

Article

Citizenship and the city: the Durban centre-city¹ in 2000

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Personne n'ignore que les pauvres sont capables de tout. Depuis des temps immémoriaux, c'était là le seul principe philosophique admis et cautionné par les classes possédantes. Pour Ossame ce principe outrageant procédait d'une imposture car, si les pauvres étaient capables de tout, ils seraient déjà riches à l'instar de leurs calomnieurs. Albert Cossery, Les couleurs de l'infamie²

This paper is grounded in a socio-anthropological investigation conducted at different stages and in different ways during the past three years (1999-2002). Given the constraints weighing on such research, only a number of tasks have been completed at this stage, leaving for later what should be the results of systematic processing of the data, a task that engages more than just myself.³ Nevertheless we hope that the reader will still find it legitimate that we try and draw a number of considerations from such an unfinished work. The fact is that the writing of this piece provides me with the opportunity to clarify a number of dimensions of what is as much an individual, personal experience as an observation conducted according to a scientific research protocol. Knowing that such reflection is absolutely critical in the scientific process, the reader might be prepared to forgive a number of uncertainties, approximations and unanswered questions deriving from my attempts to process analytically what is coming to me indissociably as lived experience.

I shall first try and clarify the epistemological parameters of a socio-anthropological investigation of citizenship issues in contemporary Durban. Then it will be possible to present the main heuristic hypothesis supporting such an investigation in relation to our theoretical understanding of citizenship. We will then proceed to a number of considerations drawn from the research experience, including the *symbolism* of the city and of

citizenship contrasted to other forms of social membership, the actual *practices* and *initiatives* of certain categories of people within the whole metropolitan 'community', and the related Durban Metro *policies* impacting on the conception and practice of citizenship.

Which citizenship? Theoretical and epistemological considerations

Nation and citizenship

It is useful to clarify from the onset from which perspective we approach citizenship. Our research is only indirectly concerned with nation-building through the notion and reality of citizenship which is not the same as the notion of 'nation'; in other words, our priority interest is *democracy building*. Following Habermas (1994), we are of the opinion that the notions of *nation* and *citizenship* pertain to quite different spheres of meaning and that consequently their relationship has to be problematised. It is a fact that these two ideas have been historically in close association but citizenship does not refer as such to any substantial collective, be it the nation, nationality, 'race' or any other collective that would owe its identity to a prior commonality of descent or culture. Habermas cites the historical example of Kant's reflections on cosmo-political society (Kant 1984) to prove that, even during times of nationalistic conceptions and practices of citizenship, citizenship was already 'post-national' in nature, not conceptually dependent on the notion of nation. Nor even, he insists, does citizenship need to be based on all citizens sharing the same language or ethnic and cultural origins but citizenship can be instrumental in the democratic transformation of the pre-existing local political culture. Thus instead of focusing on the way in which the 'nation' has influenced if not determined citizenship and political identity, we are to consider how citizenship could help and build a nation – a 'nation of citizens'. Such a reversal of perspectives seems congruent with the democratic transformation of South Africa, which is attempting to show to coming generations how 'the manner in which national identity determines citizenship can in fact be reversed' and give form to a 'nation of citizens' deriving its identity 'from the praxis of citizens' (Habermas 1994:23).

A community of foreigners

Understood from such a perspective, citizenship provides even the foreign researcher such as I am, a French socio-anthropologist working in Durban today, and my interlocutors, foreign or local, with common ground, insofar as it inscribes us together in a potential form of community we might be

keen to actualise. Even if I am not a South African citizen, we can share this common ground – as autonomous individuals facing local society – be it for a while only or marginally, while entertaining a range of qualitatively different relationships with the place. At that particular place, in that particular *topos* where citizenship is actually considered, asserted, debated, we have reached a focal point for the relationship between the individual and the society as a whole. It is at this place that we face the community within which we stay; where all of us meet and negotiate our mutual relation with the place, where the local identities of the self and the place are re-engendered. This *topos* is a meeting point, designating a common ground of communication between all of us, foreigner and local. There citizenship is at stake as a matter of membership of the city – and not of this or that group.

While addressing the question of the particular relation that one keeps with the place – the local city and its community – citizenship alludes by its nature to a number of shared values – democracy, freedom, basic human rights, social justice – and to the dimensions of a contractual relationship, all factors that open it to conflict and negotiation. We all know that citizenship can be used as a tool for discrimination and injustice, as a source and a means of conflict but this does not change the fact that it provides all of us who happen to meet in this city of Durban with a common framework to stage our exchanges, relate to each other, discuss and debate.

The ‘democratic revolution’

Such an understanding of citizenship does appear to be particularly apposite to the case of contemporary South Africa. Against apartheid qualified citizenship and disenfranchisement of the majority on the basis of so-called race differences, the call for equal political membership for all has been at the very root of the struggle, its cause in more than one sense. The vast majority experienced citizenship negatively, as something of which they were deprived, but also positively, as something they were calling upon – and there is no more powerful testimony of it than the trial speech of Nelson Mandela (see Derrida 1986). Most recently, citizenship has been a pivotal idea for the whole transition, being at the same time the tool, the foundation, and the objectives, of the new democratic dispensation. The December 2000 local elections have deepened this experience and achieved the process of legal and formal re-establishment of society based on democratic and republican citizenship. But this achievement is a foundation and the actual implementation of these ideals, through legal frameworks,

institutional and procedural translations, officials and citizens' practices and initiatives, remains open to question.

Local governments have been given the mission to achieve democracy by opening it to people's 'participation'. The implicit rationale is that it is the best placed of all state institutions to try and transform constitutional citizenship into an actual substantial reality. The Constitution of 1996 stipulates that local government has 'to encourage the involvement of communities and community organisations' in its affairs. The 1998 White Paper on Local Government stressed that

municipal councils play a central role in promoting local democracy. In addition to representing community interests within the Council, municipal councillors should promote the involvement of citizens and community groups in the design and delivery of municipal programmes (...) Municipalities must adopt inclusive approaches to fostering community participation, including strategies aimed at removing obstacles to, and actively encouraging, the participation of marginalized groups in the local community. (§1.3)

The new Municipal Structures Systems Bill devotes an entire section to participation, exhorting municipalities to put in place sets of mechanisms for receiving complaints, conducting public hearings, surveying people's views, etc. Metropolitan councils are specifically asked to set up sub-structures such as ward committees around elected councillors based on voluntary participation.

The citizenship instituted by the 1996 Constitution of South Africa is a democratic and republican citizenship flanked by the most advanced kind of guarantees one can find in the world today for the protection of fundamental individual freedoms. As such, the South African case becomes a powerful demonstration of how the advent of democracy entails a 'revolution' (Lefort 1978, 1981, 1986, 1988). As part of the modern system of nation-states, citizenship provides the member of the collective of citizens with a social link differing from the pre-existing, 'primary' bonds of locality, ethnicity, common descent, common culture and religion... It is a social link of its own type, standing in meaningful and practical opposition to other kinds with far-reaching consequences, as it implies the inversion of the most fundamental symbolism of society while it re-founds the social order *upon the social itself* instead of an external, supra-societal, extra-mundane, foundation (to which any substantial community difference ultimately pertains). Thus political society has to be acknowledged as

being based on itself, in other words on an ultimately undetermined foundation, which can always be called into question.

For this very reason, 'all attempts to clarify the concept of citizenship are themselves part of practical politics' and 'by its very nature as a contested concept, citizenship entails a discussion of, and struggle over, what its meaning is' (Shotter 1993:115,130). It is a self-referential social construct imbued with the 'modern' values of individual freedom and autonomy, universalism and neutrality, self-determination and self-legislation, as opposed to communitarianism, particularism, affectivity, subjugation and authoritarianism. 'Any attempt to argue that citizenship is not an evaluative concept is probably mistaken' writes Bryan Turner (1993:177). Before getting to the empirical aspects of our investigation, we have to develop a few other critical aspects of the conceptual implications of citizenship as follows.

The ultimate source of power and legitimacy

The citizen is constituted as such by his/her possession of an irremovable and irreducible equal part of the people's sovereignty, which is recognised at the only legitimate source of any democratic governmental power (cf Hannah Arendt's theory of power as 'power-in-common' as distinguished from 'domination').⁴ That is to say that the power of the citizen 'is not limited by any border...since it is the very source where players, rules and ways of playing are coming into being' (Tully 1999). Therefore citizenship is never simply rule-governed and it cannot be simply engineered, as the citizen is precisely the one who has the power to call into question the existing rules of the game; and, in particular, to question the rules of the game of governance. Any governance being by definition a governance of citizenship, it is a governance *by* citizenship as well: the powers that be are governing and regulating citizenship but ultimately are governed and regulated by it. Citizenship reminds us that, whatever the ways, procedures, and style of governance, it is the assembly of citizens, the assembled people, that is the ultimate sovereign, the ultimate source of legitimacy.

Each and every citizen's individual freedom exceeds citizenship itself. Socio-political membership as organised by citizenship relies on free and autonomous decision, on voluntary action. The citizen is conceived as a self-determining, self-legislating political subject in as far as s/he is part and parcel of popular sovereignty. To be a citizen is thus to have a status derived from unconditional rights and obligations subscribed to in a

contractual manner. But beyond this 'body of rights and duties', citizenship is an 'activity' (Tully 1999). It represents the notion of democratic participation in public life based on voluntary association (to which correspond the right to emigrate or to renounce one's citizenship). Consequently, the citizens first govern themselves and cannot govern anyone else as subjects of their domination without exceeding or retreating from democracy (Walzer 1997:102); secondly, there is no citizenship without autonomous self-legislating citizens, whose participation can only be voluntary. This means that concretely to qualify as citizen one has to be able to distinguish between actions and events, to show not only an awareness of material circumstances but a self-consciousness of moral circumstances, to account for oneself in ways that make sense to others and which they can find legitimate (Shotter 1993:121).

These theoretical implications of the concept of citizenship – which envisaged in this way is a metonymy of democracy – correspond to the historical evolution through which what was at its beginning a mere membership in a local political community, has become a fully-fledged status consisting of unconditional human rights and duties. Here the classic source is TH Marshall (1950) and his account of the historical development of citizenship as a linear expansion from civil rights (the liberal 'negative' freedoms) to political rights (participation) and social rights (through which the formal status of citizenship can realise its capacity). Citizenship became intimately associated with human rights as in the French *Declaration des droits de l'homme et du citoyen* (Declaration of Rights and the Citizen) and has given way to expressions of worldwide citizenship. It is enshrined in the Universal Declaration of Human Rights as a *sine qua non* condition, not only of the implementation but for the very definition, of political and socio-economic rights. In other words, citizenship is an in-built dimension of human rights, which implies that it cannot reciprocally be dissociated from them.

A procedural reality

The citizen being a part and parcel of the people's sovereignty possessed of unconditional rights, citizenship is necessarily of a procedural and not a substantial nature: consensus on decisions 'stems in the final instance from an identically and equally applied procedure recognised by all' (Habermas 1994:24). The substance of citizenship is therefore contingent, as far as it is an 'office' (van Steenberghe 1994:2, van Gunsteren 1994:46), whose concrete realisation depends entirely on citizens' individual or

collective voluntary action. Citizenship is a status that implies that it is first a *praxis*-creative, institutionalising, historicising action – before being fixed as part of institutionalised socio-historical procedures and practices.

A striking demonstration of this is given by Judith Shklar who, following in the steps of Rousseau, places at the core of citizenship the sense of injustice and protest: 'Protest is often the main activity of citizens...the citizen, as a subject who tends to be politically passive, is often only awakened by the experience of injustice' and the 'first injustice is exclusion, full or partial, from citizenship itself' (Shklar 1995:93-94, my translation). The liberation struggle of the South African people can indeed be qualified as an exemplary illustration of this rise of citizenship through the protest against injustice. This dimension can enter into contradiction with its statutory dimension of 'rights and duties', as is the case when the citizen happens to be no longer able to pay for collective services. To talk of citizenship is not only to speak of equal duties but also to raise *ipso facto* the question of the unequal distribution of resources in the context of policies of redistribution, up to the point when it impacts negatively on the individual's capacity for autonomy and participation through the material and cultural circumstances of the socio-political dispensation. Poverty, lack of education, of capacity to access information and to grasp one's own environment, are the most crippling factors in that respect.

Given its procedural substance, citizenship can be said to provide a 'secularised version of the more primordial bonds of tradition, religion and locality' (Turner 1993), established on a territorial and contractual basis at the expense of the substantial basis of ethnic or 'racial' belonging. To the exclusive bonds between community and territory, by which the community appropriates the territory and identifies with it, citizenship opposes a contractual, autonomous, procedural and active membership of a political community as such, that is to say a political association (cf the classical distinction between *Gemeinschaft* and *Gesellschaft*, community and association) established on the contingent criteria of territorial boundaries (Badie 1992:13, Bouillon 1999). Then, as for democracy, according to Churchill's famous adage, because of its procedural nature citizenship can be said to be a bad formula but still the best at our disposal, since it is, thanks to its general and universalistic standards and its procedural and contractual nature, the only notion of social linkage to allow for the existence of coherent local political communities in times of migration, internationalisation and globalisation, and the increasing heterogeneity of local societies.

The relevancy of the concept of citizenship for the present South African context that we first noted in relation to the disenfranchisement of the majority of the population under apartheid appears to be confirmed here both by its potential correlation to the high degree of local community heterogeneity due to the long-standing destructive impact of the apartheid system (forced removals and single-migrant labour system, race classification and zoning, political repression, exile, political and criminal violence, etc), as well as to the ever increasing dislocating forces of globalisation. When Ralf Dahrendorf (1994:17) says of the refugee that s/he is 'the victim of intolerant homogeneity, and is therefore the greatest and saddest expression of the need for real citizenship', he might have been thinking of the internal refugees and displaced people of South Africa. In the name of 'national' homogeneity, the core of the social fabric has been rent, communities and families have been dismembered, while new ones were tenuously recomposed. The whole tragedy has reached such extremities that communities can be taken for granted less than anywhere else in South Africa. Community proves to be a very flexibly shaped envelope that can hold all sorts of social groupings since it can be used to contain merely private individual interests; through its symbolism and ritual invocations, its actual use as a term is at risk of becoming an incantation masking will for power or an abuse of language.

A dialectical reality

All the features of citizenship that I have so far recalled converge on emphasising the theoretical links between the concept of citizenship and the philosophies of the subject and of modernity that have been developed by some European philosophical traditions. But the approach would be far from complete if we were to stop here, since we would have only looked at one half of the reality: citizenship is made up of these unconditional realities of individual human freedom and autonomy (which must not be confused with the individualistic and solipsistic theories of a pre-constituted, self-standing individual subject, because they imply consideration of the inter-subjective dimension of any subjectivity and the co-citizenship dimension of any citizenship), but these unconditional dimensions do not exist independently from socio-historical, local, contingent conditions. In other words, the whole phenomenon of citizenship refers to a *dialectical reality* between the unconditional values that it embodies and the socio-historical conditions of its historical appearance. Thus the experience of citizenship reiterates the enigmatic process of our 'self-production' or

interpretation (Taylor 1985:45) rooted in the original experience of our self-body, as reconstructed in Maurice Merleau-Ponty's phenomenology of '*le corps propre*' (Merleau-Ponty 1945): as subjects, we are appearing in the world while being at the same time its very source or limit.

Accordingly, citizenship is the concept that we have tried to represent above but it is also a given concrete reality in a given socio-political context. At the same time as we say that it does not exist without the self-conscious autonomous activity of a social subject, we have to say that it is granted (and can then be refused or withdrawn) according to the particular rules of the game of a particular state at a particular time. Unconditional as they are, the citizen's freedoms and rights have to be acknowledged on behalf of the whole community of citizens to become effective. Reciprocally granted as they are, they have to be thoroughly (re-)appropriated and exercised by the subject to become effective. Such is the dialectic – of the *given/granted* and the *initiated* – between citizenship as a given relationship to a national state (and territory) and citizenship as a self-legislating voluntary practice, between citizenship as a body of unalienable rights and citizenship as praxis and action, between the possession and the exercise of citizenship, between 'passive' citizenship and 'active' citizenship, etc. And it is this dialectic that opens up citizenship to historical action as we have already underlined several times: what does one do with it, how does one use it? Its legal institution does not mean that people know about and can debate their rights and duties or can fight for their maintenance, extension or intensification *a fortiori*. Rather it raises fundamental and practical questions at the same time at the door of the historical construction of a national democratic culture.

The relationship with the city

Citizenship as a *praxis* implies a dialectical relationship between a socio-historical and local implication on the one side and the generality and universality produced by its procedural abstraction from contingency on the other. Consequently, it does necessarily involve the relation of the individual (with his/her particular and idiosyncratic characteristics) with a political community, a local city of some sort. This locality can be situated at several levels of territorial identification. The citizen can see him/herself as a citizen of Africa, of 'the South', of the world, etc. In most cases, as in Durban, the local town in its physical and administrative reality is *the first local(c)ity*, as it occupies the bottom level of procedurally concretised political communities. If one is not a citizen of the local city, where is it that

one will exercise one's global rights? Symbolically and historically, citizenship has been bound to the city as such, as its very name implies, and if it has something to do with the urban life values of 'civility', it is because it seems to express *a particular form of the social link* inherited from a secular worldwide history of cities and states (Baudrillard et al 1991).

This link between city and citizenship takes on a particular relief in South Africa, and in Durban for our case, given the particular ways in which the relationships between the people and the (local) city have been historically framed. This historical local city has been at the same time the concrete city of Durban and the City as such, symbolically opposed to the rural areas and to the townships or the remote suburbs as well. South African black people have historically been denied access to both the city and citizenship at the same time, as the physical and the symbolical/legal sides of the same coin. And the fact is that citizenship – no longer as formal or functional national citizenship, but rather as substantial and practical local membership status – is still at stake in the ways in which people are able/meant to practice the city or not, to produce it while they produce themselves before it. In the ways city users have access or not to city spaces and services (to streets and banks, to shops and bars, to flats and means of transport, to the state personnel and elected representatives, etc); in the ways they relate to each others and (re)produce social categorisations; in the ways the city, by identifying itself with formality implies and excludes at the same time 'informal' practices and practitioners; in the politics of urban space as applied by local urban planning, economic development, taxation, housing, welfare, policing and other policies; in every case, whether or not one can be a citizen is at stake. It is this very link between the city and the citizen that is questioned when the national Minister of Police, lashing out at street traders who are 'turning pavements into "slums"', declared that 'many township people still viewed Durban as a "white man's town" and therefore did not treat the city with respect' (*Daily News*, October 1, 1999). It is the same link that is mobilised and questioned, as we shall see, when residents of the centre-city neighbourhood of Albert Park and other city actors talk of what to do with destitute and homeless people.

Citizenship and other forms of identity

We have proposed that citizenship can only exist through dialectical relationships with other supposedly given pre-existing forms of (racial,

ethnic, national) social membership. And this very fact sends us back to Jürgen Habermas, whose insistence on the conceptual distinctiveness of the concept of citizenship from the idea of the nation makes him forget that such clear-cut clarity is far from practical reality; membership of the political community cannot be completely divorced from membership in concrete communities and it is certainly not by chance that citizenship, whatever its conceptual distinctiveness, has been closely articulated to, if not subsumed by, the idea(1) of the nation. Given its procedural nature, citizenship's limits in terms of affectivity and emotion means that it may not be a sufficient condition to hold society together. Intellectual adhesion has to be completed by emotional mobilisation – the lack of which would mean that it leaves a clear field to the passions inspired by the other forms of community (see Schnapper 1994, 1998).

The most important implication of this dialectical ambivalence of citizenship is that only the self-produced socio-historical reality of a 'nation of citizens' can provide it with an emotional basis of its own in the longer term. But even so, it will never have the immediacy of a seemingly substantial identity and its relations with other categories of belonging will always be as much questioning as questionable. Time (as duration), is therefore a key dimension of the issue: on that respect, history has already rewarded the South African idea(1) of citizenship with an emotional basis, anchored in the inaugural moment of the 1994 suffrage elections, when the South African people as a whole instituted itself as the only ultimate source of legitimacy. In today's South Africa, the universal, human-rights based, open interpretation of citizenship, upheld by the Constitution and the Constitutional Court, conflicts with the resilience of so-called national or racial or cultural identities and the hegemony of socio-economic values of segregation. The absolute belief in the existence of diverse human races appears to be entrenched. At the same time, one should not underestimate the strength of the logic started by the un-differentiation of citizens according to colour, race, gender, creed, etc, as the only viable tool for building and maintaining a stable national community.

Such is the strength of this irreducible polarity and of the dialectical relation between citizenship and national (or more generally speaking, historical and local) community, that one can see it at work in the dominant opposition between the 'liberal' and the communitarian ('holist') interpretations of citizenship. The two readings are coherent and legitimate in their own right but one without the other leads to a gross negation of

citizenship. At the very least, we can say with Habermas (1994:27) that citizenship needs 'an anchoring in the political culture of each country'.

Heuristic openings

In line with such an approach, the study of any concrete issue that concerns citizenship has to be approached at the two initiating poles of the dialectic – the given and the initiated, the inherited and the active, the conditioned and the unconditional, sides of its reality.

Consequently, our research relies on the following assumptions:

- First, there can be no citizenship that is not conceived and enacted as such, that is to say that is not a statement about each person's membership and each other's right to make his/her voice heard. Social production of citizenship is based on its enunciation linguistically and practically speaking (cf Michel de Certeau (1990), in the multiple ways allowed by its polysemic and plurivalent nature which involves dimensions of locality, particularity and generality, singularity and universality (Balibar 1995), of power, freedom, and domination, of rights and duties, of equality and inequality (Castoriadis 1986), of community and foreignness, recognition and membership, loyalty and accountability, etc. More precisely, citizenship enters as a *performative act*, not only forming the reality but *actively producing it* through protest, claim, demand, denial, etc.
- Second, citizenship has to be acknowledged in order to exist: its enunciation is not a matter of self-assertion only, but also of an inter-subjective and interactive character through which it is enacted and received at the same time. Beyond any local interaction, it is a matter of social categories, institutions and procedures, without which it could not be sanctioned. It is very closely related to the way the national community or identity is constructed but also to the different social categories at work in the staging of local social reality. We are thus sent back to the pre-existing, given social categories and practices, in tension with which, it does become effective.

Accordingly, we have got to work on two main fronts: we have to grasp the symbolism of citizenship within the symbolic organisation of the society, through its diverse and ever changing reiteration and we have to come back from this symbolic organisation to the actual impact of enunciative acts, practices and events susceptible to transforming it.

This is what we have tried to do in investigating foreign and local migrants' accommodation and insertion practices in the centre-city of Durban through close observation of, and interaction with, a number of individuals or institutions (associations, shelters). We have also studied in detail the case of the socio-political conflict created by the relocation of one shelter for the homeless and destitute from one sector of the centre-city (the Point, earmarked for Waterfront development) to another (Albert Park). In so doing, we have collected *in situ* verbal and practical enunciations and we have explored the broader public discourse in and with which they interact (press, etc).

In the course of this work, we have communicated for three years with African refugees and migrants (from Congo DRC, Rwanda, Burundi, Ethiopia, Somalia, Malawi, Senegal, etc), young, lower middle class black Durban in-migrants, and shelter users and 'street people' in the centre-city of Durban. Socio-economically speaking, our population of reference is thus made of primarily *poor* people – those who struggle continuously to maintain themselves, their relatives and dependents – and *very poor* people – those who cannot manage any longer to maintain themselves and fall permanently or temporarily into want – using the central city today.⁵ But my investigations have also made me interact with a range of middle class residents, civil society activists and city officials, black, white and Indian.

The bulk of the non-white population can be considered in fact as an immigrant population, given their fairly recent penetration dating back to the relaxation of influx control in the second half of the 1980s. As a whole, most of the black or white central city residents and users to whom we are referring consist of two main categories of migrants: those who have come to the city from elsewhere in the province, the country, the region, the continent, temporarily or permanently, and those who come from the city periphery, where they have been residing because they were prohibited from living in the centre until recently. The latter consider themselves as Durbanites, even if they were confined to Phoenix or KwaMashu, Chesterville or Inanda. Yet historically, both individually and collectively they are immigrants in their own town. As it is, this work enabled us to approach citizenship from two angles: as the relation between 'locals' (or 'nationals') and 'foreigners'; and as the relation between 'respectable' residents and users of the central city, on the one hand and destitute, homeless and 'informal' residents on the other.

Citizenship in Durban 2000: symbolism, practices, and policies

The relation with the city

Foreigners and locals differ in an important respect which has to do with the central city. African migrants from outside southern Africa, those for whom there is no tradition of migrant labour connected to South Africa, tend to approach the central city from the very moment they arrive as the 'obvious' place to be, at least for a start and in most cases, for good. African townships have such a reputation of violence and criminality that the newcomer wouldn't need any further warning against local xenophobia. Also being in the centre-city is just a matter of good sense if you look for services and markets. They manage to brave as well as they can exclusive, repressive or aggressive gestures coming from officials, would-be employers and ordinary people. Their relation to the city is therefore not immune from strong ambivalence but most of them appear to stay convinced that, given their conditions of life as refugees or foreign migrants, this is the place to be as long as they cannot envisage moving to a safer, more pleasant suburb and that they have the right to share a 'normal' life in the city. Their often extensive urban knowledge – since most of them have lived in other big cities on the continent or overseas and/or have relatives established in Europe or America, etc – gives them solid ground to uphold such a conviction. They will stand up accordingly for a non-exclusivist understanding of citizenship.

People from South and southern Africa tell a completely different story that speaks of a powerful ambivalence towards the centre-city. The whole relation is problematical security-wise, housing-wise, image-wise. The fact that, as one local official put it to me: 'black people don't want to live in the city because it means that you are lower class', seems to confirm the power of the suburban ideal. For all social groups, the centre-city is identified with flatlands and tenancy in contrast to the suburbs that embody the dream of access to property. But the city is still very much the centre-city. The prestigious Edwardian City Hall expresses in stone the weight of its formality. The centre-periphery axis corresponds for some to an emerging generational process, those who cross the border from black to white areas being unlikely to make their way back. This new category of black young adults entertains a split imaginary and emotive relationship with their township background (as astutely put on screen by Olivier Schmitz in *Hijack Stories*). The township dwellers coin mobile individuals as 'coconuts' – black outside, white inside. Local citizens feel betrayed when their representatives settle in 'town'.

We then have a spatial and teleological axis according to which the town is something else than the 'location', something of a different nature with a superior status. The location is only good for those who are excluded from the town because they are not worthy of it, looked down on as poor people or informal users. For in-migrants, going back to the location would be such a failure that they just cannot entertain such a prospect. Exactly as the foreign migrants fear being forced to come back to their country with their hands empty, the local in-migrant is likely to go to extremes rather than face such shame. The town constructed in the imagination by this process conforms to the ideology of its planners by being a world of means, respect, status, order and regularity, exactly the opposite of the disorder, noise and irregularities of the location. The town is the embodiment of cleanliness and visibility, order and regularity: of *formality*. 'To come to town', as one African refugee from Congo among the very few to have resided for months in a township said, 'you need a status'. The ongoing agitation and noise characterising parts of Albert Park is described by a good number of my interlocutors as transforming the area into a 'township' or 'location'. The city is regarded with awe, all the more since its historical meaning for blacks was accompanied by unrelenting control and brutality. Formality has been first and foremost a tool for massive exclusion, a way of barring all those who have no presentable credentials, an instrument for qualifying citizenship and making it conditional. This city remains a foreign territory, governed by formality, a 'white man's thing'. Those who were once excluded now are there in the streets and buildings each and every day, by their hundreds of thousands, transforming ways of life in a number of areas but the phenomenon is perceived as a massive influx of informality, illegality and criminality, overwhelming the whole centre-city. Steps are taken to 'protect' the beachfront and, less systematically, the former white Central Business District, as tourism enclaves. Wherever possible, suburbanisation is the preferred form of transformation.

Such characteristics render access to the centre a strongly ambivalent process, whereby former location practices have to be ignored or denounced and rejected as disqualifying practices for would-be 'city-zens'. Repressive 'clean up' policies proclaim a whole lot of urban practices coming from township life as 'uncivilised' or 'undesirable'. Inhabiting the street, talking, drinking in public space as though it were in one's private (and very small) home, are considered and declared unacceptable.

This rejection goes hand in hand with the qualification of the suburban

as the achievement of the urban, the consideration of the suburb as the quintessence, the perfection of urban virtues – of order, neatness, calm, regularity. Meanwhile, the town is, for the most part, left to black people and to poor people, to workers and employees, officials and politicians. It is still lived as urban but in specified, rather closed, space/time-spaces: particular clubs, specific administration buildings, sections of the beachfront, etc. This division between worlds remains active within the centre-city itself, where everyone is regularly called to enter in the battle to contain 'informals' and criminals. Citizens are meant to be involved in an unremitting and indefinite war against an ubiquitous informality. Suspicion is the very first rule to observe: citizens must keep their eyes over their shoulders and be permanently conscious of where they are and those around them in order to spot suspicious behaviour and act accordingly, thus turning themselves into Foucaultian panoptions (Foucault 1975).

The symbolic division of the urban between the 'urban' urban (the city) and the 'non-urban' urban (the location) is part of a set of practices that relate these opposite spaces as much as they reproduce and confirm the gap between them in all kinds of ways. So if 'it is assumed that life in the suburbs is the right choice for a family and a better place to live', as it is 'associated with status, pride and wealth' (Themba Nyathikazi in *Metro Beat* March 15, 2000), for the masses, the meaningful link remains the one between the two worlds of the townships and the centre-city. In the whole setting of the vast metropolitan region, the centre-city is associated with and distinguished from the locations as it is, in continuity and rupture at the same time, the normal place aimed for in the search for survival, a convenient place to go in case of family or neighbourhood problems in the township. It can even be the 'natural' place to flee 'the ever-increasing criminality' and 'the madding crowds that rule the townships' if only to find another place full of robbers and muggers. It is where the city councillors themselves tend to come and reside in a way that confirms (whatever its moral implications)⁶ the centre-city as the place of functionality and formality. While the new middle class is converging on it, the poor, the migrant, the informal traders converge as well.

This contested ground provides a matrix for many split lives. The township embodies 'communal life'; it is where one comes back for a drink at the shebeen, for the Sunday service or to visit relatives and grandparents; the peripheral network, with its varying degrees of extra-territoriality regarding the rule of the law, provides a backstage where it can be practical

to disappear. Reciprocally, the centre-city can also be a practical place in which to disappear because in contrast with township social control, it alone embodies the freedom of individual life and sheer functionality; is more likely to offer the chance to experience individual autonomy,⁷ where you might have a secondary place, where you will enjoy social times at a distance from the community, where you will entertain extra-conjugal relations, etc. It is useful for hiding and re-inventing your life among strangers who might begin to form, with the coming of years, a second community for you. It is also useful both in allowing you to access some degree of formality *or* to better resort to informality. Something very similar can be said about its use by suburban people coming back to town to experience a social life at some distance from their family and residential community, for example in the nightclubs which proliferate in the centre-city. The centre-city provides all communities with the convenience of a distant place with different norms whether from the residential familial and communitarian world of the township or the suburb.

Thus the city is a paramount embodiment of ambivalence, a strongly attractive and simultaneously repulsive fertile ground for all kinds of encounters and practices. Suburb and township dwellers will tell you alike that they will never ever come to the city 'to be mugged', meanwhile, more and more middle-class and poor people as well are converging to it as the prime place to find opportunities for employment or some kind of economic activity, to further studies and start an active career. They also flock to it for shopping, for week-end 'clubbing' or for enjoying the beach, to visit children or other relatives, to have a drink with fellow (wo)men in a hotel lounge, and to experience a different kind of social life. The powerful ambivalence of the centre-city prevents those who have been historically excluded from it, as much as those who have identified exclusively with it, to proceed with its confiscation, and makes it precarious, conflictual and unstable. But by so doing, it helps to maintain it open to all and to make of it something that belongs to no one in particular but to everyone in general.

It is within this evolving symbolic configuration that the legitimacy of the presence in the city of foreign African migrants and local poor immigrants is put into question, leading to responses that impact back on it, either to confirm or to transform it, most likely to confirm and change it at the same time. Citizenship is at stake in the exclusion of foreigners from a number of services and from a normal, 'formal' socio-economic life, and it is also put into question by the forms of exclusion that affect the poor and

the very poor. It is within this configuration that the foreigners and the poor and very poor react to their marginalisation. This is what we will be looking at in the rest of this paper.

Foreigners and locals

All African foreign migrants finding a friendly ear are quick to raise the issue of what they consider as their basic rights being threatened or denied by the attitude of policemen, civil servants, companies and corporation officials, estate agencies, banks, etc, as well as ordinary people towards them. There is clearly a confrontation, a strong antagonism going on, confirmed day after day by the ways in which foreign migrants and refugees call upon universal human rights in a defensive reaction to what they perceive, and indeed more than often experience, as local xenophobia. (This doesn't mean that there are no friendships created beyond this barrier but that is another matter.)

Local people's attitude, aggressive as it is, is also *reactive* to the mere presence of these foreigners which is deemed to be illegitimate in itself and by itself – 'illegal immigrants' has become a tautology (see Bouillon 1999, Morris and Bouillon 2001). Whatever the other aspects deserving attention, it is remarkable that the South African national democratic identity should be performed, by the marking (*amakwerekwere*) and exclusion of people on the basis of their foreignness in relation to the historical community of the people making up South Africa. The extent and emotional strength of this performance seems to have something to do with the deeply entrenched 'multi-racial' and 'multi-national' ideology.

On the urban front stage area, racially defined communities are in the foreground. At national and local level, racial language and concepts dominate the public space. The democratic transition has certainly not affected the fundamental and unanimous belief in race, that is to say in human races and racial differences; on the contrary, nation-building is largely conceived as requiring the exhibition of the colour differences that make up the Rainbow Nation. In such a perspective, South African nationality is a hollow jar; only groups or races are real, and as the playwright Ronnie Govender has said, 'racial self-consciousness is given greater respectability', a symptom of how much South Africans are 'held hostage by the forces of history' (*Daily News*, February 4, 2000). South Africa and South Africans could only find common ground in the history that has put them together, as conflicting and antagonistic as it is, and the

external borders they have inherited from it (Derrida 1986). Citizenship in this context is the tool for drawing a border that has to be constantly re-performed to give substance and effectiveness to national identity. In this way refugees and migrants are denied free exercise of a regular economic activity and barred from a number of other key urban life services. It appears to be used as a basis for a legitimate exclusion, the reverse side of the democratic legitimate inclusion of all South Africans.

Confronted with repressive policies, formal and informal prohibitions (like the restriction of access to informal trading permits on the basis of nationality), foreign African migrants call upon basic human rights in an alternative enunciation of citizenship, which they say must not be used to discriminate against foreigners, all the more when they are refugees, and to deny them some of their most basic human rights. By this defensive argument, they try and protect themselves against the stigmatisation and criminalisation that is suppressing the way they can actually exercise their rights, even at common law level. From a human rights point of view, South African refugee and immigration policy challenge at least three universal freedoms: of movement, of looking for decent means of survival, and of leading a normal individual and family life, a situation that has been recently ameliorated by the courts but has since then been worsened again by a new law depriving refugees of the right to work while their asylum application is proceeded (Morris and Bouillon 2001).

In placing citizenship under the jurisdiction of universal human rights, the migrants have a point. Not only because their argument is the most convincing in a country that has based its political revolution on human rights substituting for apartheid but because citizenship is indeed, theoretically and practically, a *sine qua non* condition for the exercise of all those universal rights that can only be fulfilled in the context of a national state. We have already underlined how this constitutive citizenship dimension of human rights provides reciprocally citizenship with a constituent human rights dimension that renders the actual definitions and implementations of citizenship in local nation-state contexts forever questionable. By living in a foreign country, you cannot forfeit your basic rights, and national citizenship has to be supplemented by a similar body of rights and duties for foreigners in a way that doesn't infringe on their basic rights through undue discrimination.

If most migrants tend to use the human rights discourse expediently, some individuals among them attest to their understanding of citizenship

by contributing to local civic projects, thus asserting citizenship while deprived of formal recognition as a citizen. If their great vulnerability prevents them from expressing all their feelings and from reacting against unfair treatment at the hands of officials or the police, they tend not to give up easily but to mobilise all their capacities to work out regular or irregular ('informal') ways for overcoming obstacles. A few individuals have initiated sustainable welfare and advocacy projects (shelters to start with, but also classes, language courses, etc) targeting refugees, some with a strong human rights dimension; by setting up these organisations, they also want to send a message that they are willing to enter into formal exchanges with local authorities and civil society actors. It is remarkable that civic solidarity initiatives should be almost exclusively located in the urban periphery in South Africa. In the townships, a number of people find solidarity on a civic basis (Sitas 1999). Even if eroded by political contradictions and constraints, this public-spiritedness finds outlets in nation-wide and worldwide struggles such as those against the Aids pandemic or for women's emancipation. This cannot be said of the central city, where, because of pervasive transiency, the local community support structure allowing residents to involve themselves into existing social initiatives is lacking. Only a few NGOs are present to care for the needy and welfare voluntary work is almost the exclusive property of religious initiatives.

Residents and street people

Local government's initial decision about the relocation of the Ark Ministries's shelter from the Point, a relatively elongated area bordering the harbour and the sea at the same time which is to be developed for tourism, to the densely populated neighbourhood of Albert Park adjoining the city centre, was taken in the context of the economic development policy stemming from the recommendations of the Best Practices Commission, which elicited the Point Redevelopment as one of the prestige projects (with the International Conference Centre, the casino, the new airport and possibly the new harbour) meant to structure and drive metropolitan economic development. These policies are dedicated to the maintenance, that is to say the increase, of city land values, through the 're-development' of a number of key areas targeting affluent international tourists (Maharaj and Ramballi 1998). It remains to be seen how such development projects could have the impact they are supposed to have on

their surrounding areas since they tend to abide by an 'up-market', 'international tourism' logic that conflicts with their mission to support the reappropriation of the centre-city by upper middle-class elements. But already a project such as the Point Waterfront redevelopment has in fact considerably evolved from its untenable original pretences towards a more 'local community friendly' profile, with the building of a marine centre that will probably become, because it will have to be, a popular local tourist destination.

In any event, the Point being what it is because it is where it is, a sort of peninsula separating the harbour and the beach, it is the Ark and its contingent of homeless and destitute people that have to move out, on the basis of what can legitimately be considered as an impossible cohabitation between hobos and respectable people who will want to feel safe and not to be reminded of the harsh social reality around them.

The Department of Housing was asked by the Council to manage the issue. The eventual decision to help, through a provincial subsidy (of R10.8m.) to relocate the Ark in buildings on offer in Albert Park, was taken up as one of the first opportunities to give substance to the transitional housing policy being formulated. This policy stems from the acknowledgement by the Metro Council, of the accommodation needs of a growing transient population in the centre-city⁹ and it has also been translated so far in the construction of an overnight facility for informal traders in the vicinity of Durban station, and in the acquisition and refurbishment of a number of buildings in the central city to put rental units for middle-income people on the market.¹⁰ But it is quite obvious that the transitional housing policy has conflicting implications for the re-development policy.

This contradiction exploded publicly when community participation entered the fray. According to its proponents, the revitalisation of Albert Park, like the Urban Improvement Precincts¹¹ and other projects of inner-city renewal is inspired by middle-class values of ownership, cleanliness, order and high ('world-class') standards, that converge to make sure that the city is opened to every respectable person and hostile to all others (Progress Report, Albert Park Upgrade Project, August 1999). These are the values that drive the renewal policy and in the name of which the resistance to the relocation took shape.

Confronted with the eventuality of the presence of scores of homeless people in the streets of Albert Park, the (mainly white) property owners of

its prime site alongside the harbour first came up in arms against the authorities. Later, when the Albert Park renewal process started, opposition to the move became publicised as the definitive stand of the community. In meetings and statements of the Albert Park Working Group in its first and second enlarged, versions (it was first established in March 1999, then reformed two years later on a more representative basis, likening it to an Area Development Forum), representatives speak as if it is understood and assumed that the community is of course against the relocation, even if no consultation has ever been organised on the issue. Actors from nearly all social and ideological affiliations advocated, on the basis of what they consider a natural antagonism between residents and street people, the expulsion of the destitute out of town, possibly to its outskirts where they would be re-educated if possible, and if not, kept at safe distance. Three years down the line, the cry is exactly the same (Bouillon 2002).

Meanwhile the divide turned into one between opposite kinds of people so that poverty is not the issue, but rather the poor, who are not fit for city life and have to be left to assistance. Yet, as Georg Simmel emphasised in his classic essay on the Poor (Simmel 1998), the poor may be placed outside the symbolic circle of society but they are still within its broader external border. Sociologically speaking, they have as such no particular rights but only those of each and every citizen. Society has no specific obligation towards them as the poor. If one has to take care of them, it is in the name of the whole of the society of which they still are members, that is to say in their own name as well. If they are theoretically included as citizens, as the poor they are practically and symbolically excluded. Indeed in our case the absolute absence of any mention of the democratic rights of destitute people to participate in the policy that concerns them is deafening.

Citizenship, class and race

We have already dealt with the dialectic sustaining citizenship as an identity on a national state basis but as far as the exclusion of local people from the city is concerned, what dialectics relate the categories of citizen, of qualified and unqualified citizens today, to those of race that were used yesterday?

It cannot come as a surprise in a South African context that political realities and events are perceived and understood through coloured spectacles in close correspondence with average social practices. Observation shows how much people tend to congregate by 'community'

or 'race' affiliations in bars or nightclubs and for leisure activities in general.¹² The lack of interest demonstrated at first by the Council toward the relocation of the Ark and the protests against it has been itself understood as a kind of black indifference towards a 'white-on-white' scuffle, and this reading was confirmed by people speaking from experience ('ANC people were not interested in the matter because the Ark is for white people'), according to the overwhelming legacy of a society constructed along apartheid lines. The matter changed when Albert Park community representatives entered the fray through the channels officially opened by the participation in the Council's CBD Revitalisation Project: then, the configuration became more complex, with the involvement of representatives of a socio-economically heterogeneous neighbourhood where black people are in a majority. The very fact that the Ark could be considered as a traditionally white structure catering mainly for white people became a problem and enquiries were made to try and assess the situation in this regard. Another instance of racial interpretations involved in the reading of the case is given by the strange argument, formulated in the course of interactions between community representatives and officials and taken up later by the social impact study, that the community of Albert Park is a successful but fragile rainbow mix whose success should not be compromised by inconsiderate interference upsetting its delicate balance.

In social interactions (as with the white researcher I am taken to be), connexions are constantly established with the colour group of the person addressed. In an emotive case like the Ark relocation affair, the race dimension is inevitably at play about who is and who is not qualified to reside in town. Despite the fact that it is repeated that the 'people coming with the Ark' are white, some discourses identify them with the black majority (and government!), that has 'invaded' the area on the basis of what is, in the actor's mind, a common disqualification. But generally speaking, if connexions with racial qualifications are established, they are not necessarily expressed explicitly – it's all a matter of social context – nor are they always indispensable to the conveyed meaning. Put simply, social significations and practices are racially connoted in such a way that the race resource of meaning is constantly within reach.

But class appears to be more critical than race in the social symbolism involved in the Ark affair. The symbolic structure taking the Ark case and its meanings in charge appears to be loaded with class-based social categories of meaning, racially connoted and always connectable to 'racial'

imagined entities. Race barriers are blurred and race assumptions are conveniently left aside to the benefit of a symbolic imaginary community of respectable residents constituted on the basis of commonly shared and supposedly basic values that derive quite directly from the symbolism that has structured the former white urban exclusivity, and which are supposed to be reflected in all 'world-class' and 'up-market' settings. The 'racial' meaning of yesterday tends to fade under a supposedly universal meaning of what it is to be a 'decent' citizen, in the name of which certain categories of people, whatever their colour, are condemnable, the rest being, whatever its colours, acceptable. The divide of yesterday between the 'urban', 'modern', 'European', 'Western' centre-city and the 'non-urban', 'traditional', 'communal' locations is reproduced but in *racially connoted class terms*, and *within* the centre-city and the urban order itself.

In the absence of any alternative African model of urbanity and modernity, the appropriation of city life from below appears to be read by many city residents, black or white, upper or middle-class, as its in-formalisation, its 'de-moralisation', in other words its potential *destruction*. Is not the question, as it is said, repeatedly – to 'save the city centre'? But closer observation reveals that there is more a sense of shifting ground than simply decay. The actual process is described by some as the city 'changing to a third world scenario' rather than deteriorating; new services are substituting for old ones, even if it is to serve poorer consumers.¹³

Community and anti-crime policy

What is the local authorities' response? And what happens to citizenship in the process?

The whole centre-city renewal policy appears to be motivated by what is commonly termed as the fight against crime and grime, for which the participation of civil society is already enlisted in the Community Policing Forums whereas it waits to be enlisted in the future Area Development Forums. In practical terms, the role of the community in city renewal tends to be confined to a multi-faceted fight against criminality and decay, celebrated as the cornerstone of state, business and community partnerships. 'There is positive feedback from the side of the community, people are reporting criminals/criminal activity in the area', the report on safety and security in one of the Albert Park Working Group meeting sums up (Minutes, September 29, 1999). In her address to the Albert Park Workshop held on March 10, 1999, the North-Central sub-Metro Council Mayor,

Theresa Mthembu, emphasised 'that crime was a national problem and that there was no quick fix solution to resolve crime, but communities need to participate in identifying suitable solutions. Today marked the birth of a commitment from the Council to the residents of Albert Park. There needs to be a partnership between communities, traders, city police, etc, to fight crime' (Minutes).

If neighbourhoods' preoccupations are with public space lighting, policing, control of liquor outlets and the like, local communities are encouraged to participate in divisive and exclusive endeavours targeting the poor, the foreigner and the informal, in order to cleanse the area of all criminals. The solution to the problem, be it illegal immigration, homelessness, criminality, is to get rid of the people who embody it: to eliminate crime, 'eliminate criminals' (*Tribune Herald*, February 24, 2001). The problem is that to do just that, you have got to get rid of all those who 'look like' and 'behave like' criminals, according to a set of criteria establishing an uninterrupted continuity between poor-informal-illegal-criminal, which makes these qualifications so many qualities pertaining to the same people.¹⁴ As Councillor Iqbal Sayed Mohamed says about the 'clean-up' strategy for the Ark people: 'I think the point that is missing is that you cannot take people who are down and out for social economic reasons, put them on the outskirts of the city and then expect them to be part of society. Because the message that is clear to people in the Ark is: society does not want you'.

Other city policies present a similar schizophrenic pattern: in apparent contradiction with a declared strategy to build up city redevelopment on projects targeting foreign investors and tourists, a number of measures are taken to support the development of a mass beach tourism that is Durban's most appealing image. Such initiatives led the Beachfront Business Committee to protest that its 'target market will not coexist with areas that cater for markets made up of sectors of the community with no disposable income' (*Daily News*, June 12, 1999). To a certain extent, both cases seem to pertain to a state/private sector conflict, which in the present South African context takes on, as the two cases indicate, the characteristics of a black on white conflict – in as far as city public policy is the main initiator. Likewise, its central city renewal policy appears to be highly impeded by red-lining policies of the banking sector that will only authorise the development of some up-market inner-city pockets prepared to adopt an Urban Improvement Precinct strategy (the phenomenon is thus far

concentrated in the former white CBD, the International Conference Centre and the Beachfront areas). The City promotes itself a macro-economic development policy turning its back to the local population, supposedly to better meet its needs later through trickle-down benefits from up-market prestige projects such as the International Conference Centre, and area-based redevelopment policies that are at pains to reconcile the objective of middle-class and up-market developments intended to draw back people to the city and while the less and less avoidable reality is one of increasing urban use by poorer and transient people whom it has never been conceived to accommodate (as, among other things, epitomised by the want of public toilets).

With their apartheid legacy of top-down, authoritarian, physical and social engineering practices still intact, development planning and housing policies remain far from the participation policies supposed to become the norm in the new local dispensation. Thus, when planning policies prioritise physical space and only secondarily consider the people, standard housing policies have been following the same pattern, articulated as they are around (re)location strategies in housing estates on the periphery. In consequence, the citizen is not involved but turned into the passive subject of engineering policies devised and applied ultimately in his/her name. Thus the way in which the relocation of the Ark shelter from the Point to Albert Park was initially managed falls under this category. Uncontroversial when applied to under-populated areas like the Point or the sugar estate land in the northern part of the metropolitan area, the situation is quite different for populated residential and commercial sections of the central city like Albert Park.

It is thus critical that, for such areas, a renewal policy is supposed to be defined and applied with the consent of the community. But community as a means of governance (Rose 1996) – whether defined by area or by interest – seems to be, in that respect, missing the citizen, in as much as, first, its policies do not reach him or her except as a member of this or that community, and second, they tend to build the city, with the accord of the said community, on the exclusion of whole categories of citizens. As far as any community is concerned, such methodology privileges established residents' interests, and allows only for organised sector-based interests – of business companies and associations, owners, ratepayers, informal traders, etc – to emerge to represent it, even if the said community is made up, as is the case in the central city, of a more and more heterogeneous and

transient population (Bouillon 2002). Others are excluded from the community of citizens, including most of the population of Albert Park, only nominally involved in the Ark process, and much of the population of the centre-city. It follows that those Metro policies like the transitional housing policy or the informal economy policy, which reflect a more generous vision, proceeding at a larger scale and inclusive of all categories of its population, are indeed most critical for the future of the city and the extension and quality of its citizenship. The institution of Unicity structures and policies should objectively help officials and community representatives to consider all issues at both centre-city and Metropolitan area scales and in doing so to reach a more general and inclusive assessment of the population and its needs.

The marginalised confronting their marginalisation

To what practices do the victims of marginalisation resort facing economic and social adversity? And what do they tell us about citizenship? To research that question, we have focused on the field of accommodation in the city. Research confirms how much such practices encompass ways to insert oneself into the local society and to enter into a certain kind of relationship with a physical and human environment, that are based on the negotiation of ways of insertion and cohabitation and the delineation of an individual private, in-house space, as opposed to semi-public or public spaces. These practices are a catalyst, as much as a revealing element, of the individual's place within society. They invent the city as they slip into its mould, subjected to it but constantly reproducing/changing it. Through the multiple and always ambiguous ways of life that they invent, the city dwellers represent, as Michel de Certeau's work has emphasised (de Certeau 1990) 'much more than the city' (Agier 1999:20).

These practices can be classified into two categories: (1) survival practices, informal modes of action, use of kinship and neighbourhood networks to access opportunities, sharing space and facilities, self-exclusion from a number of areas and places, and other practices responding to overriding security and budget concerns; and (2) assertive practices, including exclusion and inclusion, for instance with regard to foreign migrants, or in the choice of one's residence area or building, or in the institution of rules governing collective accommodation spaces and granting to their patrons a degree of respectability that will include them in the mainstream world in opposition to those from whom they want to be distinguished.

Perhaps the most widely shared survival practice is sharing. The fragmentation and precariousness of economic activities and ways of life drive poor people struggling for a living under a pervasive obligation to share virtually everything: space, activities, work, accommodation, beds, privacy and family life (for an equivalent observation in Latin American conditions, see Dureau and Hoyos 1995). Enforced proximity between otherwise unrelated people militates against the sense of retreat and privacy, and is a breeding ground for tactics, tricks and conflicts around issues of entitlement and ownership, means and ways of life. Its implications are ambivalent as it helps to cultivate a sense of solidarity between poor people, it is not without exacerbating suspicion and anxiety and increasing the sense of transiency and precariousness, of frustration and social relegation. In given circumstances, it can become the experience of a state of uncontrollable transparency.

A key feature of these practices is the formal/informal divide. More often than not, sharing practices and precariousness go hand in hand with informality, if not straight illegality: undeclared sub-tenancy, overcrowding, absence of formal lease agreements, illegal water, telephone or power connections, etc. In order to get access to indispensable formal services like accommodation, telephone lines and banks; foreign migrants and refugees will use a range of tactics, including turning to willing cooperative local people (especially local women) or resorting to criminally acquired false identification. In accommodation practices, informality is a convenience but formality is the objective insofar as it means safety and stability. For those who are struggling on the verge of destitution, accommodation in a shelter can be considered as a helpful degree of formality, proper for providing a kind of social anchorage, a socially agreed and sanctioned place in city society, while reducing a number of security risks (since it works as a discriminating, excluding/including test, of social legitimacy). The same could be said of the car-guard uniform that gives a sense of formal identity, of a delimited place in the society, reducing anxiety for both the car owner and car-watcher. Security checking devices at buildings' entrances are key features in the residential search for better security and stability.

Budget considerations meet with security and safety concerns to form the key criteria in the search for accommodation, with ensuing practices of sorting spaces/social categories into a hierarchy and territorial self-exclusion. Individual choices make sense on the background of a 'virtual space of correspondences between social positions and localities' (Levy

1996). If potential sites are looked at from a perspective informed by safety and economic concerns, they are still invested with virtual images of the self in relation to which s/he will have to make more or less affordable compromises. The town is full of space (buildings, neighbourhoods, areas) from which not only the foreign migrant or the local poor people will be excluded, on the basis of formal requirements (Identity Document, address, bank account) and/or informal discriminations but also of which s/he may exclude him/herself by way of reputation, on the basis of a perceived irreducible socio-economic gap or safety risk, confining him/herself into what amounts to a very limited portion of the city.

The ways in which affordability considerations intervene are framed by these socio-semiotic perceptions. This symbolic violence has been for so long and up to so recently translated into abuse, physical violence, repression and expulsion that the stigma of this tradition can still be read in body behaviour or speech signs and the unquestioned assumption that one has a given place ('racial' and socio-economic) to occupy in the society, on either side of community and socio-economically based power relationships. The pervasive threat of crime encourages all sorts of calls for surveillance and control erected as paramount civic values.

Coming to some aspects of assertive practices of citizenship, we have first to recall here what we have already noted when touching on the interactions between foreign refugees and migrants and local South Africans: on the one side, we see citizenship being performed by local people as a national identity and status; on the other side, we see foreign refugees and migrants opposing the universal human rights dimension constitutive of their citizenship of a certain kind in a foreign country, as political refugees or as bona fide economic refugees or migrants (not to speak of their common Africanness, seen as a substantial identity).

Talking of the poor and the poorer immigrant in the centre-city, including foreigners and locals, who are facing a range of exclusion practices and devices, their self-exclusion from certain places and areas doesn't mean necessarily that they insert themselves into another area and community. Still, there has to be necessarily some kind of outlet. Be it in the street as the last resort, it is still a way to make oneself a place in the local society, albeit the most precarious, the least rewarding and enviable. Sooner or later, thanks to daily practices, that place will become a kind of stake that one will defend within the local society, which one will try and protect against newcomers.

If one can say that the opposition of the Albert Park community representatives to the relocation of the Ark shelter in their neighbourhood corresponds to the willingness of residents to avoid being confused with the poorest section of the local city community, this exclusion/inclusion device is operated by marginalised people as well to perform, in their own environment, their membership of the community of respectable citizens, in opposition to unqualified intruders or pretenders. The fact is that such an exclusion is the most common tool at the disposal of any member of the local society to insert him or herself into the community of qualified citizens of the place: the less means you have, the more likely you are to rely on this symbolic violence to be translated into physical exclusion, in order to concretely sanction the illegitimacy of the pretender. Thus, for example, in the community of shelter users, it will appear critical to make people understand the difference between the poor and the destitute, the respectable citizens living a life of hardship and the social misfits who have fallen into hardship. You want them to understand that, even if you might be too poor to afford your share of a rental, you are, like your shelter, 'upper class'¹⁵ and not to be confused with the destitute and misfit.

At the same time the claim for participating in clean up operations is shared down to the bottom of the social hierarchy by those who are likely to fall among its victims. A number of them are involved in the creation of inclusive local communities on a contractual basis. This is clearly the case with the shelters, which do not exist without a number of rules to which the applicant must subscribe, but which will in turn confer on him or her membership in the local shelter community. All of them differ not only by their physical location and structure and what it allows or does not, but by their set of rules create different kinds of 'atmospheres' and communities. If needed, the actual payment for entry and the clear marking of the delineation between the patrons and the managers will prevent the customer and the observer alike from falling into any romanticism in that respect. It remains that through the institution and respect of these rules – some go to the extent to claim that they are discussed and agreed upon between managers and patrons – marginalised people are inventing a *contractual social order of their own*, as a pre-requisite for any collective undertaking like sharing accommodation.

In the centre-city conditions, such initiatives recall the powerful claim of township dwellers mobilised in the fight against eviction by the City of rent defaulters overwhelmed with hardships: 'We are not Indians, we are

the poors' (Desai 2000). They attest that they cannot be reduced to their racial identity and dealt with accordingly and they proclaim that they are members of the local society, albeit victimised. They are '*the poors*'. Deprived as they are of everything, they reverse their un-quality of 'poor' into a last form of entitlement: as we have already seen Georg Simmel telling us, as 'poor', they have nothing other than their citizenship.

Conclusion

Such protests represent as many calls upon that (*local*) city to exist which will allow citizenship to be; and in their less vocal and visible initiatives, the shelter/street people are also claiming and implementing at the same time their qualification for citizenship. They do not wait for the community to intervene; in their urgency they initiate a city accommodative of all kinds of differences, a city that doesn't reject you, that still accommodates you when the rest is not doing so, a city that acknowledges that the town is no longer exclusive, that it belongs to everyone – that it has to be shared.

For the city, the challenge is to find means of operating that will support the citizen as an individual and generate social linkages on the basis of mutual respect across economic and social barriers of all kinds, on the basis of an individual citizenship as opposed to collective identities alone, to promote equality and social justice, to assist the development of a multiplicity of individual and collective ways of life. Among other issues, 'transitional housing' needs could in fact provide opportunities to just try and do that. New methodologies and new values are wanted that will not allow areas of the city to be restricted to the worthy and wealthy, but will help to strike acceptable compromises between their interests and those of the much larger and growing population of users of the city.

Notes

1. Official use speaks of the 'central city' instead of outdated designations (Central Business District or CBD, Inner City etc). To underline its specificity, we may talk as well of the centre-city. Beyond its borders there is no longer a city, even if it is still Durban Metro, but a network of distanced localities.
2. 'Everyone knows that the poor are capable of anything. From times immemorial, this was the philosophical principle that the wealthy admit and guarantee. For Ossame, this outrageous principle originated in imposture because, if the poor were capable of anything, they would already be rich following the example of their slanderers' From *Les couleurs de l'infamie*, Paris: Joelle Losfeld (1999).

9. The need for transient accommodation has been acknowledged, confirms Maurice Makhatini, Metro Housing acting director (Interview, November 11, 1999).
10. Drawing from exchanges with its 'twin' city of Rotterdam, Durban City Council has established in December 1998 a non-profit Section 21 company, First Metro, to provide rental and rent-to-buy houses for families with a household income in the R2000 - R3500 per month bracket. It intends to build 4000 to 5000 new units by 2004, 30 per cent in the central city, where it buys old buildings, refurbishes them and puts them on the market, and 70 per cent in the 'green fields' outside the central city. If these initiatives show that 'there is already an acceptance by Metro Council that there is a need for alternate types of tenure, rental and rental with option to buy' (Sayed-Iqbal Mohamed, Interview May 22, 2000), it is quite clear that they are not intended for the poorer people in the city as these are supposed to be catered for by the national ownership subsidy scheme (Interview. Ian Wheeler, director, First Metro, February 21, 2001).
11. The UIP policy was agreed upon in 2000 by the Council and the Chamber of Commerce and Industry. Based on experimental American policies and modelled on Johannesburg's Business Improvement Districts, Durban's Urban Improvement Precincts are areas in which the majority of property owners agree to pay for supplementary services that they want to introduce in their area through a tax rebate reduction mechanism and the setting-up of a non-profit organisation responsible for financial and operational management. Funded by 'an approximate 3.5 per cent form of rates levy finances', the first UIP project in the city has set up a crime-watch scheme and 'a pavement-cleaning project (called "Cwebezela") over and above the usual service provided by the council' (Claire Gatonby, *The Mercury* November 27, 2000; see also *Metro Beat* April 15, 2000).
12. The crossing of colour lines can be witnessed in shelters initiated by foreign refugees, whereas shelters initiated by local people tend to draw people in their respective places according to their 'race'.
13. Claire Gatonby, University of Natal (Pietermaritzburg) researcher, quoted in *The Mercury*, November 27, 2000.
14. Reflecting on his experience of public discussion of the issue, Sayed-Iqbal Mohamed, PR Councillor and director of the Organisation of Civic Rights, emphasises the point: '...there is a great deal of incorrect information being filtered right to grass-roots level saying: we cannot have the Ark, these are a bunch of criminals, hobos, this and that... So people who don't even know what the Ark does have that kind of impression. I have been in many meetings and some people have been diplomatic and they said: "no, the Ark is doing a good work but..." and a whole barrage of attack starts, that they are going to

increase the crime level in the area and so on' (Interview, May 22, 2000). According to the interviews conducted by the authors of the Social Impact Report on the relocation of the Ark, Albert Park's residents, business and institutions alike consider that 'residents of the Ark engage in criminal activities', even with no evidence of such a fact. For a typical example: 'homeless people sleeping on land by the railway line had moved off. This had improved safety', Naas Rossouw, Facilities Manager at Metro Rail, talking of the Grey Street area urban renewal, *The Mercury*, January 30, 2001.

15. In reference to 'the Upperclass Shelter' opened by a couple of white 'street people' in the centre-city, whose name is supposed to make it clear that 'it is not like the Ark, it is not for the destitute', see Bouillon 2001.

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