The Grey Matters: Investigating the Wingfield Strip as an Urban Borderspace

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Abstract

South Africa's refugee policy, favouring urban integration over encampment, has been widely applauded as a progressive measure for refugee protection. While this policy bodes well for visions of inclusive urban citizenship, in practice, refugees and asylum seekers in the country face major barriers to legal and social protection. Many of these barriers are embedded in a local context of inequality and exclusion, particularly in Cape Town, one of the most unequal cities in South Africa. Due to rapid urbanisation and a lack of well-located, affordable housing, a large part of the population is reliant on informal occupancy arrangements. The attempted erasure by the City through criminalisation and eviction of such informality reflects a continuity with the apartheid era's forced removals and influx control laws. Ongoing spatial apartheid in Cape Town, relegating the black urban poor to spatial illegality, affects access to the city for citizens and non-citizens alike.

This thesis explores how urban borderspaces, sites of imposing and resisting spatial illegality, produce differentiated urban residents beyond the citizen/non-citizen binary. Placing literature on critical border studies and Southern urbanism in conversation creates an opportunity to grapple with the complexities of urban belonging in interaction with the national border regime. This research endeavour has been theorised through the site of the Wingfield Strip, a highly contested piece of land on the periphery of Kensington, Cape Town. It centres two groups of people living on the Wingfield Strip: an informal settlement of South African citizens called Gate-7, and a supposedly temporary tent of refugees who were forcibly relocated there following their sit-in in the city centre.

I have applied an ethnographic methodology. Although the deep fractures within the refugee tent hindered broader community consent and participation, my work at a nearby community centre in Salt River enabled me to build close individual relationships with some of the tent residents. Semi-structured interviews allowed me to explore how the Wingfield Strip is produced and experienced as an urban borderspace by those at the tent and Gate-7. I argue that it is through the fluid imposition of spatial illegality, abandonment and debilitation that the residents of the Wingfield Strip are continually bordered. Working with the Gate-7 residents as a member of an activist group, through participant observation, I was able to investigate the Wingfield residents' shifting legitimacy and differentiation through the lens of infrastructure. I found that the provision and withdrawal of infrastructures of support and control differentially de/legitimises the tent and Gate-7 residents. These processes are navigated and resisted by the residents through practices of insurgent urban citizenships that demand recognition and engender solidarities across the Strip. These findings reveal the limits of and contradictions within existing refugee and urban policy, as well as where insurgent forms of inclusion may be harnessed and protected. This thesis may thus contribute to reimagining belonging in post-apartheid South Africa beyond legal constructions and romantic notions of urban citizenship.

List of acronyms

ASV: asylum seeker visa

CAYCO: Cape Youth Collective

CBS: Critical Border Studies

CoCT/the City: City of Cape Town

DA: Democratic Alliance

DHA: Department of Home Affairs

DPW: Department of Public Works

DRC: Democratic Republic of the Congo

DRM: Disaster Risk Management

LE: Law Enforcement

LRC: Legal Resources Centre

NAD: Native Affairs Department

NCC: Ntirhisano Community Centre

NU: Ndifuna Ukwazi

PFT: portable flush toilet

PI: personal interview

RAASA: Refugee Appeals Authority of South Africa

RDP: Reconstruction and Development Programme

RRO: Refugee Reception Office

RSDO: Refugee Status Determination Officer

SAPS: South African Police Service

SASSA: South African Social Security Agency

TRA: temporary relocation area

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

UOBL: Unlawful Occupation By-law 2022

WCG: Western Cape Government

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1. Introduction

"We came for one purpose: for the whole world to hear about us, for us to find a solution for our situation. The government knew. They knew what was happening. So we wanted the world to know. We wanted a way out."

– Kina (personal interview [PI hereafter], 2024 August 11) was once seeking asylum in the country; she now wants to flee South Africa.

"I don't feel like this is home. Every time there is stress, you must move… There are people who say no, you must go away from here… It looks like we are still going home. It looks like we are still moving somewhere else."

– Lunzulu (PI, 2024 June 24), a South African citizen from Cape Town; she has not been allowed to settle in the city.

On the 8th of October 2019, around 700 refugees occupied the Waldorf Arcade outside the United Nations High Commissioner for Refugees (UNHCR) offices in Cape Town. They wanted a way out of the enduring precarity that shapes their lives in South Africa. By April 2020, the City of Cape Town (CoCT or the City hereafter) had evicted everyone at the sit-in and, under the guise of COVID-19 precautions, relocated many of them to a tent intended to function as a temporary relocation area (TRA) on the periphery of Kensington, Cape Town. The tent was placed on the Wingfield Strip (otherwise Wingfield or the Strip), constituting an army base and an area of restitution land.[1] On the Strip, despite being described in official discourse as vacant, was an informal settlement, Gate-7, home to dozens of families who had been living there for years. Since 2019, these two groups of people, the refugees demanding to flee their host country, South Africa, and a growing number of South African citizens whose settlement is challenged by constant eviction threats, have been neighbours on the highly contested piece of land. How the residents at Wingfield, regardless of legal citizenship status, face similar processes of abandonment and criminalisation is the crux of this research endeavour. It is with and from the Wingfield Strip that this thesis has evolved.

1.1 Background

In the last five years, there have been major shifts towards a regressive immigration policy at the national scale in South Africa, which currently hosts over 250,000 refugees and asylum seekers (UNHCR, 2025b). The *White Paper on Citizenship, Immigration and Refugee Protection* (*White Paper* hereafter),[2] gazetted in 2024, proposes a withdrawal from the *1951 Refugee Convention*; the most comprehensive document pertaining to refugees' rights internationally. How

[1] Land which has been the object of a successful claim, which, under the *Restitution of Land Rights Act, Act 22 of 1994* (1994:chap1), has been restored to individuals or communities who were dispossessed of rights in land as a result of past racially discriminatory laws or practices, after 19 June 1913.

[2] It also proposes minimised access to legally seeking asylum, and greater risk of cessation of refugee status and deportation (Scalabrini, 2024d).

anti-immigration sentiment and policy at the national level impact the daily lives of refugees in South Africa is best investigated at the urban scale. Since the country does not have a policy of encampment, the majority of refugees live in South Africa's cities (EGRISS, 2025).

The South African approach to the urban integration of refugees was once applauded as one of the most progressive frameworks for refugee protection (Rulashe, 2007). However, on the ground, accessing asylum is riddled with bureaucratic delays, corruption and arbitrary exclusion (Lawyers for Human Rights, 2020). Furthermore, the idea that "cities… offer displaced populations avenues of upward economic mobility, human security, onward movement, and physical freedom absent from camp environments" (Landau et al., 2016:1) needs to be examined with respect to local practices of exclusion. The story of the refugees forced into and now occupying the Wingfield tent, despite the country's non-encampment framework, necessitates a rescaled investigation into refugee protection. This would entail focusing on municipal responses to displacement and mobility, on which there is little existing research (Landau et al., 2016:2). Moreover, emphasising the spatialised nature of migration "reposition[s]...the immigrant and the citizen as urban subjects rather than essentially different subjects" (Sassen, 2012:69) and thus acknowledges how urban populations are bordered and excluded in ways that extend beyond legal citizenship status. This is particularly pertinent in South Africa, where "few residents have the kind of access outlined in international humanitarian standards" and where "precarity is the norm for refugees, migrants, and 'hosts' alike" (Landau, 2017:2). Cape Town is an extreme case of such overriding precarity.

The city, which is the most economically and spatially divided city in South Africa (Turok, Visagie & Scheba, 2021), is experiencing a drastic housing crisis and ongoing spatial apartheid (Orderson, 2024). While the transition to democracy in South Africa stressed the importance of access to housing on a national scale, "2.3 million households and individuals are still waiting for a home" (Orderson, 2024). In Cape Town, 350,000 people are on the housing database and don't have access to market-based housing (Orderson, 2024). In light of rapid urbanisation and a lack of political will to deliver affordable, well-located housing (Madzivhandila, 2024), there has been a proliferation of informal occupancy types. This includes the occupation of unused buildings and informal settlements, which have "soared to over 4000" in the country ("NGO's believe illegal…", 2024). Recent moves by the Democratic Alliance (DA) run CoCT "reflect an approach to informality that echoes the apartheid government's vilification… displacement and forced removal of black and coloured people from urban centres" through the criminalisation of homelessness (Ndifuna Ukwazi [NU], 2023).[3] Furthermore, such criminalisation of homelessness is fundamentally attached to logics of apartheid influx control that target the mobility of black bodies (Makhulu, 2015; Qotole, 2001). Turning to mobility restrictions at the national level, the bolstering of South Africa's national borders and restriction of non-South African (im)migrants can be directly linked to apartheid

[3] For example, the party seeks to amend and undo the protective measures of the momentous post-apartheid PIE Act, which decriminalised squatting (NU, 2023). Furthermore, The City' *Unlawful Occupation By-law of 2022 (UOBL*, 2022), and the *Streets Public Places and the Prevention of Noise and Nuisances Amendment By-law of 2021* (*Streets By-law*, 2021) make living in shacks or on the street punishable offences (NU, 2024).

practices of influx control into cities (Vigneswaran, 2011, 2020). By rescaling an investigation of migration to the urban, it is revealed how contemporary spatial apartheid, through the criminalisation of informality, dispossesses the black urban poor, citizens and non-citizens alike, of their right to the city. This criminalisation connects Gate-7 and the Wingfield refugee tent, both being subject to the City's punitive policies and practices.

1.2 Theoretical context

This thesis places concepts from Critical Border Studies (CBS) in conversation with literature in the Southern urban canon. The CBS agenda posits that, particularly in a neoliberal context of rampant inequality and rapid urbanisation, the border is rescaled to the city level (Parker and Vaughan-Williams, 2012). Here, the targeting of (im)migrants at the urban scale, through "bordering practices" (Parker and Vaughan-Williams, 2012:727) that are fluid and sustained by multiple actors, intersects with and complicates manifestations of the national border regime (Lebuhn, 2013). By combining this fluid notion of borders with concepts of spatial illegality, I avoid reproducing the binary between the included citizen and excluded (im)migrant. These two conceptual frameworks can be used to unpack how bordering and the "policing of racial mobility" (Vigneswaran, 2020:277) is mediated through practices of spatial illegality, and not neatly along the lines of citizen–non–citizen.

The concept of spatial illegality (Bhan, 2016) is crucial for understanding the abandonment and criminalisation of those on the Wingfield Strip. To Bhan (2016), as opposed to a romantic notion of inclusive urban citizenship, urban politics is relational, such that certain groups (particularly the urban poor) are framed as illegitimate in relation to deserving urban citizens. The delegitimisation of those in the Basti (slums, peripheries, informal settlements) relegates them to spatial illegality, not a site but a status associated with abandonment and criminalisation. Fluid practices of delegitimisation entail the production of differentiated urban citizens across and beyond the binary of legal citizen and (im)migrant. Rooting the notion of spatial illegality in South Africa's history, in which black people's mobility and access to the city were stringently controlled and suppressed, this thesis draws from Makhulu's (2015) work on squatting as a resistance tactic. Furthermore, Wilhelm-Solomon's (2022) research into the violent treatment of unlawful occupiers in Johannesburg's abandoned buildings lays the groundwork for considering spatial illegality as a bordering practice that intersects with anti-poor and xenophobic agendas.

Differentiation, particularly in the post-apartheid context in which the provision of basic services became an important marker of redistribution and democracy (Lemanski, 2019, 2020), is often mediated through the provision and withdrawal of infrastructure. Biopolitics offers a significant foundation for the approach to differentiation and bordering in this thesis. The Foucauldian framework is useful for understanding bordering practices between populations "made to live" and those "let to die" (Foucault, 2003:241), legitimised or delegitimised through the provision of infrastructure and withdrawal of support. Emphasising the fluidity of the urban borderspace, however, I favour Puar's (2017) approach, which challenges the biopolitical binary

of making live and letting die through foregrounding the notion of debilitation. Accordingly, I argue that residents of the Wingfield borderspace are debilitated through practices of control and care that "will not let die" (Puar, 2017:140), which entails a constant shifting between legitimacy and criminalisation. Yet, this shifting legitimacy is not only imposed but also induced through resistance to spatial illegality. Contributions in the way of insurgent citizenship (Holston, 2008; Roy, 2011; Ballard, 2015; Miraftab, 2009; Simone, 2021) are useful to conceptualise how practices of differentiation are navigated and resisted.

1.3 Aims and research question

It is in this empirical and theoretical context that I explore how two marginalised groups of people, one South African and the other seeking asylum in the country, experience Wingfield as an urban borderspace, a site of imposing and resisting spatial illegality. I aim to reveal how, in light of the urban borderspace, the salience of national citizenship as a differentiating factor may be levelled down, and urban forms of differentiated citizenship come to the fore. I aim to understand how, if not simply along the lines of citizen and non-citizen, urban residents are differentially de/legitimised in a manner that is fluid and mutually influencing. With these aims in mind, I thus pose the following research question:

What can we learn from contested urban sites, such as the Wingfield Strip, about how urban borderspaces are produced, experienced, and resisted?

I will respond in this thesis by pursuing two objectives; the first is to explore how the Strip is experienced as an urban borderspace by its residents. The second is to unpack, through the lens of infrastructure, how the Wingfield residents are differentially de/legitimised. In Chapter 5, I argue that the Wingfield Strip is characterised by shifting legitimacy and shifting temporalities induced by pervasive abandonment and debilitation. In Chapter 6, I contend that the residents are differentially de/legitimised through the provision and withdrawal of infrastructures of support and control. These processes are navigated and resisted by the residents, forming insurgent urban citizenships that demand recognition and engender solidarities across the Strip.

1.4 Methodological approach

Considering my research objectives, this thesis fits a constructivist research paradigm and employs a qualitative, ethnographic methodology. The research methods I have chosen align with this paradigm and methodology; I collected data through immersion and 'hanging out' with tent residents at the Ntirhisano Community Centre (NCC), participant observation while organising with Gate-7, and semi-structured interviews. My Gate-7 research partners were selected through purposive sampling; my involvement with the community necessitated only a few interviews. Due to the fractured nature of the tent community, I approached (and was approached by) refugee partners through snowball sampling. While my research is rooted in

concepts of CBS, spatial illegality and urban citizenship(s), my analysis was derived from the bottom up, and my arguments emerged through an inductive approach to data analysis, relying primarily on thematic analysis techniques.

1.5 Significance

Urban coalitions such as the African branch of United Cities and Local Governments (2022:3), through the Lampedusa Charter, call for an integration across cities and regions that places people, not borders, at the centre of migration, and calls for a notion of citizenship "beyond administrative status". My research takes this approach to heart in seeking to understand barriers to this integration and reconfigurations of the border regime at a local scale. "There is a clear need to reconceptualise citizenship in ways that create political, cultural, social and economic space for excluded nationals and non-nationals alike" (Nyamnjoh, 2007:80). This thesis thus avoids reproducing the notion of citizen and non-citizen as contrasting categories, primarily differentiated along the lines of nationality "as much of the anti-immigrant and racist commentary does" (Sassen, 2012:69). By shedding light on bordering practices that take the form of spatial illegality and ongoing urban apartheid, it bridges the gap between important work in CBS and that of Southern urban theory. By investigating the Wingfield Strip as a borderspace, where citizens and refugees move in and out of legality and criminalisation, control and resistance, the limits and contradictions within existing refugee and urban policy may be exposed. Importantly, my findings may reveal where insurgent forms of inclusion can be harnessed and protected.

1.6 Thesis roadmap

Following this introduction, in Chapter 2, I provide further context of the Strip and the contradictions and policies that shape the lives of those at the tent and Gate-7. Chapter 3 describes my involvement with the residents of the Strip, how I gained access to the site and the methodological framework of my investigation. Since my arguments are deeply rooted in the complex story of Wingfield, these two chapters provide the necessary backdrop. In Chapter 4, I present the conceptual framework I used to develop the findings and arguments of this thesis. Taking inspiration from Siddiqi (2024:44), reversing "the typical structure of ethnography… which moves in the direction of observation and description to analysis and theorisation", the subsequent two chapters combine empirical findings and theoretical discussion. Chapter 5 investigates the Strip as an urban borderspace, responding to my first objective, and Chapter 6 responds to my second objective by theorising the role of infrastructure in mediating the differential de/legitimisation of Gate-7 and the tent residents. I have made this choice in order to avoid "presenting a teleology of naturalising [as opposed to] estranging" (Siddiqi, 2024:44) the processes of abandonment, debilitation and exclusion that characterise the urban borderspace.

2. The Wingfield Strip: A history of flight

The Wingfield Strip borders two Northern suburbs of Cape Town: Kensington/Factreton (previously Windermere) and Goodwood, as well as two municipal sub-councils.[4] It sits between 18th Avenue and Jakes Gerwel Drive alongside Voortrekker Road,[5] the "arterial" passage travelled daily by commuters from dislocated neighbourhoods into the city for work (Brown-Luthango & O'Toole, 2019:3), and opposite the Maitland cemetery, occupied by ghosts of the 1880s settlers. In the early 1900s, the Strip was used for Cape Town's municipal airport known as the Wingfield Aerodrome, and since 1961, it has served as a naval base for the South African military. As per Wikipedia's description, "the history of Wingfield is synonymous with the history of flight in South Africa" (Wikipedia contributors, 2023). In the contextual outline that follows, and further analysed in Chapter 5, I aim to reveal how the story of Wingfield is one of flight and non-flight, of escape and inhabitation, of being forced to move and being prevented from leaving.

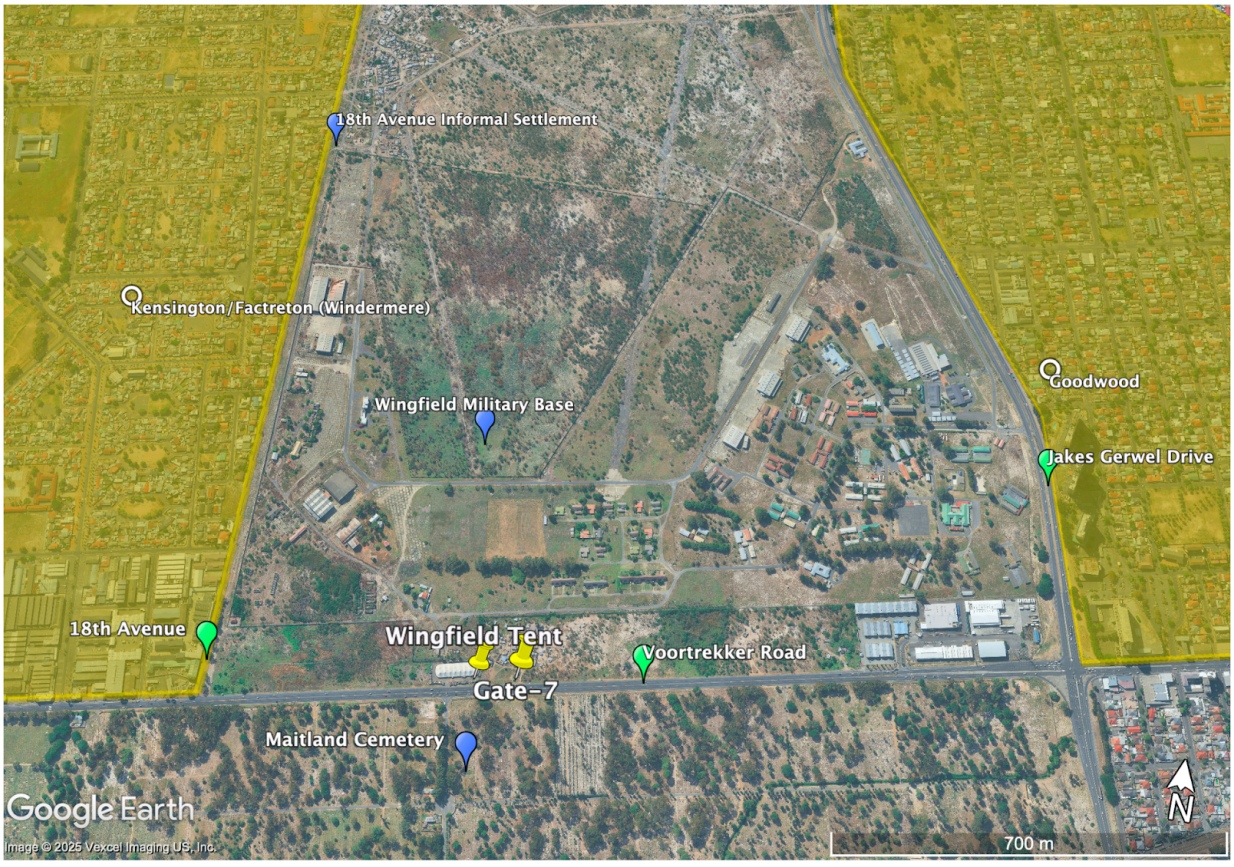

Image 1: The Wingfield Strip and surrounding areas (Google Earth, 2024).

[4] Each with their own political representative, there are 20 geographically defined sub-councils in the Cape Town Municipality, each consisting of four to seven wards.

[5] Established 1845 and named in 1938, marking 100 years after The Great Trek inland of Dutch settlers (Brown-Luthango & O'Toole, 2019)

2.2 Introducing Gate-7

One of the communities living on the Wingfield Strip today is Gate-7: an informal settlement home predominantly to black,[6] isiXhosa-speaking residents. It is unclear and contested how long the settlement has been on the historic aerdorome; many residents have lived on the land in auto-constructed hokkies[7] for over two decades, but it is only since the COVID-19 pandemic that the site has been home to hundreds. As the settlement grew and came to self-identify as Gate-7, it became increasingly targeted by the City and its by-laws for eviction. Law Enforcement (LE) officers continually monitor the settlement, demolish people's homes and confiscate building materials. The community does not have access to water, electricity or disaster risk services. It is scrutinised by the ward councillor and residents of the formal Kensington neighbourhood, which was classified and manufactured to be a coloured residential area under apartheid.

The similarities between Gate-7's experience as a population targeted for eviction and the black residents removed from the neighbourhood under colonial domination are resonant. Most writing about Windermere, particularly that of Field (1998), describes the neighbourhood in the early years of apartheid as a site where identities were hybrid and apartheid racial categorisation had not yet been totalised. Primarily a coloured area in the early 1900s,[8] Windermere became a "shanty community" in which people moving from the Eastern Cape and designated black townships in Cape Town built their homes (Field, 1998:227).[9] Moving to Windermere, a legal grey zone (it was placed just outside of the municipal boundary until 1943), allowed black residents to resist the increasingly robust legal architecture that sought to push them out of the city. It became a site where mobile identities, rooted in rural-urban migration, could form (Qotole, 2001) and which served as "a historical halfway station between [people's] past rural lives and their present urban lives" (Field, 1998:234). Windermere's racial and rural-urban hybridity rendered the neighbourhood a threat to colonial stratification, a "hybrid black spot" to be erased, described as a "festering sore" by the Native Affairs Department (NAD) in 1952 (Field, 1998:234). It was thus not long before Windermere was subsumed under apartheid spatial planning. This was primarily doled out via the machinery of eviction. From as early as 1945, the Cape Town City Council was collaborating with the NAD to envision and implement Windermere as a "model" coloured township (Field, 1998:230), and in 1957 the first bulldozers arrived to demolish the homes of Windermere's black residents, forcing them into hostels and designated "native" townships (Qotole, 2001:115).

While those forcibly removed from Kensington/Factreton in the 1960s are not the focus of this research, it is pertinent to demonstrate how the experiences of current Wingfield residents echo—and are deeply intertwined with—the histories of apartheid-era displacements. "It is as if

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[6] The terms *black* and *coloured* in this thesis refer to groups of people as defined by apartheid-era racial classifications. While these categories are colonial constructs, they remain salient in South Africa in terms of people's socio-economic realities.

[7] The the Afrikaans word for shacks, used by Gate-7 residents to refer to their auto-constructed houses.

[8] As a result of coloured populations being pushed to the city's peripheries (Qotale, 2001:108).

[9] For many black residents, Windermere was desirable as it was out of the grips of township administration– in which black labour was stringently controlled by pre/early apartheid law (Field, 1998).

the film is still playing, its images being repeated, and the colonial bulldozer never left" (Kimari, 2019:12).

Image 2: Gate-7 settlement after the worst of the winter flooding. Source: Author, July 2024

Today, the City justifies eviction threats against the Gate-7 residents on the basis that they are illegally occupying privately owned land. The owner in question is the Ndabeni Communal Property Trust (Ndabeni Trust or the Trust hereafter), which was established to manage the successful land claim made by the black residents, forcibly removed from their land in Ndabeni, Southwest of Kensington, in 1926 to create what is to this day an industrial suburb. Almost 90 years later, in 2001, following the Ndabeni community's successful land claim campaign, the dispossessed residents were granted alternative state land, which happened to be a portion of the Wingfield Strip. At the time, this land claim symbolised "a joyous day of homecoming and

justice for the community of Ndabeni" ("Ndabeni land claim…", 2001). However, two decades later, the members of the Trust have not been able to benefit from their restitution land due to ill-defined membership and contested decisions around the Trust's sale of the land (Phaliso, 2017). The CoCT nevertheless uses the Trust's ownership as an excuse to evict those actually inhabiting the Strip, and to delegitimise the occupancy of the Gate-7 residents. Seventy years after black residents were forcibly removed from the Kensington area, the community of Gate-7 faces a similar fate, ironically, in the name of restitution for the historically dispossessed. To date, the Trust, riddled with internal tensions, has not taken any legal steps. As such, the Gate-7 residents, much like those of historic Windermere, are making a home in a legal grey zone.

2.3 Introducing the Wingfield refugee tent

Image 3: The Wingfield Tent. Source: Author, July 2024

The second group of people with whom I worked and engaged in this research project were residents of the Wingfield refugee tent, which is situated adjacent to Gate-7 on the Strip. The tent, which initially sheltered around 500 people, is still occupied by hundreds. The tent residents were forcibly placed in the tent at the beginning of 2020 and have been living there ever since.

They were moved to the tent from a sit-in in Cape Town CBD, in which hundreds of refugees participated, making demands of the South African government and the UNHCR in light of the structural xenophobia asylum seekers are subjected to in South Africa. The COVID-19 pandemic provided the impetus for this relocation, supposedly in the interests of health and safety, as a measure of social distancing. While the tent was meant to function as a temporary shelter, or TRA, after which the refugees would be reintegrated into Cape Town, the tent residents have either refused or been unable to leave the tent for nearly 5 years now. TRAs, generally in the form of government-constructed shacks, constituting "a one-way ticket to unbearable conditions" (Hunter, 2012), have been used as emergency responses to black squatters considered illegal since the 1960s (Makhulu, 2015). Despite their justification as an emergency solution, for example, to COVID-19, TRAs have become a regular tool for managing urban populations who lack access to housing (Levenson, 2018). Following reintegration efforts by the City of Cape Town (CoCT) and the Department of Home Affairs (DHA)—efforts widely regarded by tent residents as unsustainable—the City now classifies those still living at the tent as illegal occupiers.

While the core of this thesis is about people's everyday experiences living on the Wingfield Strip (in the tent or at Gate-7), the context of how tent residents arrived there is central to my research objectives. The experience of the tent residents following the sit-in—set against the backdrop of South Africa's punitive asylum policies and practices—foregrounds both the shifting legitimacy accorded to the refugees and the shifting temporalities of life at the tent: being simultaneously forced to move and prevented from leaving.

A timeline of the sit-in

The sit-in in Cape Town began in October 2019, 6 months prior to the construction of the tent, outside the UNHCR offices, at Waldorf Arcade, St. George's Mall in the CBD. It was mirrored by a similar (yet more rapidly suppressed) action outside the UNHCR offices in Pretoria (Mitchley, 2019). At its peak, around 700 refugees were involved in the Cape Town action. The central message of the sit-in was a demand directed at the UNHCR for resettlement to a third country—an option intended for refugees facing "perilous situations" in their host country (UNHCR, 2025a)[10]. Much of the public discourse reduced the refugees' demands to a simplistic portrayal of unruly protesters wanting to be relocated to Canada. This obscured the state-sanctioned suppression of refugees in the country.

On the 30th of October 2019, following an eviction order filed by the building manager at the Arcade, the refugees were forcibly removed by the South African Police Service (SAPS) and LE officials. The evicted group sought refuge at the Central Methodist Mission Church. Over the course of two months, the group split under two leaders. The group under JP Balous (primarily refugees from Burundi and other East African countries) remained inside the church. The other

[10] The "UNHCR is mandated by its Statute and the UN General Assembly Resolutions to undertake resettlement as one of the three durable solutions" for refugees. The other two solutions are integration into the asylum country and repatriation to one's home country, if it is safe to do so (UHNCR, 2025a).

group, led by Papy Sukamy, consisting primarily of refugees from the Democratic Republic of the Congo (DRC), set up shelters outside the church on the sidewalks of Greenmarket Square.

Following concerns around economic costs to traders in the square (see Washinyira, 2020), and based on the application of municipal by-laws, the High Court warranted an eviction of the group outside the church, carried out on the 1st March 2020 (see Molyneaux, 2020). LE eventually accompanied this group to the central police station and subsequently neglected them outside. The refugees occupied the street alongside the station until the end of the month, when they were moved to the Wingfield tent in the name of COVID-19 precautions. It is largely people from this group of refugees, historically under the leadership of Papy Sukamy, who remain in the tent today. Balous's group, inside the Church, were relocated to a tent in Bellville. Later, some of these residents were moved to the Wingfield tent following more internal divisions in Bellville.

Turning you into a criminal without you knowing

South Africa's refugee policy adheres to international frameworks such as the 1969 *OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*, which expands on international frameworks like the United Nations (UN) *1951 Refugee Convention*. Historically, South Africa's framework has been considered progressive, prioritising urban integration over the encampment of refugees and affording refugees and asylum seekers access to social security grants, education and healthcare.

However, protective measures set out on paper (primarily in the Constitution and the 1998 Refugee Act) are distorted and undermined in implementation (Amit, 2012). More recently, these measures have been challenged through legislation. The Refugee Amendment Act that came into effect in 2020 marked a regressive and restrictive shift in SA's refugee policy, arguably paving the way for more conservative frameworks like the *White Paper* (Scalabrini Centre of Cape Town [Scalabrini], 2024d:12). The Department and Minister of Home Affairs are primarily responsible for implementing and enacting refugee policy and thus for the "prohibitive" bureaucratic inefficiencies that keep asylum seekers waiting for refugee status for years (Wilhelm-Solomon, 2022:128).[11]

Upon entry into the country at a land border, one must declare their intention to seek asylum and receive an asylum transit visa (in practice, these are scarce, contingent on paying a bribe or having a passport), and within 5 days, must appear at a Refugee Reception Office (RRO), of which there are only five in the whole country. The Scalabrini Centre of Cape Town (Scalabrini hereafter) (2024), one of very few refugee and (im)migrant NGOs in Cape Town, reported that "one-third of asylum seekers do not get a document [asylum seeker visa (ASV)] the first time they go to an RRO".[12] The ASV is an interim document used until a decision on

[11] The auditor general estimated that the current Refugee Appeals Authority backlog is 68 years, not accounting for new cases (Auditor-General, 2020).

[12] Largely for arbitrary reasons, for example, only very few people are allowed in per day, despite the incredibly high demand and long queues and specific days of the week are reserved for specific nationalities. The fatal stampede at the Pretoria RRO in August 2024 is a stark reflection of the desperation induced by asylum bureaucracy of South Africa (Mutsila, 2024).

refugee status is made by a Refugee Status Determination Officer (RSDO).[13] This decision can take years, with applicants needing to regularly return to RROs to renew their ASV. Since late 2023, the practice of arresting newcomers or people with expired documents at the RRO has been systematically normalised.[14] With the threat of being arrested and deported, people are dissuaded from seeking asylum legally at RROs. Thus, by prohibiting access to legal routes, the Department of Home Affairs' (DHA) cynical bureaucracy "illegalise[s]" people (Aradau & Tazzioli, 2020:217), effectively "turning you into a criminal without you knowing" (Mr. Fire, PI, 2024 July 7).

The UNHCR is another important entity in the lives of Wingfield tent residents. It is listed in the Refugee Act as responsible for providing basic shelter and necessities and can be consulted by the RSDO and the Refugee Appeals Authority in status determination decisions. It has worked closely with the DHA to make application processes more efficient, particularly in the framework of the Backlog Project, launched in March 2021, to eradicate the asylum appeal backlog of approximately 150,000 appeals made before 2017 (UNHCR, 2022).[15]

In the context of South Africa's punitive asylum bureaucracy and minimal support from the UNHCR, as well as an upsurge in xenophobic attacks and looting in Johannesburg in 2019 that mirrored the 2008 xenophobic riots (Misago & Landau, 2023:1612), refugees around the country mobilised to gain the attention of the UNHCR and expose their vulnerable situation in South Africa. Another important backdrop to the sit-in was the closing of the Cape Town RRO by the DHA in 2012[16] which later claimed that the system was being (ab)used by "economic migrants" not "genuine asylum seekers" (Department of Home Affairs [DHA], 2014:10). Despite the DHA being legally mandated[17] to reopen the RRO in Cape Town by March 2018 over a year before the sit-in, this mandate was ignored, and it wasn't until April 2023 that the Cape Town was reopened, for the first time in 11 years.

[13] An RSDO, based on the applicant's case, can either (a) grant asylum, (b) reject the application as manifestly unfounded, abusive or fraudulent; or (c) reject the application as unfounded. The standing committee for refugee affairs must review the RSDO decision if found manifestly unfounded. If the application is determined (c) unfounded, this can be appealed via the Refugee Appeals Authority (*Refugees Act 1998, as amended,* 2023:chap3).
[14] This was challenged by Scalabrini in court (Scalabrini, 2024c).
[15] It is in this context of prohibitive access to the asylum bureaucracy and the arbitrary differentiation between and rejection of those seeking asylum that I choose not to make the distinction between refugees and asylum seekers in this thesis. I use the term *refugee* to encompass those self-proclaimed as such; the label has political import in terms of one's legitimate access to social protection and rights discourse.
[16] It reopened after a legal challenge presented by Scalabrini and then shut again in 2014.
[17] The Supreme Court of Appeal found both closures unlawful (Kruyer, 2017).

Image 4: Outside the new, grey, securitised RRO in Epping. Source: Author, February 2024

2.4 Encountering the state

Residents of the Strip engage with the state through various actors and departments, which frequently act in conflict with each other. This is exacerbated by the fact that authority over the strip is ambiguous. The military base is primarily owned by the national government, part of which they transferred to the Ndabeni Trust. The land is managed by the Department of Public Works (DPW). The DPW released the land on the Strip to the Western Cape Provincial Government and the CoCT to manage unhoused people in the wake of the COVID-19 pandemic. Through a series of convoluted political battles between the DHA, DPW and the City, it was the refugees from the sit-in who were relocated and placed in the Wingfield tent by the City in April 2020 (Payne, 2020). Furthermore, while the land on the Wingfield military base is earmarked for housing development (NU et al., 2023), what will happen to those actually living on the land, if such development goes ahead, is unclear.

On paper, the Strip falls under the mandate of Sub-council 3, Ward 56, which, during my fieldwork, was represented by councillor Cheslyn Steenberg, the first non-DA councillor elected in the ward since democracy. Ward 56 consists of Maitland, Kensington/Factreton and Wingfield. However, the latter is often treated as being outside of the ward's mandate. Besides the political representatives within the ward, LE is the most significant City department with which the Wingfield residents interact, deployed to enact the City's by-laws. While other departments are involved in the management (and abandonment) of the Strip (namely Disaster Risk Management (DRM), Water and Sanitation and the Metro Police), residents' accounts of engagement with the City tend to refer to a homogenous City of Cape Town.

Furthermore, the City and its visions, specifically regarding its approach to urban development, are shaped by non-governmental initiatives such as city improvement districts and residents' associations. Many sites across Maitland and Kensington have been earmarked for urban development projects because of their optimal location in terms of access to public transport (Brown-Luthango & O'Toole, 2019:4). Such projects identify and focus on solving the "pattern of formal/secure and informal/insecure living... across the length of the Voortrekker Road Corridor, where backyard dwellings and shack settlements coexist alongside more durable homesteads" (Brown-Luthango & O'Toole, 2019:16). However, the political will for urban development produces its own contradictions. The City's urban development plan aims to upgrade informal settlements "for some level of improvement to occur…in the next five years, giving priority to basic services provision and functional tenure" (City of Cape Town [CoCT], 2022:82). However, this applies only to those "recognised", which by the City's definition exclude settlements that were "established because of an active land invasion process" (CoCT, 2022:27). 18th Avenue is an informal settlement, which achieved recognition during COVID-19 through the support of the local KenFac Ratepayers Association[18] and its Community Action Network project. This informal settlement and its path to accessing services from the City is often contrasted to that of Gate-7 – an informal settlement considered an "active land invasion", and thus not officially "recognised" (CoCT, 2022:27).

This chapter has unpacked the context in which the Wingfield residents are similarly criminalised. This context falls heavily on those living on the Strip, and in order to do the residents' stories justice, a thorough outline of the legal, historical, and political landscape is necessary. Throughout my fieldwork, several key actors repeatedly surfaced – the Trust, UNHCR, DHA, ward councillor Steenberg and CoCT – each playing a significant role in shaping the daily lives of Wingfield residents. In the next chapter, I delve into my involvement with the residents and the methodological choices I made to represent their stories best.

[18] A community organisation representing the interests of residents and property owners in Kensington and Factreton neighbourhoods. The organisation mobilises around on safety issues and delivery of municipal services. (Kenfac Ratepayers, 2025).

3. Methodology

3.1 Introduction

By first describing my entry to the site, in this chapter, I present the various complicated interactions that shaped my research design as an ethnographic methodology, with emphasis on individual forms of data collection. I then describe my chosen data collection and sampling methods, and later present my data analysis techniques, with embedded reflections on ethical concerns and limitations throughout these sections. I conclude with a reflection on reciprocity and instrumental knowledge production.

3.2 Research designed through fractures: reflexivity and positionality

Unbeknownst to me at the time, my complex and layered connection with the residents of Wingfield began a year before my thesis journey at a poetry evening at the NCC in Salt River. Lulu, a Gate-7 committee member, told us about Gate-7's plans to connect a pipe to the neighbouring refugee tent's water taps. Volunteering at NCC over the following year, I heard NCC co-founders' stories about starting a vegetable garden at the tent, and the caustic relations that ensued.

Clement, a tent resident who briefly lived at NCC at the start of my fieldwork, became my first point of contact at the Wingfield tent. He was keen to tell his story and believed many at the tent would be too, considering their five-year-long abandonment by the City and UNHCR. The first time I visited the tent, I approached Clement's friend with the idea of a collaborative research project so we would both be involved in its conception. He rejected this presumption, asking what I meant by *us both*. Who was the *we* I was constructing in that conversation? With intentions of deriving community-based consent, I would soon learn the loaded (and dangerous) implications of representing the tent as a coherent community at all.

My second visit to the tent was prompted by a *News24* article on the City's plans to evict the refugees living there (see De Klerk, 2024). I mentioned to Sam, a tent resident and fellow English teacher at NCC, that I could consult with colleagues from the Cape Youth Collective (CAYCO)[19] about mobilising against the eviction. He advised raising it with all of the residents directly. During the group meeting, suspicion was palpable: about which organisation I represented and whether I worked for the UNHCR. Eventually, we agreed I would contact the *News24* journalist to gather more information. A week passed, and rumours of an imminent eviction spread at the tent. A fellow organiser created an emergency WhatsApp group with activists and reporters. He introduced Sam as a Wingfield tent leader, sparking tension; residents felt betrayed by being represented without collective consent. Threats were made against Sam and his family, and a man defending Sam was also severely injured with a panga. My role in the situation cannot be separated from my position as a white, South African, university-educated woman, which is necessarily intertwined with perceptions of trust and authority or mistrust and

[19] At the time I was an active member.

suspicion. My presence and position had inadvertently fuelled rumours and reproduced fears of being managed in secrecy and by self-appointed leaders.

This experience shaped my wariness to speak about the tent as a community and determined my research design thereafter, adhering to the notion of research as a process, not a product, that necessitates ongoing reflection and re-evaluation (England, 1994). Those I had met through Clement expressed their interest in being interviewed and supporting my research; however, they urged that I do so on an individual basis. People wanted to share their stories, but in a way that enhanced their individual agency, something denied to them during the sit-in through manipulation by leaders and reductive media narratives. I designed my methods and research questions, sensitive to the dangers of superimposing the idea of a pre-existing political community with "a completely thought-through revolutionary sensibility" (Gilmore, 2008:51). It was by respecting individuals wishes to record their stories individually, not in a group forum, and to keep these stories, as well as the names of those who wanted to be involved confidential, that I was able to form trusting relationships.

I formed a connection with residents at Gate-7 in the weeks leading up to their strike blocking Voortrekker Road in May 2024. As I got more politically involved with the community, it became clear that any story about the tent could not elide the struggle of Gate-7, connected spatially and infrastructurally to the refugees living next door. Organising with Gate-7 allowed for a participatory praxis that informed my research, challenging the construction of research participants as mere "objects of research" (Schubotz, 2019:54).

Applying a constructivist research paradigm and a qualitative ethnographic methodology allowed me to explore the Wingfield Strip as a borderspace with "multiple realities… reconstructed through human interactions" (Kivunja & Kuyini, 2017:33). These realities and interactions did not unfold external to my positionality, involvement, but rather, "fieldwork is intensely personal"; I was an active participant in the research setting (England, 1994). Questions such as "What does it mean to be engaging in conversations about xenophobia, as a white South African?", "In what ways did my positionality influence interactions with Gate-7 and the tent residents differently?" "How did my being a woman influence the relationships I formed?" were necessary to engage throughout. I discuss these reflections as they arise in the methods section below.

3.3 Data generation: methods and objectives

Ethnographic fieldwork has been a crucial methodological tool in critical border studies, relocating knowledge about the border to the scale of the border-ed (see Parker & Vaughan-Williams, 2012). The ethnographic methods I used were chosen in relation to my research objectives.

Immersion at NCC: accessing the tent from afar

During my fieldwork, I spent a lot of time at the NCC "hanging out" (a method popularised by Geertz (1998)) with Clement and Esengo, who had moved in at NCC or Upendo and Madame B, who sold food from the centre. It feels strange to reduce these complex and private interactions to a research technique, but it was in these moments, hearing and sharing stories in passing, that I got the most insight into people's everyday lives at the tent. There is no question that my positionality produced a power dynamic in these interactions, specifically since I was known to provide financial support to the centre. However, with each of us having a responsibility at the centre, in different ways and to various extents, we were implicated in the same project and the future of NCC. Even if only partially and momentarily, this shared responsibility and investment in a space generated a sense of mutuality.

I taught adult English classes once a week at the Centre. A couple of my colleagues and fellow teachers at the centre were also residents at the tent, and teaching together, contributed to offsetting the vast economic gap between us. The students of the four-month course were primarily (im)migrants from Angola and the DRC living in Salt River. While none of the students were research partners for my thesis, many approached me for advice or assistance around various refugee social support infrastructures in Cape Town. Assisting by making calls, sending emails, providing transport to appointments with organisations such as Scalabrini or doing research into changes in asylum policy, I gained first-hand insight into the DHA's prohibitive practices[20] as well as people's "affective engagements with the material arrangements" of asylum infrastructure (Nettelbladt & Boano, 2019:85). The intention of this ethnographic approach was to generate insight into the "socio-political components" of the bureaucracy that shapes the lives of those at the tent (Nettelbladt & Boano, 2019:85), and thus the complex processes of de/legitimisation, the second objective of this thesis.

Participant observation: organising with Gate-7

I attended many meetings with neighbouring 18th Avenue, the Gate-7 committee and NGOs such as NU and the People's Legal Centre. CAYCO became deeply involved in Gate-7's struggle against the City, joining in protest action, writing statements, facilitating a mutual aid campaign during the winter floods, and attending the Provincial Government First Thursdays with the Gate-7 committee. During these actions, I applied methods of participant observation, taking notes during meetings and keeping a research journal. Being involved in Gate-7's struggle for water and sanitation infrastructure, "'in situ'...offered the empirical ground with which to theorise" (Siddiqi, 2024:33). This participant observation method was chosen in line with my second objective: unpacking how the provision and withdrawal of infrastructure mediate the de/legitimisation of Gate-7 residents. By getting involved politically with the community, I

[20] For instance, Ali, the son (legally the nephew) of one of my students, asked me to help him apply for a scholarship to high school, which would entail a guardianship case and family joining application at the DHA. This necessitated affidavits from the SAPS, a referral letter from Scalabrini, a visit to the high court of Cape Town, and a home visit from a social worker– before the application could even be made at the DHA.

gained insight into the everyday dynamics of criminalisation and Gate-7's tactics of negotiating recognition.

Throughout my involvement with the tent residents via NCC and months of organising with Gate-7, I developed a practice of recording voice notes to myself, thus allowing me to track ethical concerns that emerged and how my thinking was influenced by various interactions and engagements. Most of the people that I formed relationships with at Gate-7 were women. On the one hand, this was because the majority of committee members were women, and since building and looking after one's home and family is largely feminised (Makhulu, 2015). On the other hand, my position as a young woman influenced how community members received and perceived me. Engaging with older women in the community introduced (or allowed for the performance of) a care-like relationship, in which questions about me, my life, and my well-being redirected the flow of concern and inquiry back towards me.

Semi-structured interviews

I chose to conduct semi-structured interviews to gain in-depth insight into residents' personal perceptions and experiences on the Strip. These interviews helped respond to my first objective, exploring how people understand Wingfield as a borderspace. I conducted 15 semi-structured interviews, 13 individual and two with two people.[21] Six of my research partners who participated in these interviews were from Gate-7, seven were former tent residents, and four were current tent residents. Five of my interviews with the tent residents were in French, one of my interviews with Gate-7 was in isiXhosa (which Lwazi offered to interpret), and the rest were in English. Throughout this thesis, I rely heavily on arguments and quotes from my research partners from these interviews. The majority of my partners chose pseudonyms for themselves to protect their identities. A couple of people insisted on using their real names, a break from the anonymity and silencing they are so commonly subjected to.[22]

By the time I began my interviews, I knew many people in the Gate-7 community, and I thus engaged in purposive sampling – approaching those who had interacted with city officials most directly (hence, of my research partners, three were in the Gate-7 Committee[23]). I realised that many of the residents who were most active during meetings had only recently moved to the settlement. I was thus advised to speak to Lungelo, one of the first residents on the Strip since the early 1990s. This was also an attempt to avoid potential gate-keeping by committee members, who, towards the end of my fieldwork, were increasingly seen as making decisions without full community consent. While there is an imbalance in the number of interviews between Gate-7 and tent residents, it is not a pertinent limitation, as the amount of data generated during group

[21] It suited both Lunzulu and her husband Lwazi to speak to me at the same time, and the same was true for Jasmin and her husband.

[22] In the final editing stages of this thesis I checked in again with my partners about whether they want to be anonymous.

[23] A group of around 5 people from the community, elected to represent the community in conversations with the City.

meetings made up for this. All of the interviews with Gate-7 partners were conducted at Gate-7, either in my partners' yards or their homes if they so chose.

Approaching my refugee partners, I used a snowball sampling technique (Mayan, 2009), relying on existing connections to introduce me to other potential participants. In some cases (as with Kina), people heard about my research via Clement and got in touch with me over WhatsApp, requesting to do an interview.

I conducted these interviews at NCC when it was quiet or in my car parked on the side of the road nearby, in instances where my partners had a complex relationship with the Centre.

Data reached saturation after 11 interviews, at which point repeated themes and narratives emerged. Interviews ranged from one and a half hours to three hours due to their semi-structured nature. My interview guide served as a prompt, and I let the conversations be guided by my research partners. There was a strong narrative element to the interviews with refugee partners, who spent more time foregrounding their experience of South African refugee law and the sit-in than I had initially expected.

Considering the centrality of in-depth interviews in the asylum process and the circulating rumours that I was a UNHCR official in disguise, I was wary about what expectations I may inadvertently reinforce through the format of formal interviews. It was thus necessary to consistently establish that while I hope for my research to align with the political goals of my partners, the interviews could not be used in any legal process of adjudicating refugee status. The perception of me as a UNHCR official, as someone in a position of power, or as a potential route to a solution was embedded in and reinforced by my position as a white, university-educated person. Furthermore, I did not want to reproduce a DHA or UNHCR-style interview that invokes "the language of the refugee" (Steinberg, 2014:136). Steinberg (2014:300) poignantly describes this as a language that "whittle[s] away at the flesh of [one's] being, leaving only a stick figure, hapless refugee… [as] what would an… immigration official do with information about [one's] soul?"[24] It was thus important to me that I emphasised questions of home and imagined future, marking a break from the narrative of victimhood "expected at every border post…[and] government office" (Steinberg, 2014:312).

Truthing conversations

During my fieldwork, I was able to validate findings about past events by cross-referencing details with various research partners. Although I initially planned to interview City officials, my engagement was limited to a series of informal conversations through emails, Zoom, and phone calls with representatives of CoCT assisting my research request, which was not fulfilled in time. These informal exchanges gave me insight into the City's perspective. Additionally, meetings with employees from Scalabrini, the People's Legal Centre, and the KenFac Ratepayers Association clarified key events surrounding the occupation of the Strip. The latter provided

[24] In the original quote Steinberg is speaking about Asad, his colleague and research partner. I replaced pronouns referring to *him* with *one*.

valuable insight into the dynamics between the ward councillor and City departments, reflecting the perspectives of his constituency.

3.4 Data analysis

I transcribed my interviews using HappyScribe software.[25] Because transcribing entails a consistent interpretation of meaning (Elliott, 2005:51), I noted emotive moments that could not be captured in text alongside the transcriptions. I also visually mapped the structure of my partners' stories, which provided insight into their experience of time passing on the Strip (Elliott, 2005). I used Naeem et al.'s (2023) approach to thematic analysis. I first selected pertinent extracts and quotations from the transcriptions and arranged them according to the general structure of the interviews' form. Using this breakdown, I could derive keywords, codes and themes, which inductively informed the development of my conceptual framework (set out in Naeem et al., 2023:3). The higher-level themes that emerged organically connected to various infrastructures significant to this story. During the data analysis step, I also triangulated my findings with secondary sources, mainly news articles about the sit-in and press statements from government officials. My analysis also relied heavily on grey literature, particularly official legal responses to the CoCTs by-laws (see NU, 2021 and Special Council Meeting [SPC], 2021).

Because of ongoing engagement with Gate-7 and hanging out with research partners from the tent, I was able to reflect on my findings on an ongoing basis with my research partners, such that they were involved in the formation of arguments (Nabudere, 2008). At Gate-7, because of the nature of my engagement, I had much more access to organic group-level feedback on the themes that emerged from my analysis than with my tent partners. Therefore, after I had written a draft outline of my arguments, I organised a feedback session with four of the research partners at the tent (Upendo, James, Mr. Fire, and Kina). A group session was invaluable as my partners were able to compare stories and collaboratively validate or challenge my findings. I chose not to organise a session with a larger number of partners to avoid exacerbating tensions amongst tent residents. While this decision limited the range of feedback, it was necessary to protect the individual safety of my research partners.

3.5 On reciprocity and the production of instrumental knowledge

Due to my involvement at NCC and my political organising with Gate-7, there was a level of reciprocity embedded in the relationships with my research partners. At times, this took on financial forms, for example, paying for gas at the NCC so Upendo could continue her vetkoek business or paying for Gate-7 residents' transport to and from meetings in the city centre. This was in the same spirit, one of mutual aid, as other contributions I made to the Centre. However, financial support rarely induces egalitarian relationships, and I can't help recalling Steinberg's (2014:xiii) blunt reflection that "trading money for access to a poor person's private world is fraught with discomfort" or Wilhelm-Solomon's (2022:135) description of ethnography that "one

[25] Due to its multilingual capacity and its stringent data protection rules.

records words and whispers and trades them in a distant economy". I thus had the responsibility to ensure that what was being exchanged was not simply financial compensation but a commitment to tell people's stories honestly and in a way that bolstered their demands for a right to the city. This is an expectation that my partners have of me for this thesis and beyond, and it is an expectation that I am committed to upholding as "...is silence not also a form of complicity?" (Wilhelm-Solomon, 2022:135).

My commitment to bolstering the political demands of the Wingfield residents has fuelled ongoing contradiction throughout this research endeavour. I have had to constantly confront the tension between comprehensive and instrumental knowledge production (Hale, 2008:13). The former relates to my responsibility to represent the multiplicity of realities on the Strip, accounting for nuance and complexity. The latter, an activist mode of knowledge production, presents knowledge that aligns with the research's and/or research partners' political goals. As discussed in the opening section of this chapter, as a means of enabling individual agency, I avoided working with the tent residents as a group. Inversely, the bulk of data generated with Gate-7 residents was through my political engagement with Gate-7 as a community. I had to constantly ensure that while accounting for the diversity of experiences amongst the tent residents, I did not reinforce an image of the tent that ran contrary to the goals of the sit-in and the (diffuse) political end(s) of those who remain at the tent. In turn, I also had to be sensitive to the influence that my involvement with Gate-7 through an activist organisation could have in silencing the voices that did not align with CAYCO's politics. An iterative reflection on the contradiction outlined here has framed my thinking. This has influenced not only the analysis process but also the literature with which I have engaged, which I critically dissect in the next chapter.

4. Literature review

4.1 Introduction

This thesis aims to explore how the Wingfield residents are de/legitimised and excluded from the perspective of critical border studies and Southern Urban theory using the concept of borderspaces, citizenship(s) and infrastructure(s) as fluid and multiple. Therefore, in this literature review, I first defend why, particularly in South Africa, where not so long ago internal borders and influx control laws governed black people's right to be in the city, the urban is an essential scale to investigate borderspaces. I motivate why, in the context of my study, this literature should be placed in conversation with theories of spatial illegality and urban apartheid. Secondly, I turn to the literature on urban citizenship(s), which provides a framework to explore how differential treatment is resisted through insurgent forms of inclusion. Here, I unpack the significance of infrastructure(s) in the mediation of urban citizenship(s), importantly how infrastructural citizenship becomes a lens to understand the agency with which residents resist spatial illegality and abandonment. Finally, expanding on the notion of humanitarian infrastructure, in particular, I present literature that makes sense of the refugee-state encounter. This invokes a biopolitical lens of debilitation, which can be used to explain how, through *limited* care, residents on the strip are neither "made to live" nor "allowed to die" (Puar, 2017:137), characterising the shifting legitimacies and temporalities of the urban borderspace.

4.2 Characterising the urban borderspace

Bordering practices

CBS, which has developed in the context of globalisation, rapidly increasing urbanisation and the prevalent trend of neoliberalisation (see Brenner & Schmid (2015), Sassen (2012), and Easterling (2007)), problematises the traditional conception of borders and decentres the critical analysis of borderspaces to locations beyond the physical border and territorial boundary of the nation-state (Parker & Vaughan-Williams, 2012). The concept of borderspaces is expanded on by Rajaram and Grundy-Warr (2007), who conceptualise these spaces as significant sites of violence, contestation and negotiation, challenging the notion of borders as neutral, rational boundaries of separation. Furthermore, by focusing on the border as an ongoing dynamic process, CBS concerns itself with "bordering practices" (Parker and Vaughan-Williams, 2012:727), which target and exclude (im)migrants on multiple scales and are sustained by multiple actors.

Central to CBS literature on the rescaling of bordering practices is the notion of urban borderspaces, a term used by Lebuhn (2013). He draws on Graham (2010) to expand on how the border is rescaled to target urban dwellers and how immigration control is practised through surveillance in cities. Fauser (2019) nuances Lebuhn's argument, demonstrating that the urban borderspace and control of (im)migrants in the city is not merely a rescaling of national state

control but demonstrates the shifting power and significance of local municipalities and the role of non-state actors. He sees the urban border space as not simply "nested, subordinated, and bounded within the national but rather as contested, constructed, and dynamically changing, including its relationship to the national scale" (Fauser, 2019:606).

While these authors focus primarily on the context of European border control, the prompt to turn to the urban as a site of bordering is heard loudly from the global South, and in particular, African cities, which have largely been excluded from discussions on belonging and bordering (Landau, 2017). For example, according to Misago and Landau (2023:1617), in geographies where "state institutions are frail", there is a need to explore sub-national and non-national bordering practices. Furthermore, authors such as Khan, Mbatini and Marais (2021) highlight how the urban scale is a particularly important site of investigation in South Africa, which (unlike its neighbours) has a policy of urban integration of refugees (as opposed to encampment), and where the agency of "street-level bureaucrats" in shaping the experience of (im)migrants requires more attention (Vigneswaran & León, 2024:1). Crucially, Vigneswaran (2020:263), calling for us to "broaden the geographical horizons of our research", argues that literature on bordering practices in the Global North has much to learn from South Africa, whose immigration enforcement is rooted in the apartheid system of internal movement controls.

Vigneswaran (2020) posits that influx control laws and the Group Areas Act, which governed the movement of black people in and out of South Africa's cities, are significant factors in explaining the country's outstandingly high levels of deportation, largely enforced by SAPS. Under apartheid, the police force made little distinction between the populations targeted by influx control laws and those targeted by immigration laws (Vigneswaran, 2020:278). For this reason, by the early 1990s, when influx controls were rescinded, policing tactics and capacity were simply transferred to target (im)migrants from outside the (newly formalised) national borders. Furthermore, the DHA (responsible for control and enforcement of immigration) was born directly out of the Department of Cooperation and Development, which had become responsible for influx control towards the end of apartheid (Vigneswaran, 2011). As Peberdy (2009) remarked, it did not take long for this to translate into national discourse, where, through the advent of equal citizenship to all South Africans, so too materialised more stringent exclusion of non-South African (im)migrants. A fortification of the national border and a punitive immigration policy marked the ANC's nation-building project with the adoption of the Aliens Control Act of 1991[26] (Hart, 2014:172).

Two upshots of Vigneswaran's argument are that "policing racial mobility" is embedded in SAPS's response to crime and that criminality is still tied to "the presence of unauthorised [urban] residents and the proliferation of informal residences" (Vigneswaran, 2020:277). Thus, the exclusion of undesirable (in most cases, African) (im)migrants cannot be disentangled from the ongoing criminalisation of South Africa's black urban poor. In a Cape-Townian context in which informality is vilified, and various by-laws echo apartheid-era influx control policies, the policing of mobility and inhabitation of citizens and non-South African (im)migrants alike is

[26] later replaced by the *Immigration Amendment Act in 2002*.

ongoing. I thus turn to the concept of "spatial illegality" (Bhan, 2016), which theorises how the urban poor are de/legitimised of the right to the city, and in which a status of illegality is attached to shack-dwellers and others framed as unlawful occupiers.

Spatial illegality and ongoing urban apartheid

In his seminal work *In the Public's Interest: Evictions, Citizenship and Inequality in Contemporary Delhi*, Bhan (2016) explores how residents of the Basti (slums or informal settlements) in Delhi are delegitimised, criminalised, and "disavow[ed] their substantive rights" (Bhan, 2016:152). The characterisation of the Basti can be likened to other Southern Urban contributions that speak to the experience of shack-dwellers (see Selmeczi (2012) and Pithouse (2014)), the subaltern (Roy, 2011) or those relegated to the periphery (as a mode of urbanisation) (Caldeira, 2017). In this thesis, I take forward a few concepts Bhan (2016) presents.

The first is his conception of legitimacy, which he defines as the "marker of the probability of reaching certain desired outcomes", including "secure tenure" (Bhan, 2016:90). While legitimacy is "shaped by and intertwined with" concepts of formality and legality (Bhan, 2016:90), these categories cannot be neatly mapped onto each other (Bhan, 2016:48). I discuss instances in which the Wingfield residents gain legitimacy or are delegitimised, through processes that are not always clearly related to changes in legality or formality. Here, Yiftachel's (2009a, 2009b, 2015) concept of grey-spacing can be applied. He argues that in the grey space, subjects shift "between the 'lightness' of full membership, recognition, permissibility and safety, and the 'darkness' of exclusion, denial, demolition, eviction or death" (Yiftachel, 2015:731). According to Yiftachel (2009b:92), the grey space is a site from which people are sorted through processes of "whitening" (legitimisation), and "blackening", in which subjects are marked for "expulsion or elimination". This takes place through discourses of "criminality", and "public danger" (Yiftachel, 2009b:89). Furthermore, grey spaces, sites from which identities are permanently being sorted and recategorised, "are neither integrated nor eliminated, forming pseudo-permanent margins of today's urban regions" (Yiftachel, 2009b:89). For this reason, I argue that they can be likened to urban borderspaces. As developed in Chapter 5, grey-spacing is a useful concept for discussing how the Wingfield residents experience and resist processes of shifting legitimacy and temporality.

Furthermore, blackening could be described as a relegation to Bhan's (2016:151) "spatial illegality", and I argue that the Strip, as an urban borderspace, is characterised by a shifting imposition of and resistance to spatial illegality. Informal settlements, when framed as illegitimate and spatially illegal, are associated with criminal encroachment or invasion. To Bhan (2016), their elimination through eviction is thus justified as being in the public's interest. Bhan (2016:167) argues that the status of encroachment sticks to its subjects, such that residents of the Basti become "encroachers", and their personhood and citizenship are called into question. Applying this concept to the South African context requires a more thorough engagement with the history of the production of urban space specific to this country, one that accounts for the role of mobility control in determining who has access to the city.

To do so, Makhulu's (2015) *Making Freedom: Apartheid, Squatter Politics, and the Struggle for Home* is instructive. Makhulu traces Cape Town's history of illegal squatters from the 1970s. Importantly, she unpacks how "anti-squatting and influx control policies go hand in hand" (Makhulu, 2015:79). In his study of Bastis, Bhan (2016:184) theorises how narratives of "spatial illegality" target the settlement of impoverished populations considered to have rural roots; Makhulu (2015:76) echoes this and adds that "anxieties over…undesirable populations" are in fact rooted in mobility and "vagrancy", movement between rural and urban sites and identities. Furthermore, Makhulu (2015:31) discusses eviction as a form of mobility that organised (and continues to organise) "so much of black life" in Cape Town. Eviction is a means of making people flee and is resisted as long as possible through squatting as a politics of "staying put" (Makhulu, 2015:29). This "dialectic of flight and inhabitation" (Makhulu, 2015:28) is a lens I use to characterise Wingfield as an urban borderspace.

Makhulu focuses on the Crossroads settlement under apartheid. She discusses how the settlement became a site of ambiguity where its residents perceived it as a place of "permanent settlement", and to state authorities, it was regarded as a "decanting zone" where "surplus people" would be sent to be sorted into legal migrant labourers (those with passbooks), and "illegal blacks" to be deported (Makhulu, 2015:42). In Chapter 5, I use Makhulu's concept of decanting, as a process of categorisation, and apply it to the similar processes of sorting the Gate-7 and refugee communities.

While Makhulu discusses the politics of squatting as defiant to apartheid spatial and mobility governance, she emphasises the continuities of such politics today, "as struggles over housing (and land) persist and post-apartheid authorities remain mostly hostile to the demands of people without adequate shelter" (2015:157).

The neoliberal subsumption of the ANC's short-lived seemingly progressive Reconstruction and Development Programme (RDP)[27], such that housing provision still functions within the logic of ongoing dispossession and exclusion of the urban poor, has been widely explored (Anand, Oldfield & Selmeczi, 2023; Huchzermeyer, 2003, 2010; Levenson 2018). Moreover, slum elimination, entailing eviction and removal to temporary relocation areas, has defined the governance of urban informality in the new South Africa, ignoring (or cynically misinterpreting) the Millennium Development Goals' vision of slum improvement[28] (Huchzermeyer, 2010). Significantly, recent by-laws imposed by the City of Cape Town reflect the Prevention of Illegal Squatting Act, which criminalised undesirable forms of urban occupancy under apartheid (see Cogger, 2023). While such prohibitive by-laws are under scrutiny for their constitutionality (see NU, 2021, 2024), their effects on rendering people illegal are substantial.

Occupancy status, in terms of legal or formal title, can be used as grounds for delegitimisation. For example, a lack of legal title may "blacken" squatters, framing them as "antithetical to the value of the private property and therefore a threat to a whole social order

[27] Although even the RDP may be considered a "watered-down" version of earlier progressive frameworks (Hart, 2014:182).
[28] Which emphasises the upgrading of slums, as opposed to eviction from slums, as a means of reducing the number of those with substandard living conditions (United Nations, n.d.).

built on relations of contract" (Makhulu, 2015:96). This does not mean to say that legal titles are a direct route to legitimisation and "upliftment" (as De Soto's (2000) widely contested proposal would suggest). Instead, Royston's (2002) work reveals how, in the South African context, overlapping logics of occupancy (traditional, il/legal, in/formal) title deeds do not translate into secure tenure. For example, Anand, Oldfield, and Selmeczi demonstrate (2023) that even in instances where housing is provided by the state, tenure may remain precarious. They explore how, through inconsistent governance practices and the interweaving of various public and private interests, recipients are made "unlawful" (delegitimised) and hence vulnerable to eviction. Additionally, Levenson (2018) contributes the concept of "dispossession through delivery", which refers to how increased social precarity is induced through state delivery of (economically, socially and spatially dislocated) temporary accommodation. He also describes how, through a "governmental rationality… that requires ordered populations able to wait [for a house]", those who do not wait on the state and build their own home are "framed as threats" (Levenson, 2018:3227). The above contributions underscore the crux of Bhan's (2016) argument that the relationship between legitimacy and either legality or formality is shifting and that secure tenure is not derived directly from either category.

In discussing how occupancy status is (fluidly) used as a proxy for legitimacy, I turn now to Wilhelm-Solomon's (2022) immersive ethnographic research into the occupation of abandoned buildings in Johannesburg's inner city. *The Blinded City* investigates how South African citizens and (im)migrants alike are subjected to violent evictions and removal from the city in the name of "urban renewal" (Wilhelm-Solomon, 2022:42). He begins to do the work of blurring the taken for granted divide (particularly in border studies literature from the Global North) between citizen and non-citizen. When it comes to dealing with the urban poor, there is an almost non-discriminatory (along the lines of nationality) discursive framing of those with tenuous occupancy status as "hijackers", which justifies their eviction and feeds the public image of dark buildings (or in my case, shack settlements) as criminal hubs (Wilhelm-Solomon, 2022:233). And yet, Wilhelm-Solomon is careful not to overlook the significance of citizenship status, without sensitivity to which could inadvertently result in "simply reinforcing xenophobia and the image of (im)migrants as criminals" (Wilhelm-Solomon, 2022:184). Relatedly, he investigates how criminality is attached to the image of the illegal (im)migrant and, thus, how the eviction of those labelled as unlawful occupiers (South Africans included) is justified through a xenophobic logic of weeding out foreigners.

To summarise how his work fits in with the literature explored above: In a similar vein to Makhulu (2015), Wilhelm-Solomon (2022:234) acknowledges how "the spectres of apartheid still haunt [South African cities'] buildings and streets". Much like Vigneswaran (2019, 2011), he considers how this continuity of apartheid is justified by framing (im)migrants as the target of eviction raids wherein officials are "looking no longer for passbooks but for passports, IDs, asylum documents" (Wilhelm-Solomon, 2022:226). However, he regards xenophobic policing as a tool to criminalise *all* urban residents framed as "encroachers" (Bhan, 2016), and I argue that it is in this way that spatial illegality interacts with national conceptions of citizenship.

Wilhelm-Solomon's work has largely influenced how I have considered Gate-7 and the refugee tent's treatment and struggle as being similar and mutually influencing. In a context in which "precarity is the norm for refugees, migrants, and hosts alike" (Landau, 2017:2) and where, as in the case of slum buildings in Johannesburg, refugees and South Africans share living conditions considered by Medecins Sans Frontieres to be worse than international refugee guidelines (Wilhelm-Solomon, 2022:24), discussions of bordering must go beyond essentialising the difference between immigrant and citizen (Sassen, 2012). Therefore, in my investigation into urban borderspaces, I do not focus solely on the treatment of non-South Africans but rather on how bordering practices affect refugees and South Africans alike, both of whom are relegated to spatial illegality.

Holston and Appadurai (1996:190) highlight that "indeed, legally resident noncitizens, and even illegally resident ones, often possess virtually identical socio-economic and civil rights as citizens". Their work unpacks the notion of citizenship(s) as multiple and both a means of producing borders and claiming legitimacy. This is where I turn next.

4.3 Conceptualising urban citizenships

Holston and Appadurai (1996) argue that "as nowhere else [it is] the world's major cities [that] make manifest… reconstitutions of citizenship" (Holston and Appadurai, 1996:195). The city can thus be taken as the locus for intersecting forms of inclusion and exclusion and the starting point of imagining citizenships as multiple and contingent. Holston defines urban citizenship as when urban residence, residents' contributions to the city, and the city as a political community of reference shape rights claims and mobilisations (2008:23). This resonates with Lebuhn (2013) and Fauser's (2019) discussion of "urban citizenship" as a means for (im)migrants to overcome the national border regime by carving out inclusion at a city scale. For example, "inclusive forms of 'urban citizenship'" may be fostered by localised "political dynamics" (Lebuhn, 2013:44) in such a way that (im)migrants transcend exclusions linked to "nationality and legal status" (Fauser, 2019:610).

Differentiated citizenship

However, while urban citizenship may be upheld as a manifestation of Lefebvre's (1996) universalist "right to the city", in which all urban residents have access to the production of space and political participation "in a spirit of inclusiveness and equal access" (Kosnick, 2015:687), urban citizenship is best understood as a re-articulation of national citizenship as a "difference machine" (Blokland et al., 2015:659). This is in line with Bhan's (2016:151) engagement with the idea of "differentiated citizenship". He draws on Young (1990), who defends the value of group-differentiated policies that account for existing inequalities and historically produced disadvantages. Bhan (2016:167) uses this concept to understand how rights claims are made in the city of Delhi on the basis of caste and poverty, as well as how differentiated "consequences and approaches to [different] forms of illegality" frame people as

legitimate or illegitimate. I use this latter aspect of his conceptualisation in this thesis; differentiation is an active and ongoing process of exclusion, something that is "deployed" (Holston, 2008:312) and that may also be mobilised as the basis of rights claims.

Insurgent citizenship

Holston (2008:313) coined the term insurgent citizenship to theorise how marginalised groups in Brazil, particularly in the "urban peripheries", resist processes of differentiation and delegitimisation that render them "barely citizens of the entrenched regime". Importantly, he emphasises how this insurgence can be located in the "domain of domestic life" and around the "autoconstruction of residence" (Holston, 2008:313). Miraftab (2009) expands on the notion of insurgent citizenship, arguing that in the context of neoliberal control of the marginalised through modes of inclusion, insurgency takes on new forms. She argues that "fluidity characterises insurgent citizenship practices: through the entanglement of inclusion and resistance, [insurgent citizens] move across the invited and the invented spaces of citizenship" (Miraftab, 2009:35), where invited refers to those spaces legitimised by the authorities, and invented are those which are directly oppositional. Further nuancing Miraftab's account and borne out of a weariness of the essentialisation of the subaltern as "counterhegemonic", Ballard (2015) argues that insurgent action, in what Miraftab (2009:35) would call "invented" spaces, may take the form of uncoordinated action, that is not necessarily resistant to the state, such as the proliferation of auto-constructed homes and neighbourhoods on the urban periphery. He attempts to undo the hierarchisation of different types of resistance, which tends to valorise protest and invisibilise other forms of "redress through direct action" (Ballard, 2015:219), which are generally feminised (Makhulu, 2015). Theories on auto-construction as a form of insurgency are largely influenced by Bayat's conception of the non-movement, characterised by the widely cited "quiet encroachment of the ordinary" (Bayat, 2013).

These accounts of insurgent citizenship are central to my theorisation of the resistant politics at Wingfield, and the agency of the residents, particularly when investigating the incremental achievement of legitimacy in Chapter 6. However, that does not mean to imply that insurgent citizenship is *merely* a politics in the order of "daily life in the city… [i.e] housing…daycare…security" (Holston, 2008:313). Roy (2011) makes the critical point that the subaltern, those in the urban borderspace, are not defined ontologically or topologically by a singular form of politics (2011:233). Much like Roy, Bhan (2016) refutes Chatterjee's (2004) distinction between "civil" and "political society", who claims that the latter, the subaltern, is characterised by clientelism and does not have access to the realm in which rights claims are made. Bhan (2016:159) articulates that:

> Citizens of civil society groups can just as well be treated as populations, and the objects of welfare and development, and people in political society often make rights claims using the institutions of the state that Chatterjee describes as the domain of civil society.

Selmeczi's (2012) and Pithouse's (2014) work demonstrates how the law and courts are appropriated in shack dwellers' organised struggles as a surface for claims for equality and freedom, a feature central to Holston's (2008) initial conception. These accounts of insurgent citizenship challenge the idea that the urban poor, who engage in everyday resistance to their spatial illegality, are "incapable political subjects" (Selmeczi, 2012:12). Thus, insurgent citizenship is a politics of multiple repertoires, and while the residents on the Strip use everyday forms of resistance, these are not separated from but continuous with rights claims and assertions of equality and freedom.

One of the primary ways insurgent citizenship manifests, entailing encroachment and asserting equality, is through urban residents' navigation, appropriation, and demand for basic infrastructure (Lemanski, 2019). This warrants a discussion of the notion of infrastructural citizenship.

Infrastructural citizenship

In Chapter 6, I unpack the ways in which the Wingfield residents are differentially de/legitimised through the lens of infrastructure. This is a pertinent lens firstly because, as Wilhelm-Solomon (2022:26) states, the "light" of urban development versus the "dark" of spatial illegality "[has] not simply been [a] symbol of division but also infrastructural divides". Secondly, the transition from apartheid was characterised by state-led initiatives to provide housing and basic services which "[equated] restoration of the right to shelter to a right of South African democracy" (Makhulu, 2015:66). For these reasons, in a South African context (for citizens and non-South African urban residents alike), Lemanski's (2019) concept of "infrastructural citizenship" is key.

The advent of universal citizenship in the country was marked by a "raft of infrastructural-based policies" (Lemanski, 2019:16) and as such, infrastructure provision bears much symbolic and material importance; it is a representation of substantive citizenship and also influences "citizens' differentiated mobilisation capacities" (Lemanski, 2019:12). Where one's political identity is linked to their access to infrastructure, I favour an infrastructural lens to investigate the mediation of differentiated citizenships. This reflects the current wave in urban social sciences literature reframing infrastructure not as a mere technical question but one that is "also inherently social in the way it is both produced and used" (Lemanski, 2019:11). This reformulation provides an expanded notion of infrastructure, advanced by Larkin (2013), who accounts for various anthropological approaches to infrastructure as mediations of bodies, power and meaning.

For this thesis, the most important element of Larkin's contribution, reflecting the idea of infrastructural citizenship, is his argument that infrastructure is intertwined with subject formation at both a political and affective, embodied level (Larkin, 2013:334). I apply his concept in a similar vein to authors such as Von Schnitzler (2008:901), who investigates how prepaid water is involved in producing "rational", calculating citizens, or Miraftab (2004), Fredericks (2018) and Lawhon, Milllington and Stokes (2018) who contemplate the production of the entrepreneurial citizen through infrastructures of waste-collection. Furthermore, Dube,

Anciano, and Mdee (2023) focus explicitly on sanitation-related infrastructural citizenship in Cape Town's townships, which is central to how Wingfield residents navigate legitimacy on the strip.

Furthermore, the concept of people as infrastructure (Simone, 2021) offers an invaluable way of thinking about the Wingfield residents' agency, ever-present in the dynamics of spatial illegality and abandonment on the Strip. This agency, which underpins residents' navigation, (mis)appropriation, rejection, and repair of infrastructures on the Strip, is rooted in heterogeneous formations of collective life in the wake of abandonment and criminalisation (Simone, 2021:1345). In Chapter 6, I use Simone's contribution to explore how the Wingfield residents, through improvisational alliances, resist fragmentation and differentiation across the tent and Gate-7. Much like concepts of insurgent citizenship, Simone's perspective elucidates how the Wingfield residents are able to generate alternative futures through "acting in concert beyond the explicit intention or planning of any individual or group" (Simone, 2021:1341), or as Makhulu (2015:39) puts its, via "myriad individual decisions…". Makhulu discusses how squatting is a means "making freedom". Building on this I apply the concepts of "people as a infrastructure" to argue how, amid debilitation and abandonment the residents are able to generate "forward momentum, even in small increments; the feeling that one [isn't] stuck in place, that there [are] ways of "working" the situation, playing the field, that [allows] one a sense of agency" (Simone, 2021:1343).

An important encounter mediated through infrastructural provision, that between refugees and the state, has not yet been explored. To do so, I introduce a discussion on the seeming contradiction between South Africa's liberal national identity and the xenophobic exclusion at the national border.

4.4 Grappling with humanitarianism

Humanitarian infrastructure

South Africa, with harsh internal policing of (im)migrants, has one of the highest levels of deportation on the continent (Vigneswaran, 2019), constituting what Crush (1999) calls "Fortress South Africa" in reference to the country's restrictive bordering policies and practices inherited from the apartheid regime. Peberdy (2009:171) argues that "a state's immigration policy is inseparable from the way in which it imagines national identity and its nation-building project". In light of this Hart (2014) discusses the seeming contradiction between the (attempted) construction of the South African nation along the lines of human rights and inclusion in the image of "rainbowism" and the simultaneous fortification of borders and violent exclusion of those constructed as illegal immigrants. However, she goes on to invoke Neocosmos' (2010) argument that, in fact, structural xenophobia is not at odds with and may be produced by the liberal democratic ethos of human rights itself (Hart, 2014:173). Neocosmos argues that the human rights discourse that characterises South Africa's liberal identity produces its subjects as

passive victims (2010:109) by "replacing…political agency [with] appeals to the state" (Hart, 2014:113).

This aligns with Pallister-Wilkins' argument that humanitarianism and humanitarian infrastructures[29] debilitate and depoliticise "rather than offer a politics of transformation" (2020:1004) through the dual function of care and control. To her, deployment of humanitarian infrastructures produces recipients of aid that are "excluded from… citizenship" (2020:998), which "requires that the humanitarian subject remains other, as a victim with needs rather than a person with full subjecthood" (Pallister-Wilkins, 2020:998), or as Edkins argues, for refugees to be "passive recipients of aid" (2000:14). Pallister-Wilkins (2020:998) posits that this is achieved through "geographical containment within semi-carceral spaces of the camp", which I explore in Chapter 5. Through the humanitarian provision of the tent, the residents experience a temporal and spatial entrapment, stuck in a state of simultaneous dependency and abandonment.

Much like Pallister-Wilkins, in discussion on the role of humanitarian infrastructure following the 2008 xenophobic riots in South Africa, Robins (2009) and Cabane (2015) refer to a biopolitical reading of how care, aid and protection can be used to produce "bare life", a logic of providing the bare minimum for the "mere biological survival of refugees and displaced peoples" (Robins, 2009:638). While both Robins (2009) and Cabane (2015) argue that instances of humanitarian provision *can* be mobilised for transformative ends (such as through the treatment action campaign that facilitated refugees' mobilisation following the 2008 xenophobic violence), Cabane (2015) is more reticent of the hegemonic practice of humanitarianism in the country which is depoliticising and which constructs refugees as "vulnerable objects" (Cabane, 2015:65). In my case, considering the lack of *political* support from civil society groups in solidarity with the refugees on the Strip, it is Cabane's position that I draw most from, wherein humanitarian assistance obscures political concerns such as "larger issues of distribution of inequalities, risks, and vulnerabilities, recognition of difference and long-term inclusion of foreigners" (Cabane, 2015:68). The authors cited above, in their analysis of humanitarian infrastructure invoke a biopolitical lens. This Foucauldian framework provides a useful foundation for understanding how the refugees at the tent and Gate-7 are differentially de/legitimised through the shifting provision and withdrawal of infrastructure.

Towards a biopolitics of debilitation

The concept of biopolitics, originally developed by Foucault[30], describes the techniques of power that shape the management of life itself. Biopolitics, which emerged at the end of the 18th century, embedded itself in (as opposed to replaced) sovereign power that exercises the right "to take life or let live" (Foucault, 2003:241). As a rationality articulated at the level of the modern

[29] What I refer to as humanitarian infrastructure in this thesis has been described by Pallister-Wilkins (2020:994) as "the ever-changing technologies of humanitarianism" or the provision of basic services within a "machine of many moving parts". Elsewhere it has been referred to as "infrastructures of livability" (Tazzioli, 2022:10) or "infrastructures of support" (Aradau & Tazzioli, 2020:202).

[30] Primarily in his lecture series at the College de France, *Society Must Be Defended (1975–1976)* (see Foucault, 2003).

nation state, it focuses on the governance of populations and it operates through the state power of regularisation (of generalisable processes of the population, for example, birth and mortality rates,) which "consists in making live and letting die" (Foucault, 2003:247). Most significant here is how certain populations are exposed to the "murderous function of the State" (Foucault, 2003:256), how, within the paradigm of biopower, killing and exposure to death become acceptable. To Foucault, this is made possible via racism, a process of fragmenting and creating hierarchies within populations governed by biopolitics (Foucault, 2003:255) that serves as a justification for differentiated groups being left (or made) to die.

Insofar as a biopolitical lens is useful to my theorisation of differentiation, I draw on Puar's (2017) critical adaptation in favour of a concept of debilitation. Challenging the binary presented by Foucault, Puar argues that debilitation "does not proceed through making life, making die, letting live, or letting die " (2017:137). Instead, debilitation is exercised through infrastructures that "will not let die" (as, she argues, is the Israeli Defence Forces' approach to maiming but not killing targeted Palestinians) and that "will not make die" that she considers being the role of humanitarian aid in producing debilitated life (Puar, 2017:137).

The provision of the bare minimum through humanitarian infrastructure is a means of ensuring the refugees are not made to die while simultaneously engendering "mobility disabilities" (Puar, 2017:136). Expanding on the idea of debilitation in relation to mobility, Tazzioli argues that forced hyper-mobility of refugees is used as a tactic of exhaustion and debilitation (2022:11). Pallister-Wilkins (2022) expands on Puar's framework, arguing that humanitarian infrastructures that provide *limited* and *partial* care, "produce racialised regimes of differential mobility and marginalised, unequal, and debilitated life" (Pallister-Wilkins, 2022:6).
The lens of debilitation is helpful in describing the Wingfield residents' experience of the Strip as an urban borderspace, particularly how their relegation to spatial illegality induces shifting temporalities that debilitate through a simultaneous forced hyper-mobility and entrapment. Furthermore, through the shifting provision and withdrawal of infrastructure, the residents on the Strip are debilitated, neither as subjects made to live nor made to die.

4.5 Conclusion

The theoretical framework unpacked above locates my thesis at the intersection of critical border studies and concepts of spatial illegality and urban citizenship(s) that emerged out of the southern urban canon. It has also briefly demonstrated how concepts of bordering and the criminalisation of certain populations can be placed in conversation with a biopolitical outlook. As Siddiqi (2024:44) argues, denaturalising the exclusion inherent to the borderspace necessitates a continual go-between of empirics and theoretical analysis. The next chapter, which presents findings on residents' experience of the Strip as an urban border space, thus relies heavily on the theory around bordering, spatial illegality and debilitation presented in this literature review.

5. Unpacking the Wingfield Strip as an urban borderspace

"He has become an in-between sort of being, suspended between a past in which he belonged somewhere and a future in which he might belong somewhere once more. But for now, he is in abeyance; he is swept this way and that, like flotsam in a tide" (Steinberg, 2014:312).

5.1 Introduction

By discussing similar processes of marginalisation experienced by the Wingfield tent and Gate-7 residents, this chapter avoids reproducing the dichotomy between excluded (im)migrant and included citizen, so often, unintentionally, reinforced in migration and border studies. Instead, it explores how, on the Strip, refugees and South African citizens similarly navigate and resist policies, practices and interactions that border, abandon, and criminalise the residents. These processes are fluid, "highlighting the unpredictable ways in which boundaries of who belongs and who does not are drawn" (Kihato, 2013:112). Furthermore, while these processes do interact with the national border regime in the sense that political status is not irrelevant, juxtaposing the residents' narratives illuminates the related experience of both groups (Caldeira, 2017:5). Residents of the Wingfield Strip, citizen and non-citizen alike are relegated to the urban borderspace, a site of imposing and resisting spatial illegality. Exactly how the Wingfield residents navigate this liminality is explored below.

5.2 Bordering through decanting

The tent and Gate-7 are constructed as criminals through the prohibitive asylum system and the policing of informality, in which the Wingfield residents' supposed illegal occupancy status is emphasised. However, the relegation to spatial illegality is not static, and the shifting construction of people as criminals can be likened to Makhulu's (2015) conception of the decanting zone, a site from which people are sorted and categorised into legal and illegal categories. I argue that this decanting process is a feature of Yiftachel's (2009a, 2009b, 2015) grey-spacing, in which subjects fluidly move between legality and illegality, or Bhan's (2016) work on spatial illegality, in which the legitimacy of urban residents is continually negotiated. In this sub-section, I explore this process as a function of verification of the tent residents and enumeration of the Gate-7 hokkies, respectively.

Verification at the Wingfield Tent

For my refugee research partners, verification sessions have been one of the rare times they have access to the DHA officials. These processes began during the sit-in; part of the court order permitting the eviction of the refugees at Green-Market Square was that the DHA had to determine the status and identity of everyone involved (Shoba, 2020). Interrupted by COVID-19, these verification processes continued at the tent (DHA, 2020). Status determination was done based on the refugee's existing documents (if they had); whether their ASVs or refugee

documents had expired, and, in instances in which their asylum application was rejected, whether they had followed the appropriate appeals process.

My refugee research partners described verification as when "they would come to check if we were illegal or not" (Kina, PI, 2024 August 11), and their perception of the verification process was ambivalent. On the one hand, Kina believes it was thanks to verification that processing her refugee status was expedited, but on the other hand, she recognises how it increased the likelihood of arrest; her cousin was arrested at the tent and sent to the Lindela deportation centre. This exhibits the double-edged sword of ambiguous legal status: it can hinder access to social support, yet bureaucratic inefficiencies may inadvertently provide relief for those facing deportation. In the face of ambiguous legal status, (im)migrants agentially use their invisibility as a way of staying put (Kihato, 2013:128). In Steinberg's (2014:185) biography of a Somali (im)migrant in South Africa, he reveals how applying for asylum and appealing rejected applications is a means of buying oneself time in the country, afforded by the system's backlogs.

In the everyday lives of people residing in the tent, decanting is managed by preventing new people from moving in. Initially, this was controlled by LE and later was managed by residents in the tent. Clement (PI, 2024 June 26) commented that new people moving into the tent is an issue because those who have always been at the tent have already been identified by the DHA. He implies that identification during verification sessions allows one to attain some legitimacy, which may be undermined by non-verified arrivals. Verification can thus be regarded as a means of bordering and sorting people into criminals and legitimate subjects. This sorting is fluid, however, as more people move into and out of the tent, the legitimacy of those already verified is undermined.

A more insidious reading of the verification process is a means of managing the population through a biopolitical framework. Esengo (PI, 2024 June 22) articulated this role of verification:

> Do you know why they're doing verification? They're counting us every year… to see if there are more people coming or not. They want to know if you have more babies, new babies born or not. They even told us, you guys are not allowed to welcome anybody to come stay here. No one. Why are they doing that? Because they know if they allow that, that place is going to be full of people. It's not going to be secret anymore, like what they are doing right now.

In this instance, verification is a process of bordering and bounding the refugee tent as a stable population to be managed. More people arriving at the tent undermines the DHA's control over the tent and, as Esengo contributes, the DHA's capacity to invisibilise the refugees.

Enumeration of Gate-7 hokkies

A similar process of demographic sorting takes place at Gate-7 and is regarded by my partners with similar ambivalence. Even before Gate-7 began to self-identify as a community, the City would come to verify documents as a means of controlling illegal occupiers. Lungelo (PI, 2024

June 18) remembered how John Cena (his nickname for the ward councillor at the time) came to verify occupants' IDs to be added to the housing database. Furthermore, in the only instance of service provision during my fieldwork, each person had to provide a printed copy of their ID to the councillor before they were given a porta-potty. This is a means of monitoring the growing settlement. Residents are expected to trade personal data for basic services from the City (Selmeczi, 2009).

The City regularly comes to Gate-7 to count and record the number of hokkies. This was how the residents received house numbers. Shack enumeration has been described as a process of biopolitical control inducing "surveillance based on a system of permanent registration" (Foucault 1996:196, quoted by Makhulu, 2015:43). On the one hand, it is a process of recognising (which may signal future provision of services) those already in Gate-7, differentiating them from new arrivals (whose shacks are thus fit to demolish) or, as Bhan (2016:63) puts it as a necessary process for "for any possibility of 'regularisation'". On the other hand, residents were sceptical of the idea that being counted, in fact, signals that they now count (Selmeczi, 2009). Indeed, there was a sense that the City wanted to know exactly how many people there were to better prepare for eventual eviction. Enumeration reveals "the extent of illegal building", prompting punitive action against the [settlement]" (Bhan, 2016:63).

Enumeration and verification, for some, may be one way of attaining legitimacy. However, it is also a means of data-gathering that renders the entire counted population more vulnerable to eventual eviction (Wilhelm-Solomon, 2022:204). This sorting of legality and criminality by the DHA and CoCT characterises Wingfield as an urban borderspace in which the residents are subjected to a shifting legitimacy.

Image 5: Examples of enumerated hokkies at Gate-7. Source: Author, July 2024

Resisting decanting

In the 1940s, Windermere residents resisted apartheid mobility controls. Because the settlement was growing rapidly and informally, "it was extremely difficult for the authorities to keep track of who was living where and who was coming or going" (Qotole, 200:114). The same can be said for the tent and Gate-7 on the adjacent land at Wingfield today. Where enumeration is seen by Wingfield residents as a prelude to eviction, residents adopted tactics to resist "statistical reduction", wherein the community becomes a known, registered and fixed population (Selmeczi, 2009:526). Nothando (PI, 2024 August 8) openly acknowledged lying as one such tactic, not only to the City but also to journalists and activists. For instance, interviewees from Gate-7 will inflate the number of residents living on the strip or the number of people living in the demolished home or new residents will paint their own numbers onto their hokkies, as though already enumerated. Like the elusive Ndabeni Trust with its anonymous trustees, Gate-7 leverages an ambiguous image to resist surveillance.

Furthermore, Gate-7 residents explicitly refused attempts to limit and stabilise the number of people on the land. Nothando recounted how the community was promised toilets and taps if they stopped more people from building on the land. This seemed to have little impact on the community's own rules, as when I asked my research partners how someone may join Gate-7, their responses were along the lines of "Just build a hokkie". Other attempts at co-option failed too, as one new resident at Gate-7 came straight to the community to announce that LE said they would not demolish his hokkie if he acted as an informant for the city when new people tried to build. A more explicit resistance to enumeration was proposed by a former leader of 18th Avenue, who pushed the Gate-7 committee to try and expand the settlement. She resisted the City's attempt to limit the number of people on the land and argued that the more people who settled on the Strip, the harder it would be to get rid of them. This tactic of intentionally expanding the population is what Esengo highlighted in the quote above as the antithesis of verification. These tactics of resisting enumeration, a "calculated human deploying" aimed at "cultivating fragmentation and distrust" (Simone, 2021:1345), are a direct means of "'working' the situation [and] playing the field" (Simone, 2021:1343).

Zooming out from the site of my research, the broader region on the outskirts between Goodwood and Kensington emerges as a decanting zone. 18th Avenue, while not officially recognised as one of Kensington's informal settlements, is being legitimised with the support of the KenFac Ratepayers Association. This process occurs at the expense of Gate-7 and the tent, both of which are framed as 18th Avenue's more criminal counterparts. The representatives of the association disparagingly referred to the "mushrooming" shacks at Gate-7 as a danger to neighbourhood safety. When I asked the KenFac representatives why their support did not extend to Gate-7, they replied, "They are always a grey area," referring to the ambiguous administrative jurisdiction of the strip. Such legal ambiguity allows for a shirking of responsibility, feeding another characteristic of Wingfield as a borderspace: a pervasive experience of abandonment.

5.3 Abandonment on the Wingfield Strip

The Strip constitutes an urban borderspace in which abandonment shapes the residents' everyday experience of the state. This reflects Gilmore's (2008) characterisation of the forgotten place, a borderspace neither rural nor urban, wherein populations are governed by neglect.

Forgotten between elections

The ward councillor Steenberg, to whom Gate-7 residents direct most of their demands, takes weeks to reply. When the Gate-7 committee attended the Open Government First Thursdays,[31] the Office of the Premier replied by email summarising the complaints and promising to forward them to the CoCT, which were then ignored. When the 2024 winter flooding destroyed homes in Gate-7, the disaster management officer filed a report, yet no assistance followed. Persistent phone calls to Steenberg, urging him to open a community hall for the displaced residents, were blocked.

As many have exposed, (neoliberal) electoral democracy, particularly in South Africa, can function as a transaction of votes for basic services, visible only every five years (see Pithouse, 2016). Both Lulu and Siya brought up how the previous ward councillor, Helen Jacobs, was only ever present when pandering for votes and that once the EFF visited Gate-7 promising help, but likewise disappeared straight after the elections. Even to Mr. Fire, a refugee with no access to political representation, democracy being transactional is glaringly apparent. When asked how he perceives Gate-7's situation, he said, "I was hoping maybe that before the election, maybe they would resolve that problem. But once the election is done, I don't know what will happen to them again" (PI, 2024 July 7).

This hegemonic logic of state-citizen encounter shapes the routes of resistance available to Gate-7 residents. They strategically organised their protest on Voortrekker Road a week before the elections, hoping to spark the officials into action.

Shirking responsibility as systematic

The City and National Government departments justify the abandonment of the Wingfield residents by shirking responsibility. The *Unlawful Occupation By-law 2022* (*UOBL* hereafter) legislates for this, as it declares monitoring, demolition, and impoundment can be carried out by an "authorised official" (*UOBL*, 2022:chap1). Ndifuna Ukwazi (NU) activist law centre, in its official response to the City, challenged the *UOBL*'s definition of authorised official as "vague", arguing that it provides for an unclear "line of authority and accountability" (NU, 2021:18). Since there is no legal clarity as to who is empowered to enforce the *UOBL*, City officials are prompted to both take action in line with the *UOBL* and deny their involvement. For example, CoCT representatives blame the Ndabeni Trust for soliciting demolitions despite the Trust's

[31]An initiative of the Western Cape Government (WCG) for one on one engagement between government representatives and communities (WCG, 2025).

shifting constituency and lack of clear authority to make such an order. Furthermore, despite photographic evidence of CoCT LE vehicles on site, the City claims that SAPS carried out the demolition operations. The ward councillor also states he cannot provide any services to Gate-7 without the authority of Ndabeni. In an email following the Voortrekker road protest, councillor Steenberg (personal communication 2024, June 4) wrote to the Trust, "the ball is now in your court as the land owner. The law is clear in this regard".

The Goodwood and Kensington ward councillors, vying for local elections, throw the hot potato of Gate-7 between them. In parallel, the tent, immune to electoral purchase, slips through the gap between national and local jurisdictions. The KenFac representatives, resentful of the tent being placed so close to their jurisdiction, stated how "the mandate is national since the [national] government has allowed them [the tent residents] into the country". According to Melanie (PI, 2024 July 4), local and national governments both claim it is the other's responsibility, leaving the refugees abandoned.

While Mr. Fire (PI, 2024 July 7) mentioned that ambiguous responsibility may be the reason the refugees have not yet been evicted from the tent (it entails a collaborative effort by the City, DHA and the DPW), the overwhelming sense amongst my research partners is that abandonment, resulting from shirked responsibility, is used as a form of punishment and suppression.

Invisibility of the UNHCR

The role (absence) of the UNHCR further exacerbates a sense of abandonment for the tent residents. Firstly, the UNHCR's involvement further complicates the streams of mandate. For example, during the sit-in where potential solutions were being negotiated, the refugees were offered the option of supported reintegration[32] promising three months rent subsidy and to fast-track asylum applications. The UNHCR failed to take full accountability, asserting that the extent of its support was dependent on the DHA. Furthermore, the UNHCR maintains a significant distance from its beneficiaries. The body primarily works through partner organisations (such as Adonis Musati in Cape Town) and in this way, becomes "invisible" (Franzisca Zanker, 2021). To Melanie (PI, 2024 July 4), there is "absolute silence" from the UNHCR. She says,

> We cannot continue suffering like this. No papers, no work, no support, nothing – just refugees. We are [framed] as though we have abandoned ourselves. We have no support from the government or the UNHCR… UNHCR: You are there, you know all this, but you don't speak.

It is interesting how she framed this sense of abandonment: it is not just that the refugees have been abandoned, but it's as though they have done it to themselves; the perpetrator of

[32] A policy solution that emerged after the 2008 xenophobic riots, in which "temporary" shelters (effectively refugee camps) were closed down and their inhabitants forced to reintegrate the communities from where they fled (Robins, 2009).

abandonment, the UNHCR, is thereby shrouded. While the UNHCR officially closed its Cape Town branch in January 2024 (Scalabrini, 2024a), it seems it has been inaccessible since the sit-in.

> The UN just closed their door. They were renting one door. They closed, and they moved. We don't know where they moved it. … The UN is not there anymore. They closed their door. But those people, they [are still] sitting there. (Mr. Fire, PI, 2024 July 7)

Since then, people's engagement with the UNHCR has been largely covert. Those with cases open for resettlement will receive a private phone call or message with an address and date for a meeting. This furtive, inconsistent and ad hoc support from the UNHCR exemplifies the pervasive sense of neglect. As Madame B (PI, 2024 July 10) put it, "only when they think about us, they come". To Henri, on the rare occasions when UNHCR does hear someone's case, he is cynical that anything is to come of it "They take your case, they put it in the chair. They sit on it. So there's nothing [that's] going to happen" (Henri & Jasmin, PI, 2024 June 22).

Unsurprisingly, all of my emails attempting to contact UNHCR officials had been ignored, so I attended one of the UNHCR's repatriation workshops. When I asked why I hadn't gotten responses, the officials sheepishly revealed that their publicly listed contact details – the ones I had been using – were out of date. I am tempted to argue that it was not mere oversight that relegated refugees to hours of waiting on the UNHCR hotline (a free service!), but rather the deliberate neglect and debilitation of people reliant on the organisation's support.

Image 6: Outside the UNHCR repatriation workshop, in an unmarked building in Wynberg. There were no signs to mark the location. Source: Author, October 2024.

In recent years, the debilitation of refugees in Cape Town has also been exacerbated through the withdrawal of UNHCR funding, forcing projects and organisations that the body funds to close. Melanie (PI, 2024 July 4) told me about the shutting of the Refugee Forum,[33] which used to be a core source of support for her family. Similarly, Adonis Musati, the primary organisation through which refugees during the sit-in accessed UNHCR, closed its doors in December 2024, presumably due to a lack of finances.[34] The UNHCR's distancing and withdrawal (of funds and engagement) induces debilitation, by subtraction, by "taking away terrain from migrants" in terms of living spaces, access to legal processes, and social support (Aradau & Tazzioli, 2020:216). This abandonment and withdrawal induces shifting temporalities; it traps refugees in a state of "temporal suspension…or indefinite wait", and simultaneously forces them into a state of hypermobility (Aradau & Tazzioli, 2020:216).

5.4 Shifting temporalities of the borderspace

In this section, I explore shifting temporalities as a feature of the Wingfield borderspace. The findings below demonstrate how its residents experience a "permanent temporariness" (Yiftachel, 2009b:90), a "simultaneously.. temporary and … fixed reality" (Gilmore, 2008:43). I argue that a dialectic of entrapment (through waithood), and forced mobility, (through eviction) has a debilitating effect on both Gate-7 and the refugees. However, this liminality is also shaped by the Wingfield residents' dynamic (in)actions of settlement and imagining elsewhere (Kihato, 2013).

Waithood, entrapment, death

For poor residents in Cape Town who are "marked as legitimate wardens of the state", abandonment is rationalised as something "in the meanwhile" (Oldfield & Greyling, 2015), wherein citizens are expected to passively wait for services, or state-provided housing (Levenson, 2018:3226). Resisting this passive image of citizens as "patients of the state" (Auyero, 2012), Gate-7 residents, labelled as illegal occupiers and queue-jumpers, challenge the state's rationality of waiting one's turn for a home. Nonetheless, there are instances in which, during negotiation with the councillor Steenberg, the residents are pacified into waithood. This is done by making promises that manage the residents' needs without fully addressing them (Auyero, 2012). For example, Siya (PI, 2024 August 17) speculated that perhaps Steenberg only promised water taps to halt the residents' plans to install their own connections. The councillor's approach was (temporarily) effective as, during one of the Gate-7 meetings I attended, the committee decided they would not protest in case it would dissuade the councillor from installing taps.

[33] The Cape Town Refugee Forum, about which there is little information online, but which came up regularly in interviews is no longer functional, their facebook page has been deleted.
[34] The organisation did not provide a reason for their closure, but their last yearly report made reference to "drastic funding cuts" (Adonis Musati Project, 2024).

The tent initially symbolised a temporary solution, yet its residents have become "trapped in time" as "the months become years" (Upendo, PI, 2024, June 19). Much like for Gate-7, being made to wait is the result of false promises made to the refugees. Esengo (PI, 2024 June 22) expressed:

> The government, they promise: we are going to come [to the tent] to help you. After one month, it becomes two months, then three months, four months, one year, two years. It is always like that, it always promises, and after these promises, there is nothing.

For the tent residents, waithood is experienced as an "indeterminate condition" (Oldfield & Greyling, 2015:1103) or "endless" (Levenson, 2018:3226), and thus a trapping in time translates into a spatial entrapment as well. The call-and-response chant of the 2019 sit-in, "We want to go! We want to go. We want to leave! We want to leave" (Esengo, PI, 2024 June 22), marks the refugees' sense of entrapment in the country, and their desire to escape South Africa via resettlement to a third country. My research partners highlighted the peril of the condition of entrapment, comparing their experience in South Africa to the countries they had fled from. For example, Kina (PI, 2024 August 11) says:

> I know people always say there are more dangerous things happening in my country, East of Congo. The thing is… there's no difference. Even what my son was living in the tent, it was killing him, it was killing his mind.

Francisca (PI, 2014, July 5) emphasised the sense of entrapment in the country. She has high blood pressure and was advised by a doctor to go outside, walk and get fresh air whenever she "feels like she's suffocating". She asks how she can possibly do this when "we are like 'free' prisoners". For 16 years, Francisca has stayed in the same place, "sur place", by which she refers as much to her precarious economic, social and legal position as it does to physical entrapment.

The tent materialises this trapping and thus becomes a metonym for South Africa as a host country. Esengo (PI, 2024 June 22) described the tent as "a form of prison. At a minimum, it's an open-air prison. You live as half, you are not a full person". Both Mr. Fire and James have compared the Wingfield tent to the notorious Bluewater's tent, which was like "a concentration camp" (Joubert, 2008), put up to shelter people fleeing the nationwide 2008 xenophobic violence. Kihato (2013:129) argues that a sense of entrapment characterises the (im)migrant experience of liminality in South Africa; "like a revolving door, those in this space remain in its vortex, unable to go back or move forward."

Tied to this experience of entrapment is a sense of proximity to death, which permeated most of the interviews with my research partners. In its extreme, abandonment by City departments may signal that the Wingfield residents have been "left to die" (Foucault, 2003). To Gilmore (2008:35), abandoned geographies "are characterised by group-differentiated vulnerability to premature death", closely resonating with Foucault's (2003) conceptualisation of racism, in which populations are differentiated and justifiably left to die. Lungelo (PI, 2024 June

18) told me the story of when someone was killed in a fight at Gate-7 because the police refused to come. The same theme of being left to die arose in several interviews with refugee residents. On the 1st of July 2020, "I will never forget this date" (Madame B, PI, 2024 July 10), a refugee man was hit by a car outside the tent. Neither the police nor the ambulance came, forcing the residents to watch as he died. In my ongoing communication with Upendo and Clement, I have regularly received WhatsApp announcements such as "We have lost another one of our brothers" (Clement, PI, 2024 June 26), followed by a story of a fatal heart attack or health complication. In a conversation with Madame B (2024 July 10), laughing (rooted in a nihilistic absurdity), she said, "I'd never go back there. Never. You're going to die for nothing...". She sees the tent as a place of death.

An obvious place to turn here would be Mbembe's (2009) theorisation of necropolitics, which explores the centrality of death to the political order. In his framework, violence by the authorities, through pervasive abandonment, is wielded through the normalisation of death. However, I favour Puar's (2017) lens here, which has been widely used in mobility and border studies. Her framework is helpful to understand the dialectic of being forced to move (often under the guise of making life) and being trapped in a state of abandonment and neglect, which renders subjects debilitated, neither made to live nor allowed to die.

Debilitation through forced mobility

Tazzioli (2022:10) argues that it is by governing "bad circulation", through the use of mobility as a political technology, that migrant subjects are debilitated "without necessarily killing them nor letting them die". Referencing Foucault, "bad circulation" refers to those considered vagrants or criminals and, in this case, is arguably embodied by a mobile, poor, black population. While James (PI, 2024 July 24) feels he is "already a dead person" in light of his entrapment, he also remains a subject of forced mobility, a "politics of making move 'without any perspective of the installation' and with no exact destination" (Aradau & Tazzioli, 2020:215). Such forced mobility is identified by Selmeczi as a continuity from apartheid mechanisms of urban control and a "contemporary biopolitics of dispersal" (Selmeczi, 2012:116).

Ongoing eviction

Eviction induces a temporality of emergency in stark contrast to the stretching of time and entrapment induced by abandonment and waithood, as described above. The months following the refugees' eviction from Waldorf Arcade were characterised by a series (as opposed to a singular, definitive moment) of evictions, flight and forced removal. The refugees from the group outside the church were moved from one place to another, with no real solution imagined by the City. After being evicted from outside GMS, the group found a night pause outside St. Mary's Cathedral near parliament before being removed again and fleeing to McKenzie Road Park. Henri's account of this ongoing flight is revealing. He commented, "We didn't have nowhere to

go. No place. One of the law enforcement told us, he was feeling bad, even the law enforcement was crying, he was really crying " (Henri & Jasmin, PI, 2024 June 22)

Keeping the refugees in flight following the sit-in was in line with the court order, which ruled that "refugees may not settle elsewhere in the CBD" (Hendricks, 2020). They were eventually escorted by the police to Cape Town central police station, who refused to arrest them. After days of being forced to flee across the city, the debilitatingly disoriented refugees were ignored and left to wait. Ironically, the forced hyper-mobility of the refugees was enforced in the name of the "freedom of movement" for the "public", later reflected in the City's by-law amendments (*Streets By-law*, 2021:s2d). Where those targeted by the by-law are framed as "illegal encroachers", the "eviction can be re-framed as an act of public interest" (Bhan, 2016:182). The final act of forced mobility before arriving at the tent was framed in the interests of the refugees themselves: relocation as a protective measure against COVID-19.

The temporality of eviction, a looming urgency, persists for both communities on the Strip. On the 23rd of July 2024, DHA minister Leon Schreiber and COCT Mayor Geordin Hill-Lewis announced the "good news" that they are preparing joint legal papers to get an eviction order against the tent residents at the Western Cape High Court, presumably pursuant to the *UOBL*, and as a means of "restoring law and order" (Angus McKenzie, 2024). Their language couldn't reflect Bhan's (2016:149) point more: evictions are reframed as "a return to order, to planning and to 'good governance'" within the governance of "spatial illegality".

Likewise, from the beginning of my involvement with Gate-7, it was rumoured that the Trust was going to file an eviction order against the Gate-7 occupants, also in accordance with the *UOBL*. To Siya (PI, 2024 August 17), with rumours of an eviction application in court, staying on the land meant knowing that "we can be evacuated at any time".

The Gate-7 residents are treated as encroachers, a threat to the development and restorative justice agenda that the Ndabeni Trust, the subject of restitution, symbolises in Gate-7's engagements with the City. The community experiences the enforcement of the *UOBL*, the City's "monitoring" of the land for "unlawful occupier[s]" (*UOBL*, 2022:chap3), as continual intrusive surveillance, with LE officials watching Gate-7, at one point 24 hours a day, for any new structures being built. Lunzulu (PI, 2024 June 24) recounted that LE officers regularly come at night to demolish hokkies believed to be new.

Image 7: Hokkie demolished by LE at Gate-7 Source: Author, July 2024.

Inhabitants are forced from their homes, and for onlookers, it constitutes a constant, violent reminder of the precarity of their inhabitation. For Lunzulu, the impact of a looming threat of unsettlement is emotionally unsettling:

> “It [seems] like we are still moving to somewhere else because if you said you must feel at home, it's whereby you're more relaxed, no one is going to take this thing from you. I don't feel like this is home because every time there is stress, you must move, you must do this and this. We don't even sleep at night yet in a proper way. We don't sleep at all because there’s people that always say, no, you must go away from here!”

Prefigurative repertoires of full eviction (surveillance and demolition) induce a sense of the city’s omnipresence as embodied by LE officials. At one point, the City put eviction notices on the graveyard opposite the settlement. While no one lives there, the notices constituted the “constant reminders of [their] ‘unlawful occupation’”(Anand, Oldfield, & Selmeczi, 2023:154), and many at Gate-7 believed it was a threat of what was to come. This hyper-surveillance of Gate-7 juxtaposes the simultaneous experience of abandonment. However, both the absence and panopticon presence of the City induce an ongoing precarity. Time is suspended: with the

residents in constant anticipation of eviction, while also in a state of emergency and flux, as LE officers regularly force families from their homes.

A means of resisting this constant policing has been to adopt and repurpose the logic of surveillance. Gate-7 residents have developed a strategy of filming LE and taking pictures of their faces, name tags and number plates, which, to Siya (PI, 2024 August 17), temporarily "scared them off". Furthermore, the main reason Lulu (PI, 2024 August 6) wanted a portable phone charger was to be able to "film when law enforcement arrived". The hypervisibility Gate-7 residents are exposed to was appropriated as a tactic of resistance—recording, reproducing and sharing images of the same officials sent on surveillance operations. Phone-recorded demolitions and harassment were regularly used to mobilise legal and activist organisations by Gate-7 residents.

Forced mobility in the asylum system

In addition to the by-laws discussed above, enforced hypermobility is integral to the asylum system in South Africa. Kihato (2013) describes (im) migrants' experience of the liminal city as "a place where not only are people's lives suspended, but also where the legal frameworks that regulate urban life are in flux". The flux of these frameworks translates to a forced hyper-mobility within the city. Similarly, to Minca (2022:15), this is an everyday feature of the lives of migrants who are "forced to reroute their trajectories and to do the same route multiple times", succumbing to a politics of exhaustion (Welander & De Vries, 2016).

Moving back and forth to RRO is an example of such convoluted mobility. DHA arbitrarily forced Madame B to return to Musina, her port of entry, to renew her papers, after she had already received an ASV. DHA, without explanation, told Kina, who cannot access the South African Social Security Agency (SASSA) grants without a refugee ID, that she had to go to Pretoria to receive her identity document. Arriving at an RRO, many people are given handwritten appointment slips and instructed to return at a date as far as two years in the future. Upon return, they are told that their booking is invalid and must book again before returning. This exacerbates the already cumbersome asylum process of having to renew one's ASV every few months. Many of my research partners commented on the mental and physical stress of continually returning to RROs. Henri explained that he is forced to travel to the Marabastad RRO in Pretoria to renew his status despite the new RRO opening in Cape Town. He framed his situation as choosing between his kids' livelihoods and getting his papers renewed, as he simply can't afford to go all the way there (Henri & Jasmin, PI, 2024 June 22). Henri's wife, Jasmin was forced to go to Durban to apply for asylum, and then they took her passport and told her to go to a different office. She was heavily pregnant and ill and couldn't physically afford to move around. She never got her passport back.

In addition to the stress and financial burden of moving across the country for papers, many of my partners highlighted the journey as perilous. In their legal challenge to the closure of the Cape Town RRO, a member of the Somali Association of South Africa highlighted the dangers of journeying to different cities (Scalabrini, 2023). For greater safety and affordability,

people travel to RROs together in minibus taxis. While this exemplifies the agency and improvisational alliances central to the refugee experience in the country (Kihato, 2013; Simone, 2021) it is also a practice that renders mobile (im)migrants more vulnerable to police scrutiny and arrest (Scalabrini, 2023). Safety en route to an RRO is of concern to refugees also on a city scale. For one, RROs are often located far from the city centre, where there's a perception that foreign nationals are less safe and, because of how overcrowded the RROs are, applicants need to leave their houses very early. Waking up at 4 or 5 in the morning to take public transport was a common safety concern, especially for my women research partners. Melanie describes how she'd need to leave home for the RRO at the hour of "banditisme" (PI, 2024 July 4). The endless waithood instituted by the asylum-seeking process, as well as having to be hyper-mobile between RROs, exemplifies refugees' experience as simultaneously straddling being stuck and forced to move. This reflects Kihato's (2013:129) discussion of "the liminal city", which she describes as "a gateway in which many are trapped."

While Chapter 6 will discuss the depoliticising effect of humanitarian organisations in depth, it is pertinent to add here that diffuse logics of forced mobility are entangled with humanitarian infrastructures and not merely imposed by the DHA (Pallister-Wilkins, 2022). It is not only state actors that induce shifting temporalities, and within the networks of refugee and support organisations, there is a reproduction of refugee subjects as hypermobile. My research partners expressed fatigue at engaging with NGOs, as they are regularly turned away, told to come back or told to go somewhere else. For Madame B, more harrowing than being denied refugee status after travelling to the Pretoria RRO was being sent back to Cape Town by a pro-bono law organisation who said they couldn't help her.

Resisting the debilitating effects of imposed temporalities

I now turn to how permanent temporariness, the stretching of time, and forced hypermobility are resisted by the Wingfield residents. The liminal city, to Kihato (2013:129), is after all, "a gateway, not a ghetto". The Gate-7 community, whose criminalisation is rooted in their occupancy status, emphasise a claim to permanence by making a home. In juxtaposition, the tent residents, with a stronger sense of imprisonment, imagine elsewhere as a means of escape. Here, like other bordered subjects, the Wingfield residents' "aspirations [are] shaped by moving toward something else" (Kihato, 2013:129).

Making home

Making home is a means of making freedom (Makhulu, 2015), "a practice of quietly making and claiming a place in the city, as well as an active struggle for belonging" (Tayob, 2023). I argue that this is because encroachment and inhabitation are an appropriation of permanence not afforded to those on the margins, and thus a politics characterised by the gerund, of building, making, and being. To Caldeira (2017:16), one feature of peripheral urbanisation is the "temporality…[of] constant transformation". The present-continuous resists being stuck before a(n) (n)ever approaching future and the precarity of looming emergency, and thus it "allows

individuals to ‘step out’ of the futures expected for them, and make a life that is totally unanticipated” (Ballard, 2015:220).

When I asked, “What does home mean to you?” Gate-7 research partners responded with themes of permanence through expressions of belonging, maintenance and durability. Sitting down with Nothando one sunny afternoon in Gate-7, our conversation revolved around a single event – the day her house was burned down. What the fire represented was not only the destruction of the zinc walls of her hokkie, but of the life, freedom and future she had been building towards in Gate-7. “My house was beautiful, Julia. I worked hard to make that house. To be like that. And they burnt everything” (Nothando, PI, 2024 August 8). Her making a home, incrementally, “laid the foundations of a precarious hope for a family and for a future” (Makhulu, 2015:130), and this is what was at stake. While many feel their current hokkie does not constitute a home (that it rains through the roof, that the government still needs to build a proper house, that it looks more like a chicken coop), my partners implied that it was going to become one, that that they are here to stay and that when they first arrived at Gate-7, they envisioned staying forever. In her thesis, about incremental building practices in one of the largest informal settlements in Cape Town, Kosovo, Anand (2020) presents similar findings.

Here, the strategy of emphasising permanence and fixity came to the fore in contrast to the permanent temporariness of eviction (Anand, Oldfield & Selmeczi, 2023:157). Demonstrating how long one has already been at Gate-7 reflects what is, at times, urban squatters “only claim to legitimacy” (Bhan, 2016:73). Furthermore, claiming that one has nowhere else to go (despite many people having connections and claims to multiple places) is a strategic political tool, as opposed to reifying a “stasis of being” (Ahmed, 1999:340). It is a means of staying put that has been mobilised by squatters since apartheid (Makhulu, 2015) and can be considered a “spatial claim” (Bhan, 2016:164) to urban citizenship. Throughout his 20 years living at Gate-7, Lungelo (PI, 2024 June 18) was told by city officials to “return to the Eastern Cape”, which he refuted by qualifying how he “[doesn’t] even have the contact numbers of any family there”. Lungelo resists City representatives’ (essentially, anti-black) claim that pressures on the housing supply are produced by people moving from the Eastern Cape (Levenson, 2018:3223). Lwazi added that he warns people when asked for proof of address not to list any address besides Gate-7 (PI, 2024 June 24).

It is no wonder that emphasis on fixity is so prominent where contemporary laws are rooted in apartheid anxieties of mobile identities (Qotole, 2001). The Legal Resources Centre (LRC) challenged the *UOBL* for its failure to define “home”, used to determine which structures are fit for demolition (SPC, 2021:1475). The LRC proposed a definition of home as “a structure occupied regularly or permanently without which the person would be rendered homeless” (SPC, 2021:1475). It is thus unsurprising that Gate-7’s struggle for legitimacy is bound up in a claim that it is their only home.

Imagining elsewhere

During interviews, when I asked how the tent relates to my research partners' understandings of home, most of them ridiculed the question, implying that the tent and home are incomparable and incompatible spaces. In contrast to appropriating permanence and making a home where they are, the tent residents escape permanent temporariness through attachment to elsewhere.

Firstly, this is through an imagined future, for example, my partners dreamed of Botswana for its humanitarian treatment of refugees, and Namibia, whose tent policy "must be better than in South Africa", or Europe, the USA, and Australia, where "accessing papers is not an issue". The sit-in itself was centred around imagining and demanding a future elsewhere, arguably a means of escaping their entrapment and of "keeping ruin at bay" (Makhulu, 2015:143). Interestingly, South Africa's past image as a beacon of asylum (my partners imagined that moving here would bring freedom, law and order, safety and wellbeing) only reinforced disillusionment and the belief that refugee protection must be better elsewhere.

Secondly, it is not only a future elsewhere that interacts with the refugees' experience of the present, but also sense-making through past places of belonging. For example, James and Upendo identify ethnic tensions, imported from people's countries of origin, as the main cause of political divides and turmoil in the tent. Upendo is regularly excluded from receiving donations, according to her, because she is Burundian and not Congolese. As opposed to essentialising these ethnic divides, my partners acknowledged how ethnic divisions were constructed and became more prevalent as everything else was stripped away. James moved to South Africa after he and his ex-wife were persecuted for marrying across ethnic lines. Years after arriving in South Africa, she turned on him and kicked him out of their home. To James, she was trying to hold onto home, a sense of which was in opposition to his ethnic identity. Acknowledging the role of identities rooted elsewhere also subverts the placeless history-less image of the refugee.

5.5 Conclusion

In this chapter, I explored how urban residents experience the Wingfield urban borderspace through shifting legitimacy, abandonment, and shifting temporalities. I argued that shifting legitimacy is imposed through verification and enumeration processes, which are in turn negotiated and/or outright resisted by the residents. Abandonment and withdrawal (by state and non-state actors) shape the lives of the Gate-7 and tent residents in a similar way, which contributes to a sense of waithood, entrapment, and being exposed to death. Coupled with pervasive forced hyper-mobility, Wingfield residents experience a dialectic of shifting temporalities – being trapped and stuck in time and space, yet forced to move. Debilitation, as opposed to a clear-cut bordering between those made to live and those left to die, contours the lives of the residents subject to these shifting legitimacies and temporalities. Debilitation is resisted differently by the Gate-7 and tent residents by making home and imagining elsewhere.

6. Differential de/legitimisation through infrastructure provision and withdrawal

6.1 Introduction

Having explored how the Strip is experienced as an urban borderspace characterised by abandonment and shifting temporalities, in this chapter, I analyse how the Wingfield residents are differentially (de)legitimised, mediated by the provision and withdrawal of infrastructure. Importantly, these processes of differentiation are agentially navigated and resisted by the residents. I first discuss the shifting legitimacy of the tent residents via interactions with humanitarian infrastructure. Secondly, I explore how LE officials induce this shifting status and how their deployment produces a differentiation and arguably opposition between the tent and Gate-7 residents, notably through the control of water infrastructure, which is in turn reproduced and resisted. Finally, I examine how Gate-7 residents enact insurgent infrastructural citizenship through the infrastructures of drainage, sanitation, and waste collection.

6.2 Humanitarian infrastructure: mediating the shift between a humanitarian and deportable subject

Hart's (2014) discussion of post-apartheid projects of renationalisation, alongside Neocosmos' (2010) critique of the depoliticisation inherent to human rights discourse, offers a useful framework for examining the shifting legitimacy of refugees at the tent, as mediated by humanitarian infrastructure. The question of refugees in South Africa can be located in the nexus between the construction of the country as a beacon of human rights and the import of nation-building through the fortification of "Fortress South Africa" (Crush, 1999:1). Therefore the status of the refugee figure in terms of criminality (tied to what De Genova (2002:422) considers to be one's "deportability") versus legitimacy is shifting, wherein legitimacy is contingent on fulfilling the image of the depoliticised humanitarian subject. This is central to Pallister Wilkins' (2022:6) argument that humanitarian infrastructure, "through its depoliticisation of migrants as objects of care", serves as a means of protecting the liberal order and the border, wherein refugee populations can be reconfigured as a security threat when they fail to adhere to the humanitarian logic of aid (see also Pallister-Wilkins, 2020). This perspective explains the shifting provision of humanitarian infrastructure and support to refugees at Wingfield and subsequently their treatment as spatially illegal.

Shifting legitimacy via humanitarian organisations

As discussed in Chapter 5, the UNHCR primarily functions through organisations on the ground; therefore, it is mainly via local NGOs that refugees are in contact with humanitarian infrastructure. A "surrender of political status" (Edkins, 2000:19) is present in these interactions, wherein support is contingent on the refugees demonstrating their indigence. Clement (PI, 2024

June 26) made explicit the condition of neediness as produced by organisations such as Scalabrini:

> Scalabrini, it's like they have their 'own' refugees, they don't help everyone. They don't like all refugees in general. It's like there are the 'real' and the 'false' refugees. They look at people, if they see you there that you are in good health, they don't give you. They say no, you're not a refugee. For them, the refugee must go there without washing.

Demonstrating a neediness legitimises the refugee as a recipient of aid. However, the extent to which legitimacy as an aid recipient is, in fact, a "marker of the probability of reaching certain desired outcomes" (Bhan's (2016:90) notion of legitimacy presented in Chapter 4) is limited. As James (PI, 2024 July 24) pointed out, support from organisations like Scalabrini means very little when it comes to the structural issues refugees face, such as the barriers to receiving recognised papers. James has been struggling to get SASSA to recognise his refugee status, and when I asked if he had spoken to Scalabrini, he emphasised how "they can't do anything, they will just give me R100 for food" (James, PI, 2024 July 24). Furthermore, Melanie (PI, 2024 July 4) commented that "for those [organisations] that are still around, they don't do anything for refugees" and that what is provided is vastly insufficient. By providing the bare minimum and not tackling the structural and political issues that make it so hard for refugees to make a life in South Africa, humanitarian infrastructure is debilitating, and beneficiaries are reduced to victimhood (Pallister-Wilkin, 2020:998).

Whereas Kihato (2013:121) argues how (im)migrants may strategically use victimhood to appeal to humanitarian frameworks, the leaders at the sit-in made their demands by actively rejecting such narratives. Arguably, they resisted the depoliticising effects of humanitarian infrastructure by rejecting all humanitarian support that did not directly respond to their demands. My research partners remember how the sit-in leaders regularly turned away charity organisations. For example, they declined support from Gift of the Givers after the organisation's head publicly claimed that the protestors' demands were unrealistic (Yauger, 2019). I am wary of romanticising this resistance, as it was by no means uncontroversial among those at the sit-in. To many of my research partners, gatekeeping minimal yet essential resources was an abuse of power by those calling the shots. What is significant, however, is that the political rejection of aid prefaced their criminalisation.

While both main leaders of the sit-in were eventually arrested for assault and robbery (Nowicki, 2020), Mr.Fire understood their arrest as the City "neutralising" (PI, 2024 July 7) the refugees and silencing the demands that their leaders were emphasising by turning charity organisations away. Francisca (PI, 2014, July 5) reflects on the sit-in as something for which to "beg for forgiveness" and that the refugees were punished because the leaders "forced" their demands on the table. While Mr. Fire and Francisca's positions on the sit-in differ, they both express how behaving in the wrong way induced a shift from the position of the refugee as a depoliticised recipient of aid to a criminal at risk of deportation.

It is not only through an outright rejection of aid that the refugees resisted the depoliticising effects of humanitarian infrastructure. Appropriating the rights discourse that is the basis of humanitarianism, "refugees and asylum seekers use their universal rights to freedom and equality as vehicles for political participation" (Mpeiwa, 2018:30). I argue that those at the sit-in embodied what Robins (2009:644) calls an "emergent refugee politics" by leaning on the provisions made in the constitution to expose where the government and the UNHCR have infringed on the refugees' equality as human beings. Arguably, it is through refugees (who, according to the constitution, do not have the same political rights as citizens) demanding equal treatment and freedom that a "universal emancipatory politics" may be resurrected (Neocosmos, 2010:110).

The politics that shaped the refugees' movement still inspire Esengo (PI, 2024 June 22), who, reflecting on the violence of the sit-in, said in a disdainful and warning tone, "But they forget, the refugee cannot be an object like a slave… 'the refugee' is a free people. It is a free people who must also be respected". To Kina, it was for the precise reason that the protests, covered by international media, exposed the human rights violations of refugees in the country that they were so threatening to the government; it "made them [South African authorities] look bad" (Kina, PI, 2024 August 11). Mr. Fire (PI, 2024 July 7) said something similar, "One of the things that [South African authorities] don't like is for you to act like you know your rights. They don't like that". To both Kina and Mr. Fire, it was in part because of their public claim to equality and subsequent exposure of the violation thereof that the City responded so harshly. It is almost as though by exposing where the country has failed to uphold human rights in line with international law, the refugees are delegitimised as recipients of humanitarian care, which, in turn, justifies their criminalisation.

Shifting legitimacy around the occupation of the tent

This same shifting legitimacy characterises the treatment of the refugees at the tent. Initially, the City and the UNHCR provided the tent as a temporary solution to the sit-in and COVID-19. The City was responsible for providing basic services, which included portable toilets, a generator, and water taps. The authorities framed moving to the tent as "the right way of doing things" (Madame B, PI, 2024 July 10). The City implied (and my partners had hoped) that once at the tent, the refugees' case would be heard. However, upon arrival, the UNHCR made it clear that the refugees could not make demands as a group and had to present individual cases. For example, "[Leonard] Zulu[35] said that there is a correct procedure to follow: the opening of individual cases" and that "the law does not allow any help as a group" (Kina, PI, 2024 August 11). Such case-by-case processing exacerbated the experiences of abandonment that prompted the sit-in in the first place. Individualisation obfuscates the structural, bureaucratic suppression that shapes refugees' experiences, depoliticises the refugees' demands, and "[destroys]

[35] Deputy director of South African UNHCR office 2019-2022.

conditions of collectivity" (Aradau & Tazzioli, 2020:218). Many of my research partners viewed the UNHCR's engagement as a means of dispersing the group.

Furthermore, beyond basic services and a once-off health screening, no other support was provided by the City in the wake of the pandemic. Dan Plato, the CoCT mayor at the time, reassured the public that "there is sufficient space for social distancing at the Wingfield site" (Payne, 2020). The vastness and emptiness of the tent to which Plato was referring is something each of my partners emphasised when I asked them about their initial impression of the tent: "a big open place with nothing inside" (Henri, PI, 2024 June 22). The fact that their description of the tent as vast and scarce constituted one of the City's only COVID-related protective mechanisms for the refugees highlights just how embedded debilitation is in the humanitarian logic of provision. The refugees are supposedly saved from COVID-19 (the City will not let them die), though the immensity of their deprivation is made material through the "semi-carceral space of the camp" (Pallister-Wilkins, 2020:998).

Once a symbol of obeying the UNHCR and the City, over the last few years, occupying the tent has become a symbol of resistance. James, for one, is acutely aware of this symbolism. He recalls how DHA authorities told him that "when you're still here by this tent, you cannot do anything. It's like you're opposing us" (James, PI, 2024 July 24). Once the 'offer'[36] of reintegration had come and gone, the refugees shifted to a status of spatial illegality. Those who remain at the tent are there either because they refused the UNHCR and DHA's attempt at reintegration or because they returned to the tent, despite orders from the City, following failed reintegration. The latter was due to many reasons, such as a lack of rental security, as in the case of Clement, or violent xenophobic attacks as in the case of Upendo and her family.

As discussed in Chapter 5 in relation to the eviction threat against the tent residents, DHA minister Leon Schreiber referred to the refugees still in the tent as not "abiding by the rule of law, by-laws and Home Affairs regulations" (Angus McKenzie, 2024). Further, the City's banning of charity organisations from the tent,[37] and the reduction in services provided to the tent, underscores their shift to spatial illegality. The generator allowance shifted from 12 hours a day at the tent's inception in 2020 to 4 hours a day by December 2024. The refugees, framed as illegal occupiers, are being squeezed out of the tent.

What is at stake under the biopolitics of debilitation is "the attempt to capture resistance itself" (Puar, 2017:136). The tent was supposedly a humanitarian intervention, and by imposing a set of rules of engagement, it attempted to capture the refugees' resistance and suppress their struggle. However, the authorities failed to do so. For some, staying at the tent is a political choice to gain visibility, which could be seen as an extension of the sit-in. Kina describes how reintegration into Cape Town leaves the refugees in the same invisibilised position they were before they joined the sit-in. For Mr.Fire, the reason he stays at the tent is because he's "attracting attention from those guys [the UNHCR] because once that tent leaves, then they

[36] I put this in inverted commas as what was on offer was the bare minimum, 3 months of rent, and thereafter nothing.

[37] This was reported to me by many of my refugee partners, who believe that out of fear of the City organisations that do still come are sure to hide their branding.

forget about us" (PI, 2024 July 7). He is speaking from experience; he was one of the inhabitants of the Bluewaters temporary tent that was set up during the 2008 xenophobic riots. As Robins (2009:647) reflects on the closure of these tents, reintegration "significantly reduced the political visibility and voice of the refugees". Furthermore, he argues that reintegration allowed the state to "translate the refugee problem into a bureaucratic and technical problem" of sorting "illegal aliens" as opposed to one of structural xenophobia that was exposed for those months (Robins 2009:642). This invokes Hart's (2014) reflection on the consistency between violent bordering practices of Fortress South Africa with a liberal humanitarian image, as the latter relies on apolitical subjects and the legitimate exclusion of those framed as criminal or outside of the state's mandate.

6.3 Policing water, differentiating residents

In this section, I unpack the shifting legitimacy of the tent in relation to the Gate-7 residents. The spatial illegality of Gate-7 is exacerbated by the differential treatment of the two communities in terms of access to water and the governance thereof by LE.

Law-Enforcement: producing borders of spatial illegality

It is first necessary to elucidate how LE's treatment of the refugees is fluid, symbolising the refugees' shifting legitimacy from illegal protestors to a legitimate responsibility of the City at the tent's inception. I argue that treatment by LE is an expression of the refugees' legitimacy in the eyes of the City. Dubbed "Peace Officers" by the CoCT's official website (CoCT, 2025), LE officials, with the mandate of enforcing the City by-laws, differentiate between those with a right to the city and those who are a supposed threat to the peace and who must be removed. LE officials, thus, through everyday interactions, signal the parameters of belonging and produce borders between legitimate and delegitimised subjects.

Until their relocation to the tent, LE was a symbol of excessive violence and unsafety in the eyes of my refugee partners. During the eviction of the sit-in outside the Central Methodist Mission, the City's "Peace Officers" were supported by the apartheid relic Public Order unit of SAPS, who stood to attention with a water cannon as if "they were going to war" (Mr. Fire, PI, 2024 July 7). While no arrests were reported (Hendricks, 2020), my partners recounted how the officers dragged and beat people, including children, when dispersing the crowd. There is a shared story amongst those at the tent about "Mama Bailoh" (Madame B, PI, 2024 July 10). She was heavily pregnant, and when LE officers threw her to the ground, her waters broke. Her son, born that day, was nicknamed Bailoh after the *Streets By-law* the "Peace Officers" were defending. Thus rooted in the CoCT by-laws (despite their own arguably unconstitutional content (NU, 2024)), the violence of LE determines the insides and outsides of spatial (il)legality.

A "puzzling shift": Law-Enforcement as beacons of safety?

When the refugees were relocated to the tent, under the control of the City, and outside of the centre, there was, much like Cabane's (2015) and Vigneswaran's (2011) reflections about the state response to the xenophobic attacks in 2008, a "puzzling shift" (Cabane, 2015:58) in which LE officials were deployed to protect the same people they had targeted not days before. They were placed outside the tent supposedly to guard it 24/7 and protect[38] the refugees inside. At times, their role was even supportive. For example, when the ambulance refused to come for Upendo during her emergency childbirth, it was LE officers who drove her to the hospital. This shift in which "the persecutors of cross-border migrants…become their protectors" (Wilhelm-Solomon, 2022:75) can be seen as a reflection of the refugees' incorporation into humanitarian aid, such that tent residents' protection was conditional on obeying the UNHCR and the City.

Furthermore, as refugees gained legitimacy, Gate-7 became the target against whom "peace" (and the refugees) were being protected. Trying to make sense of why JP Smith[39] came to the tent to announce that LE was there for protection, Lwazi (PI, 2024 June 24) explained: "I think he was trying to protect those people, to show us [they] are there because of the City". Siya (PI, 2024 August 17) expands on this point,

> The issue of foreigners staying in that land was negotiated and agreed on. So, for us, we were not permitted. We didn't seek any permission to stay there. So it's like we're illegal, [like we] illegally took over. Hence… we're getting nothing from the City of Cape Town...they [the tent residents] are well taken care of by the City of Cape Town.

LE's presence at the tent was symbolic, as it signalled to neighbouring residents the negotiated legitimacy of the tent, thereby emphasising the spatial illegality of Gate-7. Firstly, this was marked by the treatment of LE against Gate-7 residents. During the first three months of the tent's arrival and LE's deployment for protection, Nothando, at Gate-7, was sexually harassed in the middle of the night by LE officials who had come to enforce the *UOBL*, and who claimed that her yard was too big. This violent abuse against Gate-7 residents is ongoing. LE officials regularly demolish hokkies and threaten residents. Secondly, the delegitimisation of Gate-7, through the protection of the tent residents, is mediated through LE's control of the water infrastructure on the strip.

[38] I use scare quotes, as there was no evident external threat against those in the tent, and as per the refugees' demands, it is the structural xenophobia in South Africa's treatment of refugees from which they need protecting.
[39] Who was the Mayco Member responsible for LE at the time.

Image 8: A resident of Gate-7 spray painted the cemetery wall alongside the settlement, in protest against LE. Source: Author, July 2024.

Bordering through water infrastructure

When the tent residents arrived on the Strip, the water taps at the cemetery, where the Gate-7 community used to collect water, were mysteriously destroyed. All of my research partners in Gate-7 implied that this may have been an attempt by the City to make the settlement uninhabitable, reinforcing that their inhabitation is illegal. Furthermore, upon arrival at the tent, John Steenhuisen[40] came to Wingfield to announce that the refugees were not allowed to share water with Gate-7 (Clement, PI, 2024 June 26). When requesting water infrastructure, the Gate-7 residents were repeatedly given the same excuse: nothing can be done on the private land they are illegally occupying. During the months that LE was at the tent, the officers even prevented

[40] Interim leader of the DA at the time.

Gate-7 residents from entering the fenced-off yard around the tent to collect water. The destruction of Gate-7's water source and the policing of their access mark an exclusion from infrastructural citizenship (Dubee, Anciano & Mdee, 2023).

What the Gate-7 residents refuse to accept is why, if the tent is also partly on Ndabeni Trust land,[41] the City is unable to provide the same water services to Gate-7. Following the quote by Siya (PI, 2024 August 17) above, he continued, "because if they managed to negotiate for foreigners to be situated with that, then it wouldn't be hard to also negotiate for us". To Gate-7 residents, an arbitrary and unfair differentiation is made between the tent residents and themselves. It was rumoured that in the tent's first year, members of Gate-7 threatened the refugees. Nothando (PI, 2024 August 8) told me it was she who suggested that they

> fight with the tent people because... the City of Cape Town gave them services. They have a big generator to light in the tent. They have water. They have Mshengu toilets while we have nothing. Again, they [LE] are coming to our place to destroy our yards. So let's fight with those people [tent residents] so that they [CoCT] can give us attention.[42]

This incitement could initially appear as mere intolerance towards the refugees on the Strip, but a more nuanced examination reveals Nothando's intention of exposing the differentiated treatment of Gate-7 and their unjust exclusion (perhaps with an acute awareness of the attention that attacks against refugees might receive). It is not the refugee's access to services that she is contesting, but rather the unequal treatment of the two communities. The same contention was reinforced by Lwazi and Lunzulu (PI, 2024 June 22) in a conversation about their plans to install a long pipe across the strip from Wingfield-1 (an informal settlement on the Goodwood side of the strip). Wingfield-1 and Wingfield-2, as well as the 18th Avenue settlement, all supposedly had taps installed along the (publicly owned) sidewalk; this option for Gate-7 has thus far been ignored by the City. A cynical reading of such differentiated treatment is that it is a means of divide and rule deployed by the CoCT, a strategy that Makhulu (2015:63) traces back to the counterinsurgency tactics of the apartheid regime during the 1980s. Providing certain communities with basic infrastructure and denying it to others nearby was (and seemingly is) a means of preventing informal settlements' propensity to unite. Furthermore, such differentiated provision of infrastructure is not lost on the tent residents such as Esengo (PI, 2024 June 22) who believes that the City "wants us to fight" and that the fuelling of xenophobic attitudes is "well planned by the South African government. It is them who create this system".

[41] Exactly which sections of the land released for the tent is owned by the DPW and which by the Trust is disputed.
[42] The community chose not to go ahead with this plan (out of concern for the refugees), and they blocked the road instead (this was during the first strike of 2022).

Ask for water with good manners

After LE stopped guarding the tent,[43] Gate-7 residents began collecting water from the tent's taps. However, the refugees have since practised a similar policing of Gate-7's access to water. They have imposed specific hours of water access (between 10pm and 6am[44]) for the Gate-7 residents. Siya (PI, 2024 August 17) commented how, when the gates are closed earlier it signals that the two communities are not on good terms. The question of connecting a pipe from Gate-7 to the tent taps was on the cards throughout my time organising with Gate-7. The committee repeatedly asked those at the tent to connect a pipe, but the tent residents refused, stating that they didn't mind Gate-7 members connecting it, but that it had to be approved by a CoCT official. Given the refugees' already precarious status as unlawful occupants and their shift from being treated as compliant humanitarian subjects, it is clear why disobeying the City's orders against sharing water is a source of fear. There is also an argument to be made that once LE had left, the tent residents took on LE's role of producing borders for the City, delegitimising Gate-7's inhabitation of the land by denying them access to water. By mimicking LE, the residents of the tent arguably engage in respectability politics. They attempt to maintain their legitimacy and demonstrate their worthiness by aligning with the City's treatment of Gate-7 as illegal. For instance, some of my refugee partners expressed that Gate-7 should "ask for water with good manners" and that they should be grateful for being allowed to collect water in the first place (Upendo, PI, 2024 June 19). Just as there is a right way to receive aid from the UNHCR (by embodying the ideal humanitarian subject), there is a supposed right way for Gate-7 to access the tent residents' water, either by begging or being obedient. In these instances, the tent residents mimic the power relations they are subjected to by the authorities.

Resisting differentiation, repairing the taps

Beyond the reproduction of respectability politics, there is another aspect to the sharing of water, which is "in direct contradiction with the state's expectations of "appropriate… consumption" (Lemanski, 2020:593). The sharing of water produces interactions that challenge the City's imposed divisions, and which constitute Simone's (2021) "people as infrastructure".

When I asked my research partners what they knew about the neighbouring residents (either Gate-7 or the tent), most responses indicated indifference and civility between the two groups. Others commented that those who come to fetch water are friendly. From Gate-7's side, my partners did not have much to comment about the tent residents besides the few interactions in which they greeted each other or even made jokes. The fact that ongoing tension between the Gate-7 request to connect a water pipe and the tent's refusal coexists with the day-to-day civil interaction and interpersonal impressions may be a testament to "all of the ways one's existence is tied to affiliations of all kinds" (Simone, 2021:1343).

[43] The timeline of when exactly this was is unclear, as there were many threats to 'shutdown' the Wingfield camp and withdraw services following offers of reintegration, and some services are still provided, when exactly the City withdrew LE was not announced (see Jacobs, 2021).
[44] Roughly, the times mentioned by Gate-7 partners differed.

This challenges cynical attempts to frame the two groups as antagonistic, which Esengo (PI, 2024 June 22) believes was the government's intention:

> It's as though the City of Cape Town gave the refugees a little bit of water, and the other group, they don't have water. This is also a form of division that the government is creating. It deprived its people, the South Africans, of water to produce xenophobia towards the refugees.

Mr. Fire (PI, 2024 July 7) recounted another story about top-down fueling of tensions. Patricia de Lille, who was the minister of the Department of Public Works at the time, invited tent residents to a meeting in Kensington in January 2023 to express that "my people are saying they don't like you [the tent residents] in their community [South African locals]". Recounting this story, He angrily disputed that she was just "bringing her politics" and that she must not "fool those guys" (South African citizens in the neighbourhood). He dismissed her claims of community resentment for the tent by stating, "we speak to the community, we don't have any problems. We have been there, they [Gate-7] know us very well. We never fight with anyone." Here, Mr. Fire both undermines the Government's attempts to differentiate (and arguably produce tensions between) the two communities and inadvertently legitimises Gate-7 as part of De Lille's "people."[45]

Furthermore, the inextricable connection through shared infrastructure produces (generally invisible) moments of solidarity. Gate-7 resident Siya, in passing, told me of how he often files reports with the city by email when the taps at the tent are broken; he's the one to receive a reference number and engage with municipal staff. He wasn't sure whether anyone knew it was thanks to him that they came. Simone, building on Bhan's (2019) concept of repair in the Southern urban vocabulary, notes that collective formations amongst people "always pursue repair" (Simone, 2021:1345). Thus, Siya's action to get the taps fixed may play a symbolic role in the reparation of the Strip's social fabric.

6.4 Insurgent citizenship: appropriated, negotiated, declared

Digging drains, carving out citizenship

The threats from Gate-7 to draw a water connection for themselves can be described as a practice of insurgent citizenship (Holston, 2008), a means of resisting the debilitating effects of relegation to spatial illegality. Through the incremental appropriation of infrastructure, which "play[s] a major role in mediating practices of citizenship" (Lemanski, 2020:594) and through the "quiet encroachment of the ordinary" (Bayat, 2010), residents of Gate-7 make a life for themselves in the shadow of abandonment from the CoCT and the violence of the City's "Peace Officers" (CoCT, 2025).

[45] It can only be assumed that by 'my people' she was referring to the Kensington residents, an important constituency to her political goals.

In line with Bhan's (2016) thinking, the status of spatial illegality sticks to the Gate-7 residents, who, in most interactions with the City are treated as encroachers. One of the most striking examples of this was during the Level 8 weather warnings in the winter of 2024. The settlement was flooded due to blocked drains on the other side of the strip; many people's homes were uninhabitable, covered in knee-deep water. DRM only visited the tent and not Gate-7 to investigate the leaky canvas roof, and Siya believes that the tent residents got blanket donations from the City during the floods, unlike Gate-7. Two former committee members had filed reports of flooding to DRM to no avail. In the meantime, a group of residents dug a trench from the centre of the settlement to the stormwater drain on Voortrekker Road, attempting to create a backflow of water. While other CAYCO members and I were there, helping bucket water along the trench, a LE vehicle arrived.

Image 9: The mouth of the trench dug by residents to reduce flooding; Gate-7 residents digging the trench; a LE officer threatening to file a report of damage to property. Source: Author, July 2024

The officers got out of the car to take pictures of the trench and the residents who were working on it. They threatened to file the photos as evidence of the residents breaking the law and illegally damaging City property (the tar on the sidewalk). Seemingly, such a response was in line with the City's official position. Geordin Hill-Lewis, the CoCT mayor at the time, saw the drastic flooding across Cape Town as "an important time to make a point about the illegal occupation" and "the illegal informal homes built on our city infrastructure causing this flooding" (Geordin Hill-Lewis, 2024). Not only were the Gate-7 residents abandoned and left to fend for themselves, but they were also blamed for the flooding and framed as "un-civic" (Lemanski, 2020:602). In these responses, the Gate-7 residents and those in "illegal informal homes", framed as outside of "our city" and its infrastructure, are differentiated as illegitimate urban citizens.

If citizenship in the post-apartheid context is mediated through the state provision of infrastructure (Lemanski, 2020), where deprivation of functional infrastructure so starkly threatens people's lives, an insurgent citizenship emerges in which the Gate-7 residents carve out access to the city by digging their own connections to its drains.

Toilets as incremental legitimisation

It is not only via (deemed) illegal appropriation of infrastructure that Gate-7 residents embody insurgent citizenship but also by using state-provisioned infrastructure as a means of incrementally negotiating legitimacy through "the entanglement of inclusion and resistance" (Miraftab, 2009:35). Gate-7 residents shift between outright resistance to government officials (Miraftab's invented spaces of citizenship) and legitimate engagement with these officials in "invited spaces" (Miraftab, 2009:35), reflecting an "intertwining" of "institutional" and "everyday" domains (Bhan, 2016:92). Legitimacy is sought and signified by negotiating infrastructural provisions with the City. This incremental legitimacy is evident in Gate-7's struggle for toilets.

As Dube, Anciano and Mdee assert (2023:862), "sanitation provision in Cape Town (and South Africa) has a long political history of being used to deny infrastructural citizenship to [black people] and is inseparable from the question of race and social segregation". Therefore, continually demanding sanitation infrastructure becomes a means for Gate-7 to resist their ongoing relegation to spatial illegality and apartheid-like exclusion.

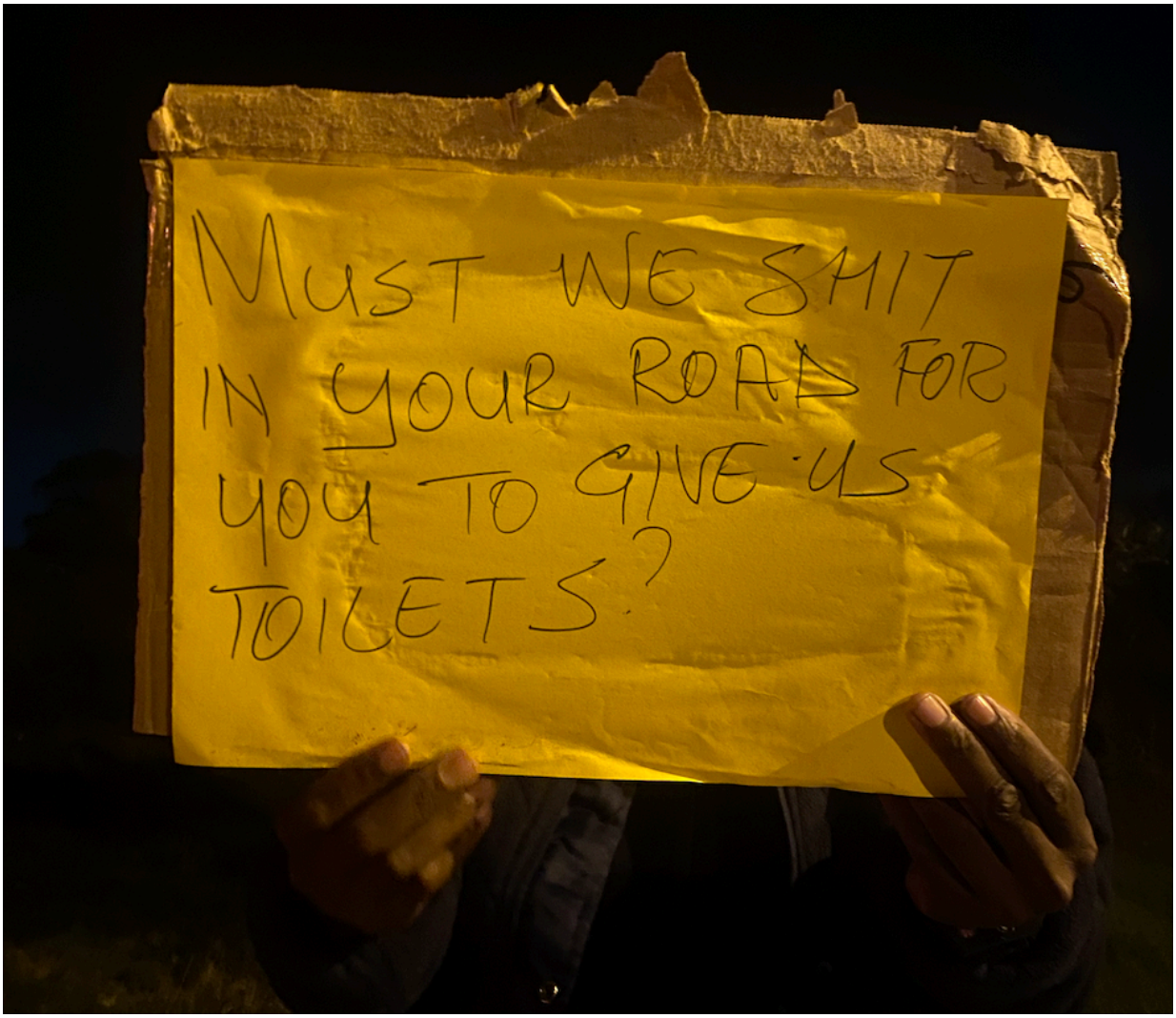

Image 10: Gate-7 resident holding up a protest placard that reads: “Must we shit in your road for you to give us toilets”. Source: Author, May 2024

In early August 2024, Steenberg, the ward councillor, arrived at Gate-7 with porta-potties or portable flush toilets (PFTs), which are “the only… private-access [container-based] sanitation technology provided by the CoCT” (Dube, Anciano & Mdee, 2023:855). PFTs, compared to permanent flush toilets, may be considered reminiscent of the apartheid bucket system, “representative of the post-apartheid state’s broken promises”, and thus a further relegation to spatial illegality (Dube, Anciano & Mdee, 2023:852). This sentiment was shared by a former leader of 18th Avenue, who suggested the residents use the porta-potties until they’re full and then go and empty them at the door of Steenberg’s office. Siya believes that the toilets were provided by Steenberg only because the councillor had heard rumours of Gate-7’s plans to either connect pipes to the tent’s taps by force or conduct another roadblock. The provision of porta-potties, in this case, can be read as an appeasement mechanism, debilitating Gate-7's struggle for equal treatment. However, while the porta-potties fall drastically short of

expectations of infrastructural citizenship, the Gate-7 residents nonetheless negotiate, with agency, their provision in such a way that a shifting legitimacy (and arguably incremental permanence) is forged in the process.

Lulu (PI, 2024 August 6), laughing at the idea of Steenberg proudly delivering porta-potties as though they were brick-and-mortar houses, nonetheless described the PFTs as an important "step". Nothando (PI 2024 August 8) also reinforced that:

> The porta-potty... is not what we need, but we need to accept whatever small thing that they give to us… Half is better than nothing… so I hope that next year, they will give us the basic needs.

Where Gate-7 "started with nothing", differentiated from the tent residents who had mobile "hut toilets" and 18th Avenue who received PFTs months before (Nothando, PI 2024 August 8), the porta-potties may symbolise a step towards more services. PFTs are favoured by the CoCT in contexts in which land tenure is precarious, as a temporary solution; they arguably do not "legitimise [residents] occupation of the land" in the same way as full flush toilets would (Dube, Anciano & Mdee, 2023:850). This logic is appropriated by the Gate7 residents, who play into their temporal precarity. Siya (PI, 2024 August 17), as though speaking the City's mind, explained that Mshengu toilets (a brand name of hut toilets similar to those at the tent) would be "too permanent", but now that they have received porta-potties, he says Gate-7 can push for water, and maybe even an energy source.

To Nothando (PI, 2024 August 8), emphasising the temporary nature of their demands is strategic, whereafter, more gains can be made; "and we also claimed that even if it's temporary basic services, [they] know that we can move at any time if she [Mrs Ndabeni] don't want us here. But we ask for temporary basic services [nonetheless]." Lunzulu shared the view that recognition through porta-potties would mean the City could be held accountable for more services. She went one step further and argued that this recognition is a step towards legitimisation and arguably a shift in their spatial illegality. To her, despite the toilets being temporary, they mean that the residents "now cannot be removed" (Lunzulu & Lwazi, PI, 2024 June 24).

Paradoxically, emphasising Gate-7's ephemerality becomes a way to legitimise their presence and, in turn, their permanence.

The shifting symbol of the waste container

The CoCT placed an old shipping container at the entrance to Gate-7 during COVID-19. It is used by a private company (previously Bhebheta and today, Ithalomso) contracted by the City to collect rubbish from Gate-7.

Image 11: Waste container on the edge of Gate-7, next to Voortrekker Road. Source: Author, June, 2024.

Waste work as further dissociation of the City

The company hired by the City contracts members of Gate-7 to manage waste collection. Arguably, the provision of waste contracts to the community is a route to legitimise their inhabitation. As Miraftab (2004:889) argues, the outsourcing and casualisation of labour in municipal waste collection go hand in hand with moralistic discourses of "empowerment" and "voluntarism". Lawhon, Millington and Stokes (2018:1129) similarly claim that contract work contributes to one's legitimisation as an "entrepreneurial citizen". While there may be an overlap between having a contract and one's perceived legitimacy within the community to engage with the City (two of the Gate-7 committee members were contracted at the time of my research), the provision of contracts and collection of waste means very little in terms of the community's legitimacy to inhabit the land, in the eyes of the City[46].

Makhulu (2012:783) argues, in the context of neoliberal casualisation of labour, that the line between employability and disposability is blurred. Therefore, the salience of South African

[46] Signified by the ramped up presence and harassment by LE at the same time.

citizens as employable subjects, as differentiated from the refugees, is minimal. In fact, where once municipal workers provided the services at the tent, as the City withdrew and the refugees were increasingly portrayed as illegitimate encroachers, contracts were handed over to individuals at the tent to manage the generator and toilets. This disassociation from labour relations leads to increased precarity (Miraftab, 2004); mediating tense labour relations (particularly fraught where people are paid so little) is outsourced to the community. At both Gate-7 and the tent, this has increased tension and infighting among the residents, vying for the few contracts available. Thus, contracts for waste collection on the Strip, as opposed to a pathway of increasing legitimacy, is a story of distancing by the City, where a constitutional distinction between citizen and non-citizen is levelled out, and the disposability of both communities is reinforced.

Waste container as a political canvas

Despite the debilitation present in the waste-contract encounter, symbolised by the container, in a similar way to the porta-potties, the container signalled to the Gate-7 residents that they were seen by the City and thus they viewed it as an insurgent tool for making further demands. Nothando's (PI, 2024 August 8) comment exemplifies this: "We asked them for a long time since there's a container here, where are the other services? I even wrote [on] the container... I asked, Where are the basic services? What is this container doing here?" The container, in full view from Voortrekker Road, was used as a canvas for demands and became a site and infrastructure of protest. During both of Gate-7's roadblock actions (in September 2022 and May 2024), the residents pulled the container onto the road to block traffic. In addition to the everyday (non)interactions with state-provided infrastructure, using infrastructure as a tool of protest through its affective destruction aligns with Lemanski's concept of infrastructural citizenship (Lemanski, 2020:591). To her, the latter is mainly performed during what has been termed "service delivery protests", which "have come to represent citizenship struggles for the post-apartheid urban poor" (Lemanski, 2020:594). These struggles are not outside of the domain of what Chatterjee (2004) terms "civil society". Instead, similar to how the tent residents resist their relegation to debilitated life through the declaration of being equal and free people, so too do the Gate-7 residents resist the relegation to spatial illegality as "incapable political subjects" by insisting on their political equality (Selmeczi, 2012:12). In discussing her hopes for the future, Lunzulu (PI, 2024 June 24) mobilises the following rights discourse:

> I hope that the city of Cape Town and the government can consider us as human beings. And give us the dignity and the value that we are all human beings and treat us in a good way. And then they can provide us with basic needs.

By leading with a recognition of her right to equality as a human being, Lunzulu exposes the contingent and unjust nature of the pervasive denial of basic needs. Insurgent citizenship is declared by acting as a rights-bearing subject in spaces where the omission of such rights, in

practice, is so regularly normalised (Selmeczi, 2012:200). As a medium of this declaration, residents spray-painted the container in bold letters "WHERE ARE 1994 PROMISES? WE THOUGHT APARTHEID ENDED!!!!" which was accompanied by placards with phrases such as "in Camps Bay[47], they have electricity why not us?", "If apartheid ended, where are our homes?". Such statements expose the "arbitrariness of their status as 'forgotten citizens'" and announce that the residents "are aware of the promises of the post-apartheid order as well as their equality within that order" (Selmeczi, 2012:141).

Image 12: Container used to block the road during Gate-7's protest, 22 May 2024. Source: Author, May 2024.

6.5 Conclusion: solidarities and circulations

This chapter has explored how the residents of Wingfield are differentially (de)legitimised in a manner that is fluid, mutually influencing, and mediated by various infrastructures of support and control. It has demonstrated how debilitation functions through the provision and withdrawal of and exclusion from infrastructures of support (be it humanitarian aid or the basic services

[47] One of South Africa's wealthiest suburbs.

expected in the state-citizen encounter) and, in turn, how this is resisted. Importantly, it is not only through the interaction with the City via provisioned infrastructures (by rejecting, demanding, negotiating, destroying) that the Wingfield residents avoid the debilitating effects of the urban borderspace and relegation to spatial illegality, but also through an emergent netting of "people as infrastructure" (Simone, 2021). This notion, which refers to the unpredictable and dynamic networks of human interaction that shape urban life, is manifest in the everyday relations on the Strip, challenging the categorisation of the residents as differentiated and oppositional subjects.

The exchange and circulation, by design or by an unforeseen mutual dependency, across the two communities, constitute "a critical infrastructure for the endurance of a territory, a people, a community" (Simone, 2021:1341). When charity organisations were allowed to come to the tent, Gate-7 residents would sometimes walk to the tent to receive handouts. In instances where organisations were kicked out of the tent, Gate-7 became a base to deliver goods to both communities. The Wingfield Strip's micro-economy, perhaps best represented by the spaza store at the tent established by one of the residents, extends to the circulation of wood, drugs, groceries, vetkoek, and even gossip.[48]

One night in November 2024, both James from the tent and Lungelo from Gate-7 attended a Ntirhisano Community Centre cowhide poetry session. Someone initiated a collective poem; the theme was 'Ubuntu'. Upendo and I both cringed at the imposed discussion about unity, but by the time it was James' turn, the tone had grown more solemn. In utmost earnest and muted speech, James recounted how the prime example of Ubuntu to him was when, at the tent, during a period in which the taps were not working, he saw someone from Gate-7 cleaning the path muddied from the leaking tap and attempting to fix the nozzle. Accompanied by guitar, piano and vocals, James's account of seeing the Gate-7 resident as a "brother" was poignant. I asked Upendo if she thought he was only saying that because there was an audience, but she said that he wouldn't do so. I knew this moment was fleeting and that Ubuntu is certainly not the overwhelming feature of relations on the Strip. However, at this moment, which contrasted the outside temporality of emergency, James' contribution revealed just to what extent "social solidarity was critical for surviving the city" (Wilhelm-Solomon, 2022:234).

[48] An example of this occurred in 2022; an activist X was falsely accused of misusing the refugees' fundraiser funds and was banned from returning to the tent. He went to Gate-7 instead but the rumours soon spread. A Gate-7 resident said she had been warned by those at the tent not to work with X. While X managed to repair relations with Gate-7, this story is a testament to the knowledge flow across the strip, and the mutually influencing political decisions.

7. Conclusion

South Africa's refugee policy of urban integration has been upheld as a means of improving the inclusion of refugees (Rulashe, 2007). However, the urban intersects with the national border regime and poses its own bordering practices, particularly in the context of rampant neoliberalisation and planetary urbanisation (Brenner & Schmid, 2015). It is in cities where the contradictions of our young democracy in South Africa, a "racially inflected capitalist society marked by massive inequalities and increasingly precarious livelihoods for the large majority of the population", play out (Hart, 2014:5). Cape Town in particular, a poster child for inequality, is a stark example of how anti-poor sentiment and policy reproduces spatial apartheid, and threatens access to the city for the majority of its population.

Focusing on the Wingfield Strip, on the periphery of Kensington, Cape Town, has allowed me to explore how local bordering practices intersect with and complicate modes of the national border regime, or "Fortress South Africa" (Crush, 1999). Investigating the ways refugees are marginalised and debilitated by applying a spatial lens with an emphasis on the spatial exclusion of those at the Wingfield tent serves to critically assess how South African refugee policy plays out on the ground. As opposed to a blind acclamation of the country's non-encampment policy, centring the stories of those who have, in fact, ended up in a tent re-visibilises the vulnerabilities that integration may obscure. Furthermore, it has allowed me to present an account of local bordering practices without simply reifying the binary of included citizen and excluded (im)migrant, and by mapping the continuities between apartheid influx control, national restriction of (im)migrants, and anti-poor criminalisation.

I intended to unpack how urban borderspaces, sites of imposing and resisting spatial illegality, produce differentiations and exclusions that affect marginalised urban residents, citizens and refugees alike. I applied an ethnographic methodology focusing on the everyday experiences of the Wingfield residents. During my fieldwork, I worked closely with refugees at NCC, many of whom were residing or had previously resided in the tent. These interactions gave me invaluable insight into the day-to-day, spatialised navigation of the DHA's processes and the hyper-mobility entrenched in the system. By organising with Gate-7, alongside an activist organisation, I was a participant-observer in their political struggle against criminalisation and abandonment. Accessing the tent as a whole, as per my initial intention to derive community-based consent and to conduct participatory research, posed significant ethical challenges. My chosen method, with a focus on engagements through semi-structured interviews, was a means of protecting the individual agency of my research partners. This was a necessary means of engaging in ethically and politically grounded research without reproducing the idea of the tent as a pre-existing political community. Balancing the responsibility of aligning my research with the political goals of the Wingfield residents while accounting for the multiplicity and complexity of individual realities on the Strip required ongoing reflection. The theoretical framework of CBS and Southern urban scholarship informed this research endeavour, primarily through the notion of rescaled and fluid borders and spatial illegality.

This thesis has provided significant conceptual insights. Firstly in light of my aim to explore how urban forms of differentiated citizenship come to the fore and interact with or engender a levelling down of national citizenship, I found that there is a pervasive fluidity of bordering and de/legitimisation of urban residents that is not ordered around the binary of non/citizenship status.

By bringing together CBS literature, Southern urbanism, and the biopolitical framework of debilitation, it has highlighted the continuities between these fields, specifically their emphasis on fluid processes of inclusion and exclusion. For example the CBS agenda argues for the rescaling of border studies and investigating dynamic bordering practices (Parker & Vaughan-Williams, 2012); Bhan (2016) proposes that spatial illegality lands and intersects with categories of il/legality and in/formality in a fluid and shifting way; Puar (2017) provides a fluid reading of biopolitical binaries beyond the made to live or left to die binary, she asserts that marginalised subjects are instead debilitated and kept from dying.

Chapter 5's purpose, as per the first objective of this thesis, was to investigate how the tent and Gate-7 residents experience the borderspace in a similar way to each other, necessarily undoing the citizen/noncitizen binary. It first revealed the borderspace as a site of shifting legitimacy through decanting. I argued that verification and enumeration are similar processes of decanting the Wingfield residents. The residents resist and disrupt the City's attempt to neatly categorise people, making the classification of il/legitimacy more fluid. Secondly, it demonstrated how the tent residents and those in Gate-7 are similarly abandoned by national and local government departments and authorities, as well as the UNHCR, which shirk responsibility. This abandonment informs the shifting temporality that characterises the borderspace, it induces a waithood, a sense of entrapment and exposure to death. In contrast to this spatial and temporal trapping, the Wingfield residents are subjected to forced hypermobility, with the threat of looming eviction pervasive for both groups. The constant flight imposed by the City of Cape Town that criminalises homelessness is echoed in South Africa's asylum system and the day-to-day interaction with the DHA via RROs.

Chapter 6 also contributed to the notion of fluid bordering practices. By exploring urban citizenship as relational (Bhan, 2016), I argued that the legitimacy of the tent and Gate-7 residents is mutually influencing. This speaks to my second objective of unpacking how the residents are differentially de/legitimised and serves to denaturalise the divide between citizens and refugees. I showed how the occupation of the tent moved from a means of pacifying and legitimising the tent residents as humanitarian subjects to becoming a site of spatial illegality after the reintegration processes. I argued that LE's role in producing this shifting legitimacy was paramount and that it was primarily via LE that the Gate-7 residents were delegitimised as illegal occupants in relation to the tent. Chapter 6 also demonstrated how various tactics of resistance to abandonment and criminalisation through insurgent citizenship practices mean that borders are not simply imposed, but also produced and redefined by their subjects. The exchanges between Gate-7 and the tent also demonstrated how the imposed border between citizens and non-citizens is overcome through spatially embedded circulations and solidarities.

I used infrastructure as a lens through which to explore the fluidity of the urban borderspace, namely, how differentiated citizenships are formed. By using this lens, my arguments also make conceptual contributions in the way of infrastructural citizenship. While not the crux of this investigation, I demonstrated how Gate-7's demands for infrastructure and service provision do not constitute "mere" service delivery protests but are bound up in claims for equal citizenship and freedom. I compared this political grounding to the discourse and demands of the tent residents, whose protest was (and is) an assertion of their equality as human beings.

I have exposed the impacts of state-sanctioned xenophobic practices and policies on refugees' daily navigation of the asylum bureaucracy. I have also revealed how (what I argue are intentional) attempts at fuelling xenophobia are resisted by the Wingfield residents. However, a more in-depth analysis of xenophobia, its origins, politics, and manifestations falls beyond the scope of this thesis. An interesting direction for future research could involve Landau's (2010:217) theory on "the precarious gap between legal principle and popular legitimacy", which he believes is exposed through widespread xenophobic sentiment. This could be useful in a discussion about the role of the law and courts in the struggles of those deemed spatially illegal (something that Bhan (2016), Holston (2008), Selmeczi (2012) and Pithouse (2014) also emphasise), and as a way to unpack the tent and Gate-7s similar yet different use of the law as a site of struggle.

This thesis has explored how the contradictions inherent in the South African national project — both a liberal endeavour shaped by human rights discourse and a project of border fortification — manifest in the everyday realities of marginalised urban residents. It thus contributes to reconceptualisations of belonging in post-apartheid South Africa. I described insurgent forms of belonging that emerged on the Strip. Further work could be done to theorise how these instances of resistance and solidarity "are suggestive of new, more flexible, negotiated, cosmopolitan and popular forms of citizenship" and how these forms can be harnessed and protected (Nyamnjoh, 2007:74).

This thesis has emphasised the significance of the urban scale in shaping these new forms of belonging. If we are to take seriously the significance of our cities as sites that disrupt, produce and resist practices of exclusion, then listening to the experience and resistance of those in the urban borderspace is essential.

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Appendix: list of research partners

Research Partner	Resident of	Date of Interview	Interview Type
Lungelo	Gate-7	2024-06-18	Individual
Upendo	Tent	2024-06-19	Individual
Henri	Former Tent	2024-06-22	Double with Jasmin
Jasmin	Former Tent	2024-06-22	Double with Henri
Esengo	Former Tent	2024-06-22	Individual
Lunzulu	Gate-7	2024-06-24	Double with Lwazi
Lwazi	Gate-7	2024-06-24	Double with Lunzulu
Clement	Tent	2024-06-26	Individual
Mélanie	Former Tent	2024-07-04	Individual
Francisca	Former Tent	2024-07-05	Individual
Mr. Fire	Tent	2024-07-07	Individual
Madame B	Former Tent	2024-07-10	Individual
James Kibawa	Tent	2024-07-24	Individual
Lulu	Gate-7	2024-08-06	Individual
Nothando	Gate-7	2024-08-06	Individual
Kina	Former Tent	2024-08-11	Individual
Siya	Gate-7	2024-08-17	Individual