outcomes.

It is important to stress that effective community development processes are contingent on the nurturing and support of grassroots organizations, whether these are in the domains of religion, culture, sport, livelihoods, social development or economic development. A community is able to cohere diverse interests and assets if it has a network of leaders from diverse organisations rooted in the community and endowed with three kinds of skill: organisational, entrepreneurial and citizenship. Organizational skills refer basic capacity to develop, run, sustain and grow democratic organisations that are able

to formulate and act on its core purpose. Entrepreneurial skills are vital because all community development investments must have an economic rationale and resonance to address the crisis of unemployment and precarity. Lastly, citizenship skills refer to the political understanding and power to keep public institutions accountable, which assume knowledge of how they work.

These skill sets come together through the prism and recursive practice of community-led planning, design, implementation, review and learning. Intermediary institutions are required to create the training and learning processes to systematically impart these skills in tandem with “live” projects that get implemented in the community. Such learning processes also create a context within which sensitive public officials can get to know local activists and nurture bonds of trust and reciprocity.

Conclusion

The analysis of Delft and the Johannesburg Inner City provide a rare and fine-grained set of insights into the daily-life and experiences of poorer people in two emblematic settlements in South Africa. The intersections, paradoxes, entanglements of daily life demonstrate, the innovation and creativity of residents and users of space, to build on what exists and to constantly adapt to make their lives better and more resilient to the risks and daily battles. However, the study, also noted the difficulties and complexities from a policy-perspective of attempting to intervene in constructive ways that support rather than erase. These

approaches also need to engage with the hard realities of these spaces, the arbitrariness, unfairness, exploitation and plain criminality that also occur. The report thus suggests a set of orientations and directions for policy makers, that are sensitive, differential and intelligently able to start to think through approaches that may assist in considering just how the state, with urban agents and actors can find constructive ways to co-produce cities and spaces that over time exacerbate the best that both have to offer and contribute to healthier, happier and all round better communities.

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Annexure 1: Research methodology for Delft

The site selection was informed by the research intention of studying sub-places in Delft that are racially mixed and more established, to better support an examination of longer term modes of adaptation and practices of state (dis) engagement. At the same time, the reasons were also pragmatic, informed by the activities of research collaborators and networks within Delft, most notably the Sustainable Livelihoods Foundation (SLF); colleagues within the UCT Architecture Department,¹⁶ and a research assistant. Firstly, SLF had worked in the sites South of Hindle Road for a number of years, focusing on surveying informal micro-enterprise activity. THE SLF surveys were used as a baseline for this study. Similarly, the UCT Architecture Design Studio, undertook site visits in the same area. We accompanied the staff and students of the Studio on several exploratory trips in early 2016 as part of an initial orientation. Finally, the research assistant¹⁷ is deeply familiar with Delft South, having lived in the area for over 20 years. She subsequently relocated to Symphony Precinct as a recipient of a subsidised house.

A total of 37 in-depth interviews were conducted. Of these, 25 were conducted with households; in Eindhoven and Delft South, areas that were developed in the period from 1993 to 2004. Home-Based Enterprises were in operation in 10 of these households. A further 12 interviews were conducted with street-

traders, primarily along Delft Main Road and Sandelhout Street (in Delft South), as well as a few interviews in the more recently developed Symphony Precinct, to the north of Hindle Road. The table below summarises the fieldwork activity in Delft over the course of 2015-2016. Subsequent follow-up visits were carried out in late 2016 and early 2017.

The research was conducted in four phases. The first phase, from December 2015 to early March 2016, was primarily exploratory. During this phase time was taken to become orientated with Delft, and included walking along Sandelhout Street - a road that has become a primary site for street trade in the last few years - with a contact from a local NGO, the Rainbow Arts Organisation (RAO). Additional streets were explored - including Delft Main Road and Welwitchia Road - with staff and students from the UCT Architecture Delft Studio. Phase two began in March 2016 with the support of a research assistant. We walked through the streets of Eindhoven conducting a number of household interviews during four visits over the course of the month.

Continuing with household interviews, we moved further south into Welwitshia road in Delft South. Interviews were conducted along this loop road, as well as a few connecting roads that the research assistant was familiar with. Having lived on one of these, since the 1990s.

¹⁶ Running a vertical Architecture Studio with Honours and Masters students (over the period 2016-2018).

¹⁷ Accessed through

During this phase, a focus was placed in the operation of informal ECDs within homes. As it became apparent that several were in operation in the sub-places of Delft, run by local women as a form of income generation. Finally, during May and June 2016, interviews were conducted along a main road in Symphony Precinct, having recognized that many container businesses

were in operation in front of subsidised housing in the area. The interviews concluded with a return to Sandelhout Street.

The tables below summarise information on the interviewees, divided between the household interviews (including HBE) and street traders. It also reflects the sub-places in which the interviews took place.

Table 1: Documented household interviews (including HBEs)

Interview Type	Delft Sub-Place	Total	Of which: HBE/ Religious Organization
State subsidised housing (rent or own)	Eindhoven	9	3
	Delft South/ Thubelitsha	8	3
	Leiden	2	2
	Symphony Precinct	2	2
Backyard Dweller	Delft South	4	
TOTAL		25	10

Table 2: Documented street-trade interviews

Interview Type	Delft Sub-Place	Total
Street-Trade	Symphony Precinct	3
	Hindle Road	1
	Main Road	2
	Sandelhout Road (Delft South)	6
TOTAL		12

Annexure 2: Research methodology for Johannesburg inner City

The research fieldwork was undertaken by Hayley Gewer and Jennifer van den Buscche with Margot Rubin managing the process and all team members contributing to the structure of the interviews and instruments. In setting out our research objectives we focussed on four key characteristics for the spaces we wanted to investigate. That is that the spaces needed to be reterritorialised, it needed to be hidden from the public, it needed to have multiple businesses operating within it, and it needed to be big.

In starting to locate appropriate spaces, we contacted the various people we knew who live and work in the inner city. Because these spaces are hidden from public gaze, it was quite difficult to locate them, even for people living in the area. We spent a lot of time walking the streets of the inner city and investigating various spaces. Because the inner city is so dense and the need for creating livelihood such a priority, most available space that can be transformed into a business opportunity, is turned into a business opportunity. As such, we saw a large variety of spaces that have been reterritorialised and turned into business opportunities but that didn't fit our initial criteria, mainly because they are single businesses and often not hidden enough from the public eye.

When we did find spaces that were appropriate, the next challenge was to gain access to these spaces. We relied on the contacts we had to

introduce us into the space and whilst this was helpful, it did not automatically engender a sense of trust. Gaining trust inside these spaces is so essential to the research; it also requires time and ongoing commitment, often difficult when you have the time constraints of undertaking research.

Following on from our former research (cf Ruling the Underground), qualitative research methods were used to undertake this research. Semi-structured interviews together with ethnographic observations allowed for a wider and more intensive engagement and allowed us to generate a deeper understanding of the spaces, people and processes both within the spaces and in terms of their lives outside. We approached the research without a theoretical underpinning with the view to using Grounded Theory. Thus we collected the qualitative data first and analysed the information and will use this to build a theoretical understanding from the ground up.

Semi-structured interviews allow for a more detailed investigation of people and processes, providing the space to intensively probe experiences and opinions. Sampling was random and reliant on who was prepared to be interviewed. Interviews mostly took place in fast food places. All interviews were consented to and audio-taped with a guarantee of anonymity.

Basement 1	Site One: is the original site basement where research was conducted, in the basement of a residential building, managed by a network of people, and housing 15 different activities, as well as, churches and sleeping quarters.	
Basement 2	Site Two: is also hidden but sits at street level and is open to the public, the manager is less present and contains six activities: 2 restaurants; pool tables; a chip seller, laundromat and internet access cafe and computer use.	Joseph Food Tsupang Pap Simon Internet Gabriel Internet
Basement 3	Site Three: is also a basement, where between 20-25 people run their business. The basement itself is not really publicly accessible, but tenants and some taxis access it. The public has access to the retail along the street edge where customers can view the furniture repair. Carpenters use the pavement as work space as well as the basement and on the weekends, equipment is moved to make way for a few churches who use this space.	Ryll Spaza Casim Carpenter Samson Carpenter

Basement 4	Site Four: has the most limited set of uses, which is a re-purposed parking basement where the central open space has a free standing internal restaurant, with some retail leading onto the street.	Thokozani	Food
Basement 5	Site Five: is a re-purposed Petrol Station, where the forecourt is used as a boxing gym, after care facility for school children, and also has a cell phone repairer, the lower level is used mainly for residential purposes, and is internally partitioned for the 8-10 people sleeping there.	Toto George Chiponde	Trainer Trainer Phone Repairs

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