

**CITIZENSHIP AND URBAN SENSE OF BELONGING: A CASE STUDY OF
CONGOLESE IMMIGRANTS IN TSHWANE (PRETORIA)**

by

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ABSTRACT

Since 1994, a number of immigrants from African countries have settled in South African cities. In this thesis, the everyday lives of Congolese migrants in an urban enclave in Tshwane were explored through the application of Lefebvre's triad in the production of space. The study was designed as a qualitative inquiry. The data-gathering process included multiple sources: face-to-face interviews (n=48), participant observations, field notes, and memos. Salient themes and patterns capturing Congolese immigrants' citizenship and sense of urban belonging in Tshwane were developed through Lefebvre's spatial triad. Conceived space is produced through the body of legal frameworks on immigration that shapes and regulates the citizenship stratification of immigrants. Lived space relates to the experiences of Congolese migrants in accessing urban services. Poor access to employment, education, healthcare, and housing shows that this lived space is dominated by a lack of social protection. Perceived space relates to how Congolese immigrants reappropriate urban space through participation in their social networks to resist and overcome their social and economic exclusion. These social networks offer a safety corridor that forges a sense of belonging through everyday urban struggles. In keeping with the notion of the right to the city, this study advocates the reformulation of urban policies to be more inclusive of migrants.

Keywords

Citizenship, Congolese immigrants, inclusive governance, conceived, lived, perceived, the right to the city, Tshwane.

ABSTRAIT

Depuis 1994, les villes sud-africaines abritent un certain nombre d'immigrants en provenance de pays africains et qui s'y sont installés. En appliquant la théorie de la triade de Lefebvre dans la production de l'espace, cette thèse explore la vie quotidienne des migrants congolais dans la ville de Tshwane. L'étude a été conçue comme une enquête qualitative. La collecte de données a regroupé plusieurs sources notamment 48 entretiens face-à-face, des observations des participants dans leurs différents milieux de vie, des notes de terrain et des mémos. Les thèmes et modèles saillants capturant la citoyenneté et le sentiment d'appartenance urbaine des immigrants congolais à Tshwane ont été développés à travers la triade spatiale de Lefebvre. L'espace conçu est produit à travers l'ensemble des cadres juridiques sur l'immigration qui façonnent et régulent la stratification citoyenne des immigrants. L'espace vécu représente les expériences des migrants congolais à travers l'accès des services urbains. Le faible accès à l'emploi, à l'éducation, aux soins de santé et au logement montre que cet espace vécu est dominé par un manque de protection sociale. L'espace perçu dévoile la manière dont les immigrés congolais se réapproprient l'espace urbain en exploitant leurs réseaux sociaux pour résister et surmonter leur exclusion sociale et économique de la cité. Au quotidien, ces réseaux sociaux offrent un corridor de sécurité qui forge un sentiment d'appartenance à travers les luttes urbaines. Conformément à la notion de droit à la ville, cette étude préconise la reformulation des politiques urbaines pour qu'elles soient plus inclusives envers les migrants.

Mots clés

La citoyenneté, les immigrés congolais, inclusifs, espaces conçu, vécu, perçu, le droit à la ville, Tshwane.

TSHOBOKANYO

Go tloga ka 1994, bafudugedi ba le mmalwa ba ba tswang kwa dinageng tsa Aforika ba dula mo ditoropokgolong tsa Aforikaborwa. Mo thesiseng eno, go sekasekilwe matshelo a letsatsi le letsatsi a bafudugedi ba ba tswang kwa Congo mo lefelobodulong le go nnang bone fela ka ntlha ya bosetšhaba jwa bone, le le mo toropong ya Tshwane, ka go dirisa dintlhatharo tsa ga Lefebvre mo go tshelweng ga lefelo. Thutopatlisiso e dirilwe jaaka mokgwathlotlhomiso wa go sekaseka maitemogelo a batho. Tirego ya go kgobokanya deitha e akareditse metswedi e mentsi: dipotsolotso tse di diregang ka tlhamalalo le ka namana (n=48), ditebelelo ka kelotlhoko tsa batsayakarolo, dintlha tsa tlhotlhomiso e e sa direlweng mo laboratoring, le di-memo. Meono le diphehene tsa botlhokwa tse di tlhagisang boagi jwa bafudugedi ba kwa Congo le mowa wa gore ke karolo ya Tshwane di dirilwe ka go dirisa dintlhatharo tsa lefelo go ya ka Lefebvre. Lefelo ka moo re le akanyang ka teng le dirilwe ka go dirisa setlhopha sa matlhomeso a semolao ka ga bafudugedi a a dirang le go laola karologantsho ya bafudugedi go ya ka boagi jwa bone. Lefelo le go tshelwang mo go lone le amana le maitemogelo a bafudugedi ba ba tswang kwa Congo a go fitlhelela ditirelo tsa mo toropong. Phitlhelelo e e bokoa ya ditiro, thuto, tlhokomelo ya pholo, le matlo e bontsha gore lefelo leno le go tshelwang mo go lone le tlhotlhelediwa le go laolwa ke go sa nne teng ga mananeo le dipholisi tse di fokotsang le go thibela khumanego. Lefelo ka moo re le bonang ka teng le amana le tsela e bafudugedi ba ba tswang kwa Congo ba fetolang lefelotoropo ka go tsaya karolo mo dikamanong tsa bone le batho go emelana le go laola go sa akareidiwe ga bone mo loagong le ikonomi. Dikamano tseno tsa batho di neela lefelo le le tlhokang tokafatso ya pabalesego le le agang mowa wa go nna karolo ya batho mo dikgaratlhong tsa bone tsa letsatsi le letsatsi tsa mo toropong. Go tsamaisana le kakanyo ya tshwanelo ya go nna mo toropokgolong, thutopatlisiso eno e atlanegisa tlhamoseša ya dipholisi tsa ditoropo gore di akaretse thata bafudugedi.

Mafoko a botlhokwa

Boagi, bafudugedi ba ba tswang kwa Congo, taolo e e akaretsang botlhe, ka moo re akanyang ka teng, ka moo re tshelang ka teng, ka moo re bonang ka teng, tshwanelo ya go nna mo toropokgolong, Tshwane.

MANWELEDZO

U bva 1994, vhumzhi ha thundu u bva mashangoni a Afrika vho da vha dzula doroboni khulwane dza Afrika Tshipembe. Kha thesisi heyi, vhutshilo ha duvha linwe na linwe ha thundu dza Congolese kha vhupo ha Tshwane ho wanulusa nga kha vhumani ha Lefebvre nga kha u bveledza tshikhala. Ngudo yo bveledzwa sa thodisiso ya khwanthithethivi. Kuitele kwa u kuvhanganya data kwo katela zwiko zwo vhalaho: inthavuvi dza u tou livhana zwifhatuwo (n=48), u sedza nga vhadzheneli, u nwala notsi musu vha tshi khou ita thodisiso, na mimemo. Thero khulwane na phatheni dzo dzheniswaho kha vhadzulapo vha thundu dza na vhumani ha dorobo khulwane dzine vha dzula khadzo Tshwane dzo bveledzwa nga kha vhumani ha vhupo ha Lefebvre. Tshikhala tsho bveledzwaho tshi bveledzwa nga kha furemiweke dza mulayo dzine dza fhatu na u langula khethekanyo ya vhadzulapo ha thundu. Fhethu ha vhudzulo hu tumanya tshenzhemo dza thundu dza Congolese kha u swikelela tshumelo dza doroboni khulwane. U shaya u swikelela mushumoni, pfunzo, ndondolo ya mutakalo, na dzinndu zwi sumbedza uri fhethu ha vhudzulo ho dala u shaya tsireledzo ya matshilisano. U dzhuela ntha tshikhala tshi elanaho na nga ha uri thundu dza Congolese dzi wanulusa hani tshikhala doroboni nga kha u dzhenelela kha netiweke dza matshilisano dzavho u hana na u kunda u siwa nnda kha zwa matshilisano na zwa ikonomi. Netiweke ya matshilisano i neshedza ndila ine ya fhatu vhumani ha u tea nga kha u lusa ha duvha linwe na linwe ha dorobo khulwane. Kha u dzudza muhumbulo wa pfanelo dza dorobokhulwane, ngudo yo tikedza u bveledzwa hafhu ha mbekanyamaitete dza dorobo khulwane u katela zwihulwane thundu.

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Vhudzalapo, thundu dza Congolese, muvhuso wo tangelaho, u bveledza, dzhuela ntha, pfanelo dza dorobo khulwane, Tshwane.

DEDICATION

To those who are striving for the right to the city for all the city's inhabitants:

*'It may be true that the law cannot make a man love me,
but it can keep him from lynching me, and I think that's pretty important.'*

(Martin Luther King, speaking at Western Michigan University, 18 December 1963)

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LIST OF ABBREVIATIONS

AfDB	African Development Bank
AIDS	Acquired immunodeficiency syndrome
AUC	African Union Commission
CD	Compact disc
CHS	Core Humanitarian Standards
CoRMSA	Consortium for Refugees and Migrants South Africa
CRC	Convention on the Rights of the Child
DHA	Department of Home Affairs
DRC	Democratic Republic of the Congo
EFA	Education for All
GN	Government Notice
HIV	Human immunodeficiency virus
ICCPR	International Covenant on Civil and Political Rights
ID	Identity
JRS	Jesuit Refugee Service
NACE	Nomenclature statistique des activités économiques dans la Communauté européenne
NCCD	National Congolese Community for Development
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organisation
NHI	National health insurance
NPCA	Planning Co-ordinating Agency
NSFAS	National Student Financial Aid Scheme of South Africa
R	Rand
RRO	Refugee Reception Office
RSA	Republic of South Africa
RTNC	Radio Télévision Nationale Congolaise
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
SAGNC	South African Geographical Names Council
SDGs	Sustainable Development Goals
STATS SA	Statistics South Africa
UDHR	Universal Declaration of Human Rights
UHC	Universal Health Coverage
UIF	Unemployment Insurance Fund
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs
UNECA	United Nations Economic Commission for Africa

UNESCO United Nations Educational, Scientific and Cultural Organization
UNHCR United Nations High Commission for Refugees
UNISA University of South Africa
WHO World Health Organization

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CHAPTER ONE: TOWARDS INCLUSIVE CITIES

1.1. Introduction and background to the study

The Democratic Republic of Congo (DRC) and South Africa (SA) are closely and regionally tied through a bilateral collaboration under the auspices of the South African Development Community (SADC) (Amadi 2022). Both countries are members of the African Union as a continental organisation. Since both countries are tied politically and economically by several international agreements, a number of Congolese nationals have migrated to SA to seek better economic opportunities, a better quality of life (in terms of, for instance, greater safety or better education) and other purposes. Tshwane (see Figure 1.1) is one of the major South African cities that attract international migrants living in Gauteng (Pieterse 2015) and hosts a number of Congolese immigrants. The city is at the heart of local and international politics due to its status as the administrative capital of South Africa and its many imposing sandstone buildings (Fine & Vidar 2011). Tshwane offers many opportunities and services, including employment, healthcare, and education. It is also a hub that attracts many individuals to the economic opportunities created by its businesses and bureaucratic institutions.

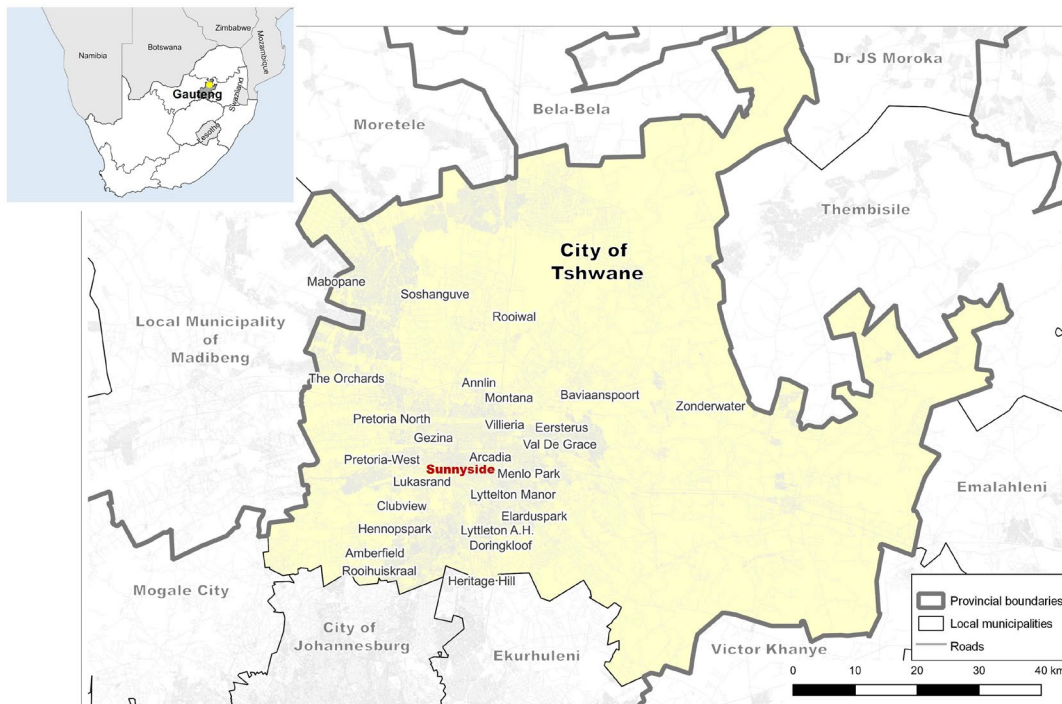


Figure 1.1: The Metropolitan Municipality of Tshwane, 2022

(Maps compiled using Data in a box, Esri South Africa)

Tshwane is home to many international organisations and diplomatic missions. It has an estimated population of 2 697 507 that is primarily composed of black Africans and smaller proportions of 'coloured', Indians, and whites. The origins of the name '*Tshwane*' are uncertain. According to one oral tradition, the term refers to the son of a local Nguni precolonial headman, chief Musi, who had lived in the areas to the east of modern Tshwane in the late 1700s or early 1800s (Jenkins 2007:158). In Setswana, according to Fine & Vidar (2011:403), the word *Tshwane* can be translated as '*We are the same*'.

The South African Geographical Names Council (SAGNC) approved the change of the city's name from Pretoria to Tshwane on 26 May 2005, following many controversies among South Africans who opposed (mostly white Afrikaner traditions) and African National Congress arguments for transformation and an end to apartheid symbols in South Africa (Orman 2008; South African History Online 2019). Although the name change happened quite some time ago, the original name persists in everyday communication and references to and by local and international businesses (Lubbe & Du Plessis 2008; Maitland & Brent 2009). This dissertation has adopted the official name of '*Tshwane*'.

Like many immigrants, Congolese migrants have settled in the inner-city suburbs of Tshwane. While these include the suburbs of Arcadia, Pretoria West and North, and Centurion, the suburb of Sunnyside is the centre of much of the everyday life of Congolese migrants. Over the past two decades, Sunnyside has emerged as an enclave for immigrants from African countries. It is where many Congolese formal and informal businesses are situated. It is a stronghold where Congolese immigrants gather, exchange, and perform many transactions locally and with their country of origin. There are frequent social gatherings and other forms of associational life. Sunnyside is also a space for social networking, and it is here that newcomers can find assistance for their social integration in the city (Boyd 1989). Sunnyside is a web of social relationships and is a core site of the everyday spatial practises of Congolese immigrants in the process of building their identity and sense of belonging in Tshwane.

1.2. Congolese Immigration to South Africa

Internationally, three trends can be discerned regarding Congolese migrations: toward Europe, Southern African countries, and countries neighbouring the DRC. Also noteworthy is the migration to the USA. Data on international migration for Congolese immigrants are lacking due to various factors. Assessing Congolese migration flows remains challenging due to the lack

of standard data collection and centralisation worldwide. Despite these limitations, the existing United Nations statistical data on Congolese immigrants worldwide provided an estimate for South Africa of 63900 Congolese immigrants living therein in 2020 (United Nations 2020).

Since the early 1990s, South Africa has been one of the more favourable destinations for migrants and asylum seekers from other African countries. In 2021, South Africa was counted among the countries that attracted significant international immigrants (Moyo 2021). The key drivers of Congolese immigration into South Africa include the following: economic issues accompanied by a high rate of unemployment; political crises; bad governance; corruption and lack of accountability of officials; prolonged (civil) wars; and conflicts with neighbouring countries (Jacobs 2019; Sumata and Cohen 2018). According to Owen (2015), economic opportunities and political stability are the main contributors to the decisions of the Congolese people to migrate to South Africa. Dinbabo and Nyasulu (2015) add that South Africa is one of the most attractive destinations for migrants due to the quality of its democracy and its relatively powerful economy in Africa.

Historically, Congolese migrations in South Africa can be broken down into three phases: the establishment of diplomatic relations and the beginning of migration (1988/9–1993), displacements during the two Congolese wars (1997–2001), and movements after the peace agreement (2002 to the present) (Sato 2018). Kadima (2001) situates the first wave of Congolese migration to South Africa between 1990 and 1992, during the highpoint of the political crisis generated by the Mobutu regime, which was accused of massive abuse and violation of human rights. As a consequence, a diplomatic crisis developed between the Mobutu regime, western European countries, and the United States. This led to stricter visa restrictions for the Congolese people. However, according to the diplomatic arrangements of the period, Congolese professionals did not need a visa to come to South Africa, which then became the destination of many Congolese professionals in sectors such as health, education, and engineering.

Kadima (2001) locates the second wave of Congolese migration to South Africa in 1993, associating it with the widespread unrest in Congo owing to economic deterioration coupled with negative growth rates and the decrease in the number of international development sponsors from 1990 to 1996 (Schoumaker, Flahaux, Mangalu & Agbada 2013). The political situation then was dominated by the end of the cold war, the democratisation process, and the unrest in the country (Schoumaker *et al.* 2013). The second wave was especially linked to unrest in Kasai and Katanga provinces, which forced many Congolese to seek asylum in South Africa.

The third wave was linked to Kabila's toppling of the Mobutu regime in 1997, which forced many previous state officials to seek asylum in South Africa (Kadima 2001). At the end of Mobutu's regime, the DRC entered an era of political turmoil, resulting in one of the worst humanitarian crises in the world (United Nations Development Programme 2014). The extended period of political instability thus pushed the Congolese people from their country to several host countries or to different areas of their own country.

Several empirical studies have explored the development of transnational practises among Congolese in South Africa. Inaka (2014), for example, explores the transnational political activities carried out in Tshwane by Congolese immigrants with respect to the election of Joseph Kabila between the end of 2011 and the beginning of 2012. His research shows the ways in which South African politics shapes the political opinions and attitudes of Congolese activists, awakening a political consciousness among Congolese immigrants and fostering their perception of South Africa, especially its capital Tshwane, as '*an arena of political freedom and/or struggle*' (Inaka 2014:18). Inaka and Trapido (2015:168) show that Congolese immigrants maintain close political connections with the DRC no matter what their legal status is and whether they are legally naturalised South Africans. Previous work by Landau (2009:205) found that Congolese and other immigrants in Johannesburg remained loyal to their country of origin.

At the same time, Congolese immigrants have evolved many social practises to claim their rights and identities. According to Landau (2009), they interact with the life of the city by shaping it through their social practises. Immigrants develop transnational activities as ways of surviving in the host country, through the use of social capital contained within social networks (Sato 2018). According to Owen (2015), the use of social networks through transnational practises, allied with the development of entrepreneurship, has been substantial within the Congolese community living in Cape Town. The key image emerging is that of self-employment growth as a mechanism of adaptation to and integration into the host country via Congolese social networks. The creativity and entrepreneurial spirit emerging in these social networks has had an impact on the transformation of the landscape of the economy in the host country. Sato's (2018) work – also on Congolese migrants in Cape Town – has described this migration experience as '*mixed migration*' or '*survival migration*', which is becoming an important feature of transnational human movement in the twenty-first century. Amesi (2005) investigates the social capital and the networks that have emerged in Durban among Congolese refugees creating economic opportunities for themselves in that city. Abiolu (2019) explores the role that

Christian music plays in the construction of a common identity among black South Africans, Nigerians and Congolese in Durban. This activity contributes to the development of transnational identity and a sense of belonging among the churchgoers involved.

1.3. Statement of the problem

De jure citizenship acquisition in the international system varies from one country to another. However, it is commonly based on the principles of *jus sanguinis* or *jus soli* and the naturalisation process (Global Citizen 2020). How citizenship is acquired plays an important role in an individual being a member of the nation or polity. Its acquisition determines the level to which one can exercise rights and participate in the organisation of the city. The legal status of immigrants, as shaped by their citizenship through the immigration laws of a specific country, is a key factor in their belonging to and integration into the life of the city where they have elected to reside. Ongayo (2019:153) argues that,

The citizenship question is central to understanding how diasporas relate to host municipalities, and the rights [immigrants] can exercise collectively as actors, individually, and through their organisations.

In their host countries, immigrants constitute members of diaspora communities that are linked through various common values or beliefs that express their self-identification in the place of their residence. Cities are perceived as milieux with many opportunities that attract immigrants. Such opportunities can include networks and services such as administrative and economic services, employment, businesses, education, health, and social and political support. Globally, however, access to the opportunities offered by city life depends substantially and in many cases on the formal legal status derived from a conceptualisation of citizenship based on the nation-state. Traditional and historical scholarship has commonly understood the right to access services and opportunities in the city in terms of the prerogatives associated with formal citizenship based on the nation-state. This notion of legal belonging is pivotal in shaping the criteria that make individuals eligible to access services (for instance, employment, education, healthcare and housing) and to participate in the organisation of the city.

In South Africa, immigrants holding legal permanent and temporary leave to stay in the country (such as asylum seeker status), are entitled to public services offered in the city. This access reflects several international agreements concerning the rights of immigrants in host countries. However, immigrants face significant exclusion from these services and benefits of the city. This is demonstrated in numerous articles on immigration in South Africa and is confirmed in this research. Furthermore, there are many aspects of access and the city in general that are not

covered in the legal rights-based framework governing South Africa. Although immigrants with legal status may have rights, in reality, they experience profound systemic exclusion that entails their participation in the daily life of the city. This exclusion is the result of xenophobic aspects of the law and xenophobic gatekeeping at different sites of service delivery. Xenophobia is frequently premised on the notion that the life of the city should be accessible to only those who are citizens of the nation state (a Westphalian approach to citizenship). A response to this systemic exclusion can be found in more recent academic literature and grassroots movements. A means to ensure *de facto* forms of citizenship (which are not bound to Westphalian notions of citizenship) have emerged at the scale of the city to challenge the several types of exclusion affecting everyday practises as consequences of the nation-state citizenship model. These are based on Lefebvre's concept of the right to the city and link the rights of immigrants to the city with their participation in the space of the city. Central to these approaches is an understanding of urban space as a site of social production.

In defining the 'urban' as a site of social production, Lefebvre (2003:39) provides this powerful description:

the place where people walk around, find themselves standing before and inside piles of objects, experience the intertwining of the threads of their activities until they become unrecognizable, entangle situations in such a way that they engender unexpected situations.

The interactions between inhabitants and between inhabitants and the city are thus key drivers in the production and use of urban space. Since all inhabitants contribute to the production of the urban setting, they are therefore entitled to be included in the management and the organisation of the city since they inhabit it. Lefebvre (1989, 1991, 1996) refers in his writings to such urban inhabitants or citizens as 'citadins'. From this point of view, all inhabitants have a right to the city and are entitled to obtain full (and unfettered) access to its services and benefits and to participate in the organisation of the city irrespective of whether their citizenship is a function of their belonging to the nation-state. Within the Lefebvrian approach, this call for access and participation is seen as a radical one, achieved through the '*re-appropriation of everyday life by social and political actions*' (Gilbert & Phillips 2003:316). Such claims have also been absorbed into the philosophy and mission of many scholars, grassroots movements, and international organisations, which advocate that the right to the city must be based on the principle of habitancy (the state of living in a particular place at a particular time). According to Gilbert and Phillips (2003:316), this refers to '*the right to claim, to struggle and to redefine the relation between domination and appropriation*'.

This study aims to answer whether and to what extent immigrants with different legal statuses have access to public services, accommodation, and employment in Tshwane. The second research question it seeks to answer is, if there is systemic exclusion from these different necessities of everyday life, how does the Congolese immigrant community cope with this exclusion through the reappropriation of urban space? Kassa (2018:15), for example, points to a case study showing '*how urban refugees employ their knowledge, resources, and networks to appropriate the urban space*'. In a related question, this research seeks to analyse how Congolese migrants build a sense of belonging within the community through associational life. The last question relates to how Tshwane can become a more inclusive city for Congolese immigrants. The right-to-the-city approach informs an approach that allows for the full inclusion of immigrants to access services and to participate in the organisation of the city through their belonging to the urban community of Tshwane. The principle of inhabitancy as theorised by the philosophy of the right to the city supports the extension of citizenship practises based on moral and human rights claims.

These questions are fundamentally spatial as the dynamics of exclusion and inclusion are played out in the spaces of the city. The city, however, is not simply a container of socio-political dynamics. Geographers and urban specialists argue that the spaces of the city produce these dynamics and are produced through these dynamics. The ways in which the spaces of the city and immigrants are produced and reproduced in Tshwane are analysed through Lefebvre's spatial triad. Based on urban struggles that occur in the life of these immigrants, how do they negotiate their exclusion to forge a sense of urban citizenship (and belonging) through the production of daily practises in Tshwane? In other words, how is the citizenship of Congolese immigrants' conceived; lived through daily experiences; and observed in the spatial practises and survival tactics they develop to express their urban sense of belonging by creating, reorganising, and reappropriating urban spaces in Tshwane?

1.4. Aim of the research

This investigation aims to explore the ways in which Congolese immigrants living in Tshwane negotiate everyday life through an application of Lefebvre's triadic understanding of the production of space.

1.4.1. Research Objectives

The objectives of this investigation are to:

- a) Describe the conceived spaces of the citizenship of Congolese immigrants in Tshwane.
- b) Capture the lived space of Congolese immigrants by documenting their everyday experiences of accessing employment, housing, and services such as education and healthcare, and their participation in the formal organisation of the city.
- c) Explore how Congolese immigrants manage their systemic exclusion through everyday tactics of reorganisation and reappropriation in the production of urban spaces in Tshwane.
- d) Provide recommendations to build a more inclusive Tshwane, based on the findings of the analysis.

1.5. Significance of Research

Globally, different discourses on citizenship and migration inform how immigrants are integrated in host cities. These different discourses have various manifestations, ranging from the exclusionary dynamics of different forms of xenophobia to more inclusive discourses that emphasise the rights of migrants in urban settings. These discourses, formalised in laws and policies of the nation-state, are played out in the specific spaces of the city. However, the city also produces spaces of control around the question of immigration. In some cities, while there may be draconian antiimmigrant laws nationally, the local level of the city may offer immigrants a more inclusive urban everyday life. In other contexts, national laws may be more inclusive (or in the case of South Africa, more conflicted around questions of immigration), but the experience of immigrants at the scale of the city may be more exclusionary. Furthermore, the different categories of legal immigrant citizenship status may influence the degree of inclusion or exclusion that immigrants may encounter in the urban milieu. For example, those who have been naturalised and have work permits may have different experiences than those who have acquired refugee or asylum seeker status. While there are many studies stemming from European contexts that relate how the spaces of immigration are produced in cities, little research has been done on this topic in the African context. Furthermore, while there are studies that have engaged the experiences of migrants in South African cities, none of them has engaged a Lefebvrian analysis of the experiences of Congolese immigrants in the spaces of Tshwane. This research captures the urban struggles of this marginalised community in the specific spatial context of Tshwane and campaigns for an inclusive urban citizenship model through the philosophy of the right to the city.

1.6. Theoretical framework: a Lefebvrian approach

Henri Lefebvre developed theories of space production and the 'right to the city' from the mid-1960s to the mid-1970s, to analyse the relationships arising from 'urbanization and the dynamics of capital accumulation' (Smith 2022:217). Currie, Knox, and McGregor (2022:1) define the right to the city as 'a radical concept of citizens that calls for the collective design of urban life, affordable housing, a decent school for children, accessible services, reliable public transport'. The right-to-city philosophy offers a tool to engage and overcome social injustice and marginalisation. Qian and He (2012) and Lelandais (2013), for example, use the right-to-the-city concept as an epistemological and analytical tool to explore urban social injustice. Furthermore, Lefebvre theorised the right to the city as an inclusive approach for all residents as citizens who should participate in the decisions of the city based on the principle of their residence (Purcell 2002). This participation of all inhabitants of the city contributes to the production of urban space. Currie et al. (2022:6-7) summarise the ways in which scholars have engaged with the right to the city through four key principles:

- (1) Resisting the privatisation of public space and services, which historically entails treating space in terms of surplus value rather than civic use due to government austerity and privatisation,
- (2) fighting for a more equitable distribution of the benefits of city life to all inhabitants;
- (3) introducing more democratic practises determining urban development and resource distribution; and
- (4) guiding these processes using a particular set of rights that emphasise social justice over property ownership.

In the context of this investigation, the right to the city, as a paradigm, therefore contributes in the field of social justice by equipping immigrants who are facing marginalisation to access services and provides a terrain of engaging with local officials in claiming or demanding inclusive urban policies for all inhabitants of the city.

In the theory of the production of space, Lefebvre identifies three aspects (*moments*) of space: the spatial practise (perceived space) as material processes, the representations of space (conceived space) made of norms, concepts, signs, discourses, regulations, plans, and the experiences occurring in spaces of representation (lived space) (Lefebvre 1974/1991). Lefebvre proceeds to theorise that the relationship between these moments is dialectical, making up a triad where these different moments of space are coproduced. The three moments are covalent and cannot be taken separately and the relationships between them should be viewed as '*active*

elements and not to study them independently, but rather to analyse the dialectical interplay of the dimensions' (Schmid 2022:229). Lefebvre's triad provides a means to explicate the social injustice that occurs in the production of space through norms and experiences. It also frames the spatial practises that inhabitants adopt to address their exclusion in the use of the city. In this way, the right to the city is linked to the production of the space through the concept of reappropriation. This theoretical framework is flexible and can be used to analyse the spatial dynamics and power relations emerging in a range of urban contexts (Delaisse 2020). Schmid (2022:217) posits that '*Lefebvre's theory has an empirical background and is designed for empirical application*'. The spatial triad is particularly relevant to the everyday lives of immigrants in the city. Kassa (2013, 2018), for example, applies this framework in studies on urban citizenship for refugees. The three aspects of the spatial triad and the right to the city are associated with the three dimensions of citizenship: membership, rights and participation, as conceptualised by Shachar et al (2017).

Lefebvre's triadic theory of space has been applied in this thesis to understand how the spaces of immigrants are produced in Tshwane. Conceived space is the space of those in power; it is dominated space. An analysis of conceived space draws out the relationship between Westphalian notions of citizenship, immigrants, and access to services, accommodation. Conceived spaces determine the legal status of the immigrants, their rights (and access to services) and their type of participation in the formal public life and organisation of the city. In this way, conceived spaces define the norms and discourses on the eligibility and produce the exclusion of immigrants. The resulting discrimination and marginalisation lead to weak integration of immigrants in the city. To overcome these exclusions, immigrants in Tshwane have built a number of strategies and tactics that find their expression in the perceived and lived spaces of their everyday lives.

Despite resistance to their exclusion from urban life, those in power can still control the level of integration in a host country and a city. This is the main limitation of Lefebvre's spatial triad. The relationship between conceived space, lived space, and perceived space is not balanced in the case of immigrants. The reorganisation and reappropriation of space can be neutralised or repressed by those who are in power. To counter this, in this thesis, it is argued that there needs to be a more substantive engagement with the right to the city in local governance to ensure the inclusion of immigrants in the city. To this end, different case studies of the urban inclusion of migrants are discussed, and recommendations are made to institute this in the case of Tshwane.

1.7. Positionality and methodology

In his critique of the Lefebvrian theory on the production of space, Schmid (2022:219) argues that it *'provides some challenges to fully grasp its implications and to use it in concrete empirical research'*. He goes on, indicating that

...the starting point has to be a radical critique of the present situation, which finally opens up the possibility of practical (and radical) change. One cannot therefore adopt Lefebvre's theory 'as it is', but must advance it conceptually in constant interaction with social reality. This is why the theory must also constantly be further developed: what is needed is an open and creative way of handling it.

(Schmid 2022:229)

For Schmid, a Lefebvrian analysis is ongoing and the application thereof is determined by the research context. To achieve this, research needs to critically analyse the problems of everyday life with the aim of effecting social change or transformation. In this thesis, the struggles of everyday life are captured through a qualitative methodology informed by the dialectical interconnectedness of the three moments of the spatial triad.

This thesis was born from my personal experiences as a Congolese migrant in South Africa. Immigrants face a variety of social injustices on a daily basis. Having experienced these and witnessing others who had experienced discrimination played an important role in my selection of this topic of research. The study was designed as a qualitative approach that used the urban ethnography methodology to collect data through face-to-face interviews. Furthermore, participant observation was carried out within the purposively selected research population. The fieldwork collected the experiences of Congolese immigrants on their social networks. Pictures and memos captured these observations. If documents were handed out at a gathering, they were collected and analysed. My insider status as a Congolese immigrant facilitated access to these different communities and events. Data collection on the experiences and spatial practises of Congolese immigrants was carried out in a familiar and friendly environment that provided sound information on their everyday urban struggles. Data were analysed using thematic content analysis with the production of the space applied to the generation of themes. The understanding of citizenship and the sense of belonging in the city was developed by considering the interconnectedness of the three moments of the production of space and their relationship to the three components of citizenship (membership, rights, and participation). Through the

triangulation of various sources of information, the study explores in depth the main question of the integration of immigrants into the life of the city.

The findings shed light on the urban struggles of immigrants to obtain membership status and access to services and participate in the life of the city. They also describe the challenges that Congolese immigrants face in their attempts to exercise their citizenship in Tshwane. The findings can be viewed as constituting a basis from which to develop new claims through dialogue focused on the right to the city. The knowledge developed through this investigation can also be seen to be informative and capable of influencing Congolese people in their decisions and aspirations related to migration because it describes the deep wounds inflicted by the inability to exercise citizenship fully or in a meaningful way. The transnational identities that Congolese immigrants develop in relation to the Democratic Republic of Congo should be at the core of migration discourses seeking to provide a genuine response to the causes of such limiting social phenomena in their lives. Therefore, this research elucidates urban struggles such as the marginalisation and restrictions created by immigration laws and the way in which these affect the lives of immigrants.

This study carries the aspirations and demands for the extension of citizenship that can be conceived at the local level and can include international calls for moral and human rights in the implementation of urban citizenship practises. This study expresses a call for hope in the transformation of the situation of Congolese immigrants in Tshwane because it addresses urban struggles from the three dimensions of citizenship by focussing the claim on the integration of Congolese immigrants at the city level where they experience their burdens and express their aspirations and demands. Transformation would be made possible by reviewing or reformulating urban policies. The study expects that the narrative of the experiences of Congolese immigrants can help urban policy makers adopt an inclusive approach by offering immigrants meaningful city membership, access to rights and participation at the local level based on the principle of residence. In short, the application of the philosophy of the right to the city can be applied to improve the quality of life of Congolese immigrants in Tshwane.

Since the nation state has been shaped primarily through citizenship, to what extent can this study campaign for the inclusion of immigrants and claim their right to the city based on the reformulation of membership, access to rights and participation in the city's networks? Immigration issues as social phenomena will continue to face countries for many reasons, and inclusive urban policies are envisaged as a possible way of erasing the severe marginalisation of large groups of city inhabitants. Immigrants will need to be integrated into the city network

through the application of the philosophy of the right to the city. When excluded, immigrants can reappropriate urban space in ways that affect the quality of life in the city.

The call for the integration of all inhabitants into the organisation of the city is essentially a call for transformation. The validity of this call is supported by the South African constitutional and international legal framework on access to civic equality for the dignity of each human being. Can the inclusive approach gain traction in Tshwane, allowing the three dimensions of urban citizenship for both citizens and non-citizens for the sake of social cohesion?

The findings of this study reveal the need to organise civic education for Congolese immigrants, providing them with information on their citizenship activity that will allow them to understand the meaning of their particular legal status and its repercussions on their lived spaces and spatial practises. Based on the philosophy of the right to the city, this thesis advocates the benefits of initiating a collective call by Congolese immigrants on their aspirations and the necessity of being connected to the place where they reside. Therefore, the originality of this research lies in formulating an empirical call for the transformation of Congolese citizenship practises that can make '*possible worlds*' (Purcell 2013) happen by participating in several actions aimed at altering Tshwane's urban policies as a local level of government. These would aim to change the eligibility criteria of Congolese immigrants, allowing them to access services and participate in Tshwane according to their status as residents (*citadins*). This transformation towards the extension of citizenship can occur only through a collective engagement in which Congolese immigrants initiate a dialogue with city authorities and officials to claim inclusive urban policies based on their legal residence in the city.

1.8. Outline of the thesis

The first chapter of this dissertation defines the problem statement and provides a general background to the study. It captures the aims and objectives of the study and provides the rationale.

Chapter two explores the literature on the main themes of migration; the conceptualisation of citizenship; and a theoretical framework for the production of space under the lens of the philosophy of the right to the city. The construction of citizenship as driven by belonging to a nation state is explored. Thereafter, the shift to post national paradigms of citizenship centres on urban inhabitancy is presented.

Chapter three explains the research design and methodology. A qualitative research enquiry approach based on face-to-face interviews and participant observation with Congolese

immigrants is explored in the urban setting of Tshwane. Thematic content analysis is the main technique used to analyse transcripts obtained from interviews; memos; documentation and photographic images captured during the fieldwork.

Chapters four and five document the findings developed using thematic analysis. Chapter four explores the conceptualisation of social stratification of citizenship that arises as a result of the legal statuses that are imposed by the immigration legal framework. This chapter covers the first three objectives of the dissertation. In this chapter, the different types of immigrant status are discussed and the impact each of these statuses has on the lived experiences of immigrants in accessing employment, education, healthcare and housing in Tshwane is explored.

Chapter five focusses on the spatial practises of Congolese immigrants and their participation in the city. This chapter analyses the spatial practises of Congolese immigrants as tactics that reorganise and reappropriate urban space in Tshwane. This chapter describes the development of social capital networks that underscore the transnational identities of immigrants as a means of achieving a measure of integration into the life of Tshwane. The focus here is on the emerging urban sense of belonging that is associated with these social formations.

Based on the research findings, chapter six calls for social transformation through efforts to connect Congolese immigrants to the services of the city. It campaigns for an inclusive approach towards urban Congolese inhabitants in the various networks of Tshwane. This inclusive approach and the practises recommended in the chapter are in accordance with the philosophy and mission of Lefebvre's right to the city.

CHAPTER TWO: CONGOLESE MIGRATION, CITIZENSHIP AND BELONGING

2.1. Introduction

This chapter is structured based on three main components. The first component deals with the conceptualisation of migration among scholars and captures the main migratory trends in Africa (with a focus on Congolese migration into South Africa). The second component explores the conceptualisation of citizenship among scholars. Two main models of citizenship are discussed: first, that based on the nation-state; and second, post-national citizenship, with a focus on the urban citizenship model. The core discussion focuses on the features of the two models, indicating the demarcation point in the performance of citizenship. Key areas of this literature review cover the conceptualisation of modern citizenship features among schools of thought. The dynamic approach to citizenship is discussed by showing how the model has shifted from the hegemony of formal (*de jure*) nation-state citizenship to new claims on citizenship as activity (*de facto*). This crucial shift from a polarised view based on the mutually exclusive concepts ‘*citizen*’/‘*non-citizen*’, which has been shaped into a holistic view based on the status of simply being a resident somewhere, has been developed by various scholars, political actors and social movements into a model of urban citizenship. Consequently, the shift observed among the academy and other institutions on the perspectives of citizenship has been motivated by the influence of its many democratic expressions or representations around the world. Developing new ways of practising citizenship supports an ontological necessity linked to how human beings represent themselves in the world; and an epistemological need related to how humans understand the world in which they are socially and spatially interacting. In summary, the study explores the link between citizenship and migrations in the context of urban citizenship.

The third component of the study deals with the theoretical framework that helps to build an account of Congolese citizenship and Congolese people’s sense of belonging in Tshwane since citizenship is produced, perceived and lived socially and spatially. At the global level, Sassen (2002) highlights the crisis in the daily life of the contemporary city, which includes the polarisation of income and labour opportunities that necessarily produces the periphery, housing precariousness and urban marginality. To explore such social injustice in the case of Congolese immigrants in Tshwane, a comprehensive and holistic theoretical framework has been used, developed particularly from the overarching conceptualisation of the Lefebvrian triad model on the production of the urban space and the formulation of the theory of the right to the city (Leary-Owhin & McCarthy 2019). This choice is motivated by the epistemological and ontological

insights that Lefebvre theorises through his several writings to explore urban problems, in which he scrutinises ‘*social slices*’ of the life of citizens through a unitary theory of the production of space capable of unveiling urban injustices. This comprehensive theoretical framework, which is developed as a tool of analysis, covers four main dimensions of Lefebvre's intellectual oeuvre, including specifically the triad model on the production of urban space as expressed by conceived, perceived and lived space, and the right to the city, which links into the urban citizenship model. The study also refers to the application of this model in the context of African cities, to illustrate the production of space and its appropriation by migrants, and the participation of immigrants or marginalised groups operating informally in the city by claiming their urban citizenship. The three main components of this chapter are linked by the understanding that the quality of the life of migrants and their sense of belonging in a city is the result of their legal status and the practices associated with the different geographical locations and historical contexts of migration. Migrations are connected to the conceptualisation and practice of citizenship, theoretically and practically, in the production of the space. This in turn influences, how and to what extent, migrants build a sense of belonging of immigrants in the host country.

Citizenship and migration are social and geographical phenomena that imply the interactions of individuals in a certain geographical space. Citizenship is fundamentally tied to all dimensions of space. Citizenship practices create and control space. Migration in this study refers to human mobility within a certain space. Space is a complex concept that is defined according to several perspectives: legal, social (race, gender), physical, political, economic, geographical (urban and rural) and cultural (linguistic and religious). Migration also covers two main factors in human mobility, from an origin (country or place) to a destination (Lee 1966).

Any human movement from a country of origin to a country of destination is classified as ‘*international migration*’. At a more local scale, migrations can also take place from rural areas to urban areas and from less economically developed areas to more economically developed areas. Migrations shape the spaces in which human beings interact socially and spatially. They represent a social phenomenon that is motivated by politics, economics, the environment, and issues of safety.

2.2. Conceptualising migration

Migration is a complex social phenomenon that can be studied through the lenses of several disciplines, such as sociology, anthropology, geography, economics and demography. Migration studies can apply quantitative or qualitative approaches in exploring such complexity and are conducted at different scales of analysis: internationally, nationally and at the level of

households, families and individuals. Scholars commonly face a challenge in elaborating a single systematic theoretical framework to capture the causes and impacts of migration. The key issue in the conceptualisation of migration is fundamentally linked to

the absence of a central body of theories that summarises, generalises and systematises the accumulated insights of a vast amount of empirical research, that can serve as a common frame of reference within which to examine, interpret, understand and explain 'facts' and 'findings' from various disciplinary and paradigmatic perspectives, and that can guide future research. (De Haas 2021:3).

Lindstrom and Ramirez (2010:56) argue that migration is *'no longer an individual phenomenon; it has become a social phenomenon'*, that *'affects communities around the world'* (Podgórska-Rykała & Sroka 2021:12). Many countries have responded to migration in through laws that have negatively affected the lives of migrants in host countries (Salomon 2020). These effects present a social crisis and draw anti-immigration discourses and policies into public debates (Amelina *et al* 2021:1). As these discourses become normalised, these negative legal effects find their spatial expression in the everyday practices of the city. These practices impact access to urban services and resources, which migrants are frequently excluded from both through legal mechanisms and social exclusion that are played out in the spaces of the city. This alienation from the life of the city is highlighted in the recent work on Anthias (2016, 2020) who argues the issue of immigrant belonging in the place of their residence is central to anti-immigration discourses.

Belonging *'is an emotionally charged, ever dynamic social location – that is: a position in social structure, experienced through identification, embeddedness, connectedness and attachments'* (Pfaff-Czarnecka 2013:13). Belonging covers a fundamental search for identity, it is an ontological need for recognition. Anthias (2016) provides a useful spatial conceptualisation of belonging that covers the political, economic and social struggles that occur in a community or society.

...an attachment (to place, community), claims (for place, community), attributions (of place, community), formal membership to places through meeting criteria of such membership, as a commitment or practices of consensus to a state/social system (Anthias 2016:178).

The discursive construction of migrants is frequently that they are 'out of place' and their capacity to appropriate the life of the city is legally and socially limited. This has raised questions around how migrants construct a sense of belonging in their host countries, many of

which are hostile towards them. An entry point for this kind of research is an examination of the drivers of migration. Initially migration was conceptualised in terms of a functionalist theoretical framework. The concept of belonging, however, shifted the intellectual focus from more functionalist understandings of migration to ones which emphasise identity.

2.3. The functionalist paradigm

The functionalist paradigm developed by various scholars of migration represents a set of theories focusing on the maximisation of income as the driver stimulating migrants' decisions. This umbrella, De Haas (2021:4) explains, consists of a whole range of models and theories:

neo-classical equilibrium models (from economics), push-pull models and migration systems theories (mainly from geography and demography), as well as dominant interpretations of migrant network theories (primarily from sociology), can all be situated within the functionalist paradigm of social theory, according to which migration is, by and large, an optimisation strategy of individuals or families making cost-benefit calculations.

The key feature of the explanation of migration under the umbrella of the functionalist paradigm is the central assumption that human mobility is based on the quest for opportunities to be found in the place or the country of destination.

2.3.1. Neoclassical economics

Neoclassical economics remains among the most dominant macro theories of international migration. Neoclassical migration theory was pioneered by Harris and Todaro (1970) and has influenced many schools of thought in the field of migration. De Haas (2021) argues that neoclassical economics occupies a prominent place beside other theories of migration under the umbrella of the functionalist paradigm. According to Massey, Arango, Hugo, Kouaouci and Pellegrino (1993:432), neo-classical economic theory is based on 'differentials in wages and employment conditions between countries, and on migration costs; [and] generally conceives of movement as an individual decision for income maximization'. Ette and Witte (2021) elaborate that international migration flows are understood through the lens of inequalities among countries in the international labour market. The superior remuneration provided by the developed countries is the key driver motivating international migration, and neoclassical economics theory on international migration focuses on the maximization of economic opportunities in the country of destination. Based on this theory, since the difference in wages among the countries plays a key role in the international flow of migration, international

migration can be controlled and can be stopped by inducing the labour market to provide similar opportunities in each country. Papademetriou and Hooper (2022) believe that this could be brought about through the establishment of partnerships between countries, thereby contributing to the management of international migration.

This assumption seems to be reductionist since international migration can be motivated by other complex determinants that are not purely economic. Hunter and Simon (2022) have argued, for example, that environmental factors can be crucial in stimulating the decision of individuals to undertake international migration. Immigrants can reside in the host country for reasons other than the explanation provided by the neoclassic economics theory. This can be the case with immigrants who decide to get married to citizens of the host country and reside permanently with the family they have created. It is clear, therefore, that the explanation of international migration needs further theoretical input if it is to make sense. Among the theoretical inputs to provide a fuller explanation of migration – one that would have greater credibility – is that of the push and pull model.

2.3.2. *The push and pull model*

The push and pull model is another example of the functionalist paradigm. This model holds that international migration is the result of macro socio-economic, political and ecological factors that prevail in the country of origin and the country of destination (King 2012). In the push and pull model, migration is the result of two or more forces interacting and influencing the decisions of individuals in the migration process. According to this theory, migration is influenced by factors that work in a dynamic process from the origin to the destination. Push factors refer to the voluntary or involuntary drivers which motivate or force individuals in their decisions to leave their homes and settle in their place (country) of destination. There are many of them, including the prevailing economic situation in the region; political instability; ethnic conflict; cultural, racial and/or religious persecution; and environmental crisis (Tsuwa & Adzaigba 2021). The pull factors are the drivers that attract migrants to settle in their country of destination. For instance, in cases where migration is motivated by the quest for economic opportunities, pull factors may include the legislative framework and the labour-market situation in the receiving country.

Many scholars support push and pull factors as a key model in discourses on migration (Lee 1966; Parkins 2010). The factors have, however, been criticised for often being vaguely defined and unable

to explain migration as a social process, as they tend to list a number of static factors that obviously play 'some' role in migration but without specifying their role and interactions or providing a structural account of the social processes driving population movements (De Haas 2021:6).

International migrations remain social phenomena that are influenced by individuals' aspirations on the one hand; and by natural factors on the other. This limitation thus reveals the necessity of an interpretation of international migration that is conducted under a broader context of the human and natural events stimulating individuals' migration-related decisions.

2.3.3. Migration systems theory

Migration systems theory stemmed from a type of social theory that came to the fore following World War II and was dominated by a functionalist epistemology. Its roots can be found in the work of Mabogunje (1970), who investigated rural and urban migrations in the African context. Mabogunje applied the concept of 'system' as the key to explaining and understanding migration as a social phenomenon. According to him, migration systems are shaped, in fundamental ways, by feedback mechanisms between rural and urban settings. Urbanisation leads to migration from rural areas to urban areas, as people in rural areas seek out better opportunities and services. Urban areas are viewed, therefore, as geographical zones attracting rural migrants motivated by a variety of opportunities such as paid employment, a better quality of life and economic hubs offering many opportunities. In other words, rural individuals believe in urban settings as ideal destinations for the achievement of their aspirations or ambitions.

Kritz, Lean, Lim and Zlotnik (1992) extended migration systems theory by applying it at the international level. In their work, the nation state becomes the unit of analysis in understanding migration systems theory. Their functionalist conceptualisation of international migration thus focuses on the interactions occurring in the complex systems built between countries (Bilsborrow & Zlotnik 1994, Kritz, Lean, Lim and Zlotnik (1992)). Within this framework, migration has come to be described as the product of the interaction of several parameters: the reciprocal actions of nation states; the political alliances, socio-cultural exchanges and economic ties between them; and the agreements among them (Zlotnik 1992). International migration occurs in the context of bilateral or multilateral agreements among countries working on projects to achieve the same goals. Citizens of countries linked through mutual agreements on co-operation in specific sectors are provided with the relevant information and documentation they need to migrate legally. The system of mutual collaboration between countries thus plays an

important role in shaping the perceptions and motivations of individuals, and in initiating their process of international migration.

International migration systems refer to sets of countries that create mutual arrangements, for instance, trade networks and labour-market frameworks, and provide information on the potential economic opportunities available as a result, thereby influencing the flow of migration. Migrants interact in the system through several transactions, including exchanges of goods and services; capital flows (remittances); agreements; and information (Gurak & Caces 1992). According to Massey *et al* (1998:61), migration systems theory leads to a ‘set of relatively stable exchanges of people between certain nations ... yielding an identifiable geographic structure that persists across space and time’.

Migration systems theory thus assists in understanding various international migrations, because these occur based on the arrangements that countries have arrived at to achieve common projects providing mutual benefits for their citizens. The extent of human mobility between the countries is motivated by the types of international agreements they sustain. Immigration trends and patterns are thus spatially and socially distributed based on the nature of international agreements linking various countries.

When it comes to international collaboration, countries forge many types of agreements, including those related to labour markets, and technological objectives. Papademetriou and Hooper (2022) agree that international migration between countries may be explained in the context of such agreements and argue that this type of international co-operation can be extended at the continental level, with countries creating links and providing legal and economic tools to stimulate the intra-continental migration of individuals. Based on the arrangements between countries, such tools may include special visas, or permits allowing migrants to integrate into the national market of another country (through employment, for instance).

Citizens of the countries belonging to the Southern African Development Community (SADC) have for some time been entitled to move between member countries based on various trade and political agreements. In recent years, under the SADC’s Draft Regional Labour Migration Policy Framework and Labour Migration Action Plan (2020–2025), work has been done on six migration-specific labour frameworks. Three further frameworks relating to refugees and asylum-seekers; illegal migration and human trafficking; and the eventual elimination of visa requirements have also been developed. In South Africa, the Draft National Labour Migration Policy and the Employment Services Amendment Bill were submitted for public comment on 28 February 2022. The overarching aim of these initiatives is the promotion of skills transfers

to meet the needs of regional development and integration through the supply of, and demand for, labour among SADC countries (Amadi 2022).

Scholars have critiqued the migration systems theory by pointing to its lack of explanatory power concerning the formation processes of systems as entities; or how systems decay over time. Bakewell, De Haas and Kubal (2012:7) note the stagnation of migration systems theory, arguing that since Mabogunje's conceptualisation,

migration systems theory still largely reflects (the now rather obsolete) social systems theory of the post-war period, which explains its strong functionalist character as well as its inability to account for the heterogeneity of migration system formation (the existence of different trajectories), change (growth, decline, stagnation) within existing migration systems as well as the role of agency (vis-à-vis structure) in explaining such change.

This does not mean that migration systems theory has not had its uses. Although the theory cannot deal with the complexity of human mobility and its diversity, it provides significant insights towards a geographically based understanding of the patterns and the trends of migration features occurring locally, nationally and internationally.

2.4. The historical-structural paradigm

The historical-structural paradigm (also known as the conflict theory) regroups theories explaining migration through different philosophies (Kaushik 2021). Castles, De Haas and Miller (2019) demonstrate that the structure of society is a key driver motivating international migration. Morawska (2012) discusses the role of history and the structure of society in influencing international migration. The core of this paradigm, according to De Haas (2021:4),

focuses on how powerful elites oppress and exploit poor and vulnerable people, how capital seeks to recruit and exploit labour and how ideology and religion play a key role in justifying exploitation and injustice by making them appear as the normal and natural order of things.

Migration in and between societies is here interpreted through the lens of structural economic and power inequalities (Castles *et al* 2019). Social inequalities influence human mobility around international and national spaces. The political, socio-economic and cultural structures of societies create social injustice and inequalities throughout the labour market, and individuals seek to address the results by migrating nationally or internationally. The perception of

migration in the historical-structural paradigm focuses, therefore, on the impacts of the structures which motivate individuals to migrate (Morawska 2012).

2.5. Limitations of the functionalist migration paradigm

In summarising the impact of migration systems theory and the push and pull migration model, De Haas (2021:5) is of the opinion that these two arms of the functionalist migration paradigm see migration in rather simple terms, as

...a positive phenomenon contributing to productivity, prosperity and, eventually, greater equality in origin and destination societies through bidirectional flows of resources such as money, goods and knowledge. Essentially, they interpret migration as an optimisation strategy, in which individuals (and sometimes families or households) use migration to access higher and more-secure sources of income and other livelihood opportunities.

The main limitation of the functionalist migration paradigm in general is the narrow manner in which it defines the drivers of human mobility from one area to another. Castles and Miller (2009) point out that, as social phenomena, migrations have complex drivers. The maximisation of opportunities as supported by the functionalist paradigm is only a small part of this complexity. The paradigm's reductionist interpretation of migration ignores several aspects of human beings' ambitions and aspirations and fails to consider the complexity of the motivations and ambitions that influence individuals' decisions to leave their homeland and settle in host countries. Even the structural-historical paradigm, which looks at migration in a more complex way, provides little explanation of the process of formation of social injustices and does not explore how these contribute to the decisions and motivations of individuals to migrate.

Garip (2014) points to the challenges that migration scholars are facing in elaborating questions, theories and methods fitting their topic of research. The quest for a more comprehensive interpretation of migration remains a challenging one, as De Haas (2021:8) underlines:

Besides their general inability to conceptualise how structural factors and actors have actively shaped migration processes throughout history, functionalist theories have difficulties in explaining how, in the real world, migration can reinforce pre-existing inequalities.

Such difficulties are linked also to the diversity of interpretation generated through the qualitative or quantitative approaches used by different disciplines. The functionalist conceptualisation of migration does not, for instance, consider the fact that although immigrants

may get attracted to the opportunities of host countries and settle there, they may continue to negotiate their identities and sense of belonging based on the values and practices of their homeland or country of origin. Even historical-structural theories, which explain migration in terms of the power of certain countries or institutions to create labour markets to their advantage and exploit migrants through their political, socioeconomic, and cultural structures (Castles *et al* 2019), are limited because they exclude the role individual agency in deciding to migrate. The historical-structural paradigm of migration neglects to account for those migrants who are not victimised in their host societies but instead achieve their ambitions and aspirations by creating their own opportunities. Migrants, therefore, may use their creativity to integrate into the social structures of their host countries and become successful in changing their lives or in achieving their ambitions.

The limitations of all three functionalist approaches reveal, therefore, that migration studies should adopt a broader conceptual framework, one that includes new factors or parameters. One of these, as already suggested, is the role of individual decisions in the migration process. Despite the presence of historical causes or structural organisations that encourage or motivate migrations, individuals may decide to stay in their own areas, pursuing their dreams and aspirations in their homelands or other native places without desiring the opportunities offered by the socio-economic structures established by migration systems within other countries. They may create opportunities in their native environments and may even reject the benefits offered by the migrations systems. Through their commitment to staying where they are, these individuals may create a sense of belonging and identity that is in fact rooted predominantly in their personal motivation to overcome the influence of the structures encouraging migrations.

The personal aspirations and ambitions that shape identity need to be taken into account in explanations of migration. Individuals have their own perceptions of migration, and these motivate them in achieving their purpose in life, which is by no means always achieved by searching for economic opportunities and escaping from the social injustices created by various structures. The following section attempts to explore the importance of the construction of identity as an important factor in understanding migration; and does this through the concepts of ‘networks’ and ‘social capital’.

2.6. Immigrant identities

According to the International Organization for Migration (IOM), migration is ‘*the movement of persons away from their place of usual residence, either across an international border or within a State*’ (IOM 2019: 137). Using the lens of the country of destination, the IOM

(2019:103) refers to immigration as *'the act of moving into a country other than one's country of nationality or usual residence so that the country of destination effectively becomes his or her new country of usual residence'*. In terms of the duration of stay in the host country, the United Nations Department of Economic and Social Affairs (UNDESA) states that an immigrant refers to a *'person who moves to a country other than that of his or her usual residence for at least a year'* (UNDESA 1998:10). It is important to bear in mind that the use of the term *'immigrant'* does not reflect a migrant's legal status profile but often refers to how long individuals spend in the host country. According to Criado (2000), the term *'immigrant'* is applied to people who, for many reasons such as economic or political ones, moved from their country of origin to another country to build a better quality of life. For various reasons, immigration can be temporary or permanent. Members of the family of immigrants may remain in their country of origin while migrants live permanently in their host country. Immigrants may also keep in place several ties to their family members. Depending on the causative motivation or factors, migration can be classified as forced or voluntary. Scholars count factors such as natural disasters or environmental crises as influences in forced migration, which also covers human factors such as socio-political crises, wars or ethnic conflicts. Voluntary migration, on the other hand, is understood to be influenced by individuals' choices and ambitions in the absence of external constraints.

The term *'economic migrant'* is used in the literature to refer to any person who *'is moving or has moved across an international border or within a State, solely or primarily motivated by economic opportunities'* (IOM 2019:61). From this perspective, an economic migrant is influenced by the availability of economic opportunities and their accessibility in the country of destination. However, the IOM (2019) has encouraged the use of the term *'migrant worker'*, which covers and protects this category of migrant. A migrant worker refers to an individual *'who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national'* (IOM 2019:136). During their residence in the host country, immigrants' identities are defined by the legal status that they acquire through that country's legal immigration framework. Based on their legal status in the country of their residence, migrants can be classified into one of several categories according to the dispositions of their host countries' immigration laws. Immigrants' legal statuses are expressed through different types of permits, such as work, permanent residence, refugee or asylum-seeker permits. The diversity of the categories applied to immigrants relates to how individuals are classified and identified in the space they reside in or use in the host country. In the world today, scholars link such classifications and identities to the struggles immigrants face in the process of creating a

social identity and a status in terms of belonging in a host community, as shaped by the power of the nation-state in controlling access to space through immigration laws (Anthias 2020, Laclau 2005). The nature of each of the categories of immigrant that immigration laws apply is crucial in influencing immigrants' daily experiences and belonging in the host country.

The following section attempts to explore the importance of the construction of identity unveils the sense of belonging and is as an important factor in understanding migration; and does this through the concepts of '*networks*' and '*social capital*' which developed in the identity-based paradigm.

2.7. The identity-based paradigm

2.7.1. *Networks and social capital*

Network theory emphasises the influence of social ties on the migration process and its impacts. Network theory explains international migration by considering the social experiences gathered and shared among human beings through the formation of networks. Boyd (1989: 639) conceptualises networks in migration discourse by referring '*primarily to personal relationship based on family, kin, friendship and community*'. These networks are fundamental to capturing the migration process among countries:

Networks connect migrants across time and space. Once begun, migration flows often become self-sustaining, reflecting the establishment of networks of information, assistance and obligations which develop between migrants in the host society and friends and relatives in the sending area. These networks link populations in origin and receiving countries and ensure that movements are not necessarily limited in time, unidirectional or permanent. (Boyd 1989: 641)

Networks influence the migration process from its genesis until the settlement in the host country of migrants who will maintain linkages with their country of origin. Massey, Arango, Hugo, Kouaouci, Pellegrino and Taylor (1993:448) define migrant networks as '*sets of interpersonal ties that connect migrants, former migrants, and non-migrants in origin and destination areas through ties of kinship, friendship, and shared community origin*'. This understanding of international migration flows and continuation is therefore based on the social networks emerging between countries of origin and host countries (Esveldt, Kulu-Glasgow & Schoorl 1995).

The literature on networks theory identifies four steps in the process and impacts of migration. First, the information that individuals obtain in social networks plays an important role in

motivating the decision to migrate (Grasmuck & Pessar 1991). Second, social networks assist in identifying the geography of human mobility and patterns of migration. Third, the existence of social networks contributes to the development of transnational links by immigrants (Kearney 1995). Fourth, social networks provide settling immigrants with support as they integrate into the receiving countries (Massey, Alarcon, Durand & Gonzalez 1987). These networks amount to social capital, providing useful information and allowing newcomers to adapt to their new environment (Browning & Rodriguez 1985).

The concept of social capital is well developed in the literature and is influenced largely by Putnam (1993), who theorises that social capital linked to moral obligations, norms, social values and social networks is a determining factor in the success of an economic and political system. Social capital boosts the mutual trust that supports individual members within a geographical setting in pursuing goals that provide mutual benefits among members. According to Seligman (1997:14), the concept of social capital in modern society is similar to that of ‘*consensus*’, which

is based on interconnected networks of trust – among citizens, families, voluntary organizations, religious denominations, civic associations, and the like. Similarly, the very ‘legitimation’ of modern societies is founded on the ‘trust’ of authority and governments as generalisations.

Such consensus is developed in the social networks emerging within societies. It contributes to the creation of conditions ensuring that individuals build confidence in the system that is theirs. In the context of migrants, the existence of social networks grounded in social capital is the key driver to survival in the host community and supports motivations for migration dynamics. In terms of employment or other services such as housing, education, professional skills development, access to services or economic opportunities, existing social networks provide immigrants with valuable information (Bailey & Waldinger 1991). Social networks may undertake the pooling, creation and distribution of entrepreneurial resources allowing immigrants to build economic opportunities in their host country (Light, Bhachu & Karageorgis 1989). Through the creation of economic activities, these social networks, therefore, transform the performance of the local economy. Tshishonga (2022) demonstrates that social capital in Durban is a key factor contributing to the success of immigrants’ entrepreneurship in conducting small businesses. This success is supported by the impact of other immigrants with a sound sense of entrepreneurship and creativity, organised through their networks into a form of social capital. Boswell (2003:3) goes so far as to state that the existence of networks ‘*can substantially influence the direction and volume of migration flows, providing resources that help people to*

move, such as information, contacts, economic and social support'. Through networks based on social identity or membership, immigrants provide one another with mutual support to achieve integration into the host community. Social ties in these networks amount to the main form of capital used to produce the integration tools required for survival in the host country. Light *et al.* (1989:7) specify that migration networks contribute to providing '*access to various kinds of mutual aid and assistance other than and in addition to information*'. Under networks theory related to migration, existing networks are a means of assisting newcomer immigrants to reduce their installation costs in the receiving country; and provide a structure for integration into, and protection in, that country.

The networks approach, critics argue, wrongly imply that networks are static. Networks inevitably exploit the structure of the local environment, for instance in the economic or employment sectors. The performances of social networks, therefore, rely on the availability of opportunities in the local market, while the saturation of the local markets has an impact on the performance of social networks. According to Light *et al.* (1989), the chief limitation of the networks approach resides in cases of economic saturation, when networks can longer function properly or provide support to immigrants. Hagan (1998:55) elaborates, therefore, that '*Social networks can strengthen and weaken over time, can change differentially for different segments of the immigrant community and therefore have disparate effects on incorporation*'. Social networks are thus not standard; they differ from one set of circumstances to another and from community to community.

During their settlement in the host country, immigrants can develop social networks allowing them to undertake many types of activities linking them to their country of origin. These networks operate as sources that provide information and resources that immigrants use to integrate their host communities on one hand and allow them to be in touch with their countries of origin via many activities.

2.7.2. Diaspora

The terms '*diaspora*' and '*diasporas*' are used in different ways by different scholars. Tölölyan (1991:4–5) illustrates the diverse application of the concept of '*diaspora*' from a historical perspective, by indicating that it '*once described Jewish, Greek, and Armenian dispersion [but] now shares meaning with a larger semantic domain that includes words like immigrant, expatriate, refugee, guest-worker, exile community*'. Along similar lines, Safran (1991:83) makes the point that diaspora includes '*expatriates, expellees, political refugees, alien residents, immigrants, and ethnic and racial minorities tout court*'. Migrations scholars have tended to use

the term as a conceptual tool in discourses describing human experiences of displacement around the world.

Based on historical contexts, the concept of diaspora was initially used in the translation of the Hebraic Bible into Greek around the third century BCE (Král 2020). Its etymology goes back to the Greek *diaspeirein*, which consists of the prefix *dia*, which means ‘*through*’ and ‘*across*’, and the verb *speirein* (να σκορπίσει), which can be translated as ‘*to scatter*’. Historically, the concept of diaspora was used to describe the experiences of Greeks displaced throughout the ancient Hellenic world. It was also intensively applied to Jewish populations dispersed after the fall of Jerusalem in the sixth century BCE (Král 2020). In the modern world, the term was used by scholars to describe Armenian experiences of persecution, genocide and forced immigration that took place from the end of the nineteenth century to the twentieth century (Bolsajian 2018). Owing to these experiences, the Armenian population was scattered throughout many Middle Eastern countries and the United States of America (Pezeshkian 2011). Although its background is a religious one, the term diaspora was the name given to an important subfield of migrations studies in the mid-1990s. Scholars have extended its use by applying it in contexts where push factors are seen as key drivers of human mobility around the world, including economic crises, political turmoil, colonialism and environmental issues (Král 2020).

The African Union (2020) conceptualises African diasporas as ‘*peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union*’. The African Union’s account of diaspora refers to people who are dispersed geographically outside the African continent. Within this conceptualisation, the focus is on diasporans' contribution and attachment to building the economy of Africa from other continents – it does not consider Africans’ movement from one country to another within the continent. Likewise, in most studies dealing with African diasporas, scholars have placed more emphasis on other continents than on displacement taking place within Africa. Zeleza (2010:5) picks up on this gap and focuses on the conceptualisation of diasporas as emerging ‘*out of processes involving movement, migration from a “here” to a “there”, from a homeland, real or imagined, to a host land, loved or hated*’. He also looks at displacements taking place within the continent. Horst (2013) has applied the term diaspora to the African population escaping the war in their countries in the Horn of Africa and seeking refuge in neighbouring countries.

Research has shown that diasporic populations develop ties with individuals of the same ethnic groups in their country of residence and maintain strong ties with people in their country of

origin. Diasporic populations may reproduce their existing sense of identity when they migrate; and may remain attached to their country of origin's social, cultural and religious values (Schiller 2018; Bilgili 2022; Pasura 2022; Waldinger 2015). However, another research suggests that this is not the full picture. Bhandari (2020), who writes within the context of colonial and post-colonial discourses, looks at the formations or '*negotiations*' of cultural identity among people in diasporas as a dynamic process. This author uses Bhabha's (1994) concept of a '*third space*' to study the development of new forms of identity by immigrants. The concept provides a useful framework for understanding '*how the cultural interactions of colonized and colonizer deconstruct the bipolar concept of cultural identities and give birth to a new form of identities in the hybrid space of cultural interaction*' (Bhandari 2020:78). This third-space theory refers to the fact that people living in diasporas constantly reproduce – in a dynamic way – the cultural identities of their home country in the host country where they are residing. This is the cornerstone of the discourse on transnationalism, which considers the reproduction of immigrants' cultural identities in the host country.

2.7.3. **Transnationalism**

Transnationalism is a frequent topic of discussion in several disciplines, such as anthropology, human geography, politics, and psychology and sociology. It has become a global phenomenon, which Vertovec (2009:3) describes as:

a condition in which, despite great distances and notwithstanding the presence of international borders (and all the laws, regulations and national narratives they represent), certain kinds of relationships have been globally intensified and now take place paradoxically in a planet-spanning yet common – however virtual – arena of activity.

The term '*transnational migration*', which precedes it, was initially coined to capture the '*process by which immigrants forge and sustain simultaneous multi-stranded social relations that link together their societies of origin and settlement*' (Schiller, Basch & Blanc 1995: 48). This process reflects, and is created through, the daily experiences linking immigrants to their place of origin during the period of their settlement in the host country. Among scholars, migrant transnationalism is usually conceptualised in terms of transnational formations, as a '*broad category referring to a range of practices and institutions linking migrants, people and organizations in their homelands or elsewhere in a diaspora*' (Vertovec 2009:13). This refers to a '*subset of a broader range of transnational social formations*' (Vertovec 2009:13) as practices undertaken by migrants in building their identity based on the socio-cultural values of

their country of origin. Migrants maintain several of the practices and skills that they acquire in their host countries, and this allows them to develop a transnational identity and integrate into these countries. The term '*transnational identity*' is often mentioned in the literature on international migration to define the types of ties immigrants develop between their nations of origin and the nations where they reside.

Vertovec (2001:578) usefully sums up scholarly understandings of transnational identities as the

result of histories and stereotypes of local belonging and exclusion, geographies of cultural difference and class/ethnic segregation, racialized socio-economic hierarchies, degree and type of collective mobilization, access to and nature of resources, and perceptions and regulations surrounding rights and duties.

According to Bradatan, Popan and Melton (2010:177), if '*national identity can be seen as a role, a transnational would play different roles in front of different audiences, [as] a flexible social actor that internalized the rules and constraints of different social contexts*'. As we have already seen in some detail, transnational communities can be organised through the social networks they form in host countries. Bilecen, Gamper and Lubbers (2018) support the view that social networks play a key role in shaping the life of immigrants in host countries. They illustrate the link between social networks and the development of transnationalism in the migration process, and the implications of this link in the everyday life of migrants. The linkage is expressed through the role that social networks play in influencing the daily practices of immigrants by developing their transnational identity.

Ehrkamp (2005) highlights several benefits of the formation and practices developed by transnational migrants to integrate into their host communities. For instance, in Germany, Turkish immigrants have opened restaurants serving Turkish foods and beverages; have developed their own media; and have implanted mosques in the areas where they live. In other words, they have created new spaces that are dominated by the culture and habits of their home country. They build their transnational identity through the reproduction of social and cultural practices connecting them with their homeland. These practices reproduce their native home to some extent, enabling them to '*construct "homes away from home" and claim multiple modes of identity and belonging*' (Saxena & Sharma 2022:30). In discussing the necessity of the formation of new identities by immigrants, Esteban-Guitart and Vila (2015:17) state that

The migration process implies the generation of new forms of identity, questioning the traditional homogeneous and static notions of identity. In this

regard, the term 'transnational identity' or 'bicultural identity' has been suggested for these people that live in between two cultural frameworks and has to establish a dialogue between the country of origin ('there') and the host country ('here').

The fact that immigrants are linked to two different nations or countries exposes them to many socio-cultural values and practices that they use to build their identities and to acquire the skills that they need to settle in the host country. While living in the host country, immigrants carry with them the values that they acquired in their country of origin and maintain constant contact with the people whom they left behind in the home country.

Residing in a country, immigrants may adopt its culture and at the same time maintain the culture of their country of origin. This bicultural identity helps immigrants to integrate into host-country practices and remain attached to their homeland. In the South African context, Moodie and Ndatshe (1994) present a discussion of the daily experiences of black miner migrants in South Africa during the 1970s and 1980s. These migrant workers came from several African neighbour countries such as Botswana, Lesotho, Malawi, Zambia, and Zimbabwe; and from what had until recently been the exclusively black South African 'homelands' created by the apartheid state. Among the interesting themes developed by these authors as they looked at the miners' working conditions were the associational social lives and collective tactics within social networks that black miners used to resist the hardships and types of oppression occurring in the mining industry. This work contributed to insights into the substantial social changes that migrants may inscribe in the space they create in a host environment, and revealed the hybrid identities that may be formed within – and through – the creation of social networks among migrants. The migrant miners studied by Moodie and Ndatshe (1994) renegotiated their identities by building social networks that offered benefits in terms of survival-related tactics. During the decades under review, black (men) miners re-organised the spaces of South African mines by developing an alternative social order through different ethnic networks and the development of solidarities through associational life practices, all of them established in response to daily experiences of confrontation, co-operation and the necessity of togetherness to respond, ultimately, to the hegemony of the mines' authority. Moodie and Ndatshe (1994) examine the tensions that generated the sense of belonging those migrants created in the mining sector through their daily struggles and practices, and clearly show that the self-identification of migrants in this discourse occurred in the context of the grave financial uncertainty and exploitation that both local and international migrants faced in the exploitation of gold in South Africa.

These migrant miners produced hybrid identities for themselves based on the various cultural and social values to be found in the everyday spaces of the mines and mining compounds. Identities built by local and international miners were influenced by the symbiosis of cultural values of diverse origins, and of life-values developed on the mines based on daily experience (Moodie and Ndatshe 1994). Immigrants remained attached to their identities in their home country and adopted some of the host country's cultural practices.

Fleras (2011) speaks of migrants developing several senses of belonging as they acquire many different types of identities in their homeland and their host country. These identities are expressed through socio-cultural practices, such as the use of home language, religious practice, wedding traditions, clothing styles, dietary habits and political or national attachment to the homeland (as in the carrying of national documents or a passport). In terms of attachment to the home country, Clifford (1994:308) notes that '*communities, even the most locally rooted, maintain structured travel circuits, linking members "at home" and "away"*'. In their study of ten immigrants, Esteban-Guitart and Vila (2015:17) show

how bicultural and multilingual skills become part of the self-definition through the appropriation of cultural voices that manage the origin and host lifestyles, building hybrid and multiple identities that preserve certain ties with the origin society and take certain forms of life of the new culture and society.

The ties with the homeland can be conducted by immigrants through communication via phone or correspondence (emails, letters); physical visits for holidays; socio-cultural and religious practices; dietary habits; and clothing. Immigrants can also exploit transnational ties to develop or to create business opportunities among the social networks. According to Saxena & Sharma (2022), the original home values and skills are replicated in the host country, expressing identity and negotiating belonging.

In the receiving country, immigrants have the potential to acquire several identities and, in so doing, they gather a variety of cultural or social values from their country of origin and their receiving country. They then develop a set of identities linking them to both countries. Transnational social formations are often the result of immigrants bringing together a set of practices supported by both countries. Through the formation and the negotiation of their transnational identity, migrants develop connections with their countries of origin through their values, skills and cultural practices (Bilgili, 2022; Saxena & Sharma 2022). Transnational identity remains, therefore, one aspect of understanding the sense of belonging of immigrants

in a host community. The following section focuses on the necessity of adopting an inclusive perspective, among scholars, on the conceptualisation of international migration.

2.7.4. *Towards an integrated theoretical framework*

The various understandings of the nature of international migration among different scholars and disciplines reveal gaps that suggest the necessity for an integrated theoretical framework capable of taking on board the complexity of this social phenomenon. Writing in the early 1990s, Massey *et al.* (1993:432) argued that

there is no single, coherent theory of international migration, only a fragmented set of theories that have developed largely in isolation from one another, sometimes but not always segmented by disciplinary boundaries...their complex, multifaceted nature requires a sophisticated theory that incorporates a variety of perspectives, levels, and assumptions.

A decade later, Kurunova (2013) stated that each theory of international migration often explored only one aspect in respect of the following: the causes and motivations of migrants; the factors influencing migration at the global level; the emergence of networks influencing migration; the consequences of migration on the labour markets of receiving countries or sending countries; the differences in wages in different areas as push or pull migration factors; and the daily experiences of migrants during their settlement. According to Paul & Yeoh (2021), the complexity of the international migration process cannot be handled by discrete paradigms and suggests that migration must be analysed as a whole. Such a claim has translated into a call to consider several of the aspects of each discipline/model, and to reformulate them into an overarching theory of international migration. For De Haas (2021:12), this overarching theoretical framework offers ‘*the considerable potential to combine different theories to improve our understanding of migration processes across different levels of analysis (and aggregation), contexts, social groups and periods*’. This integration of elements in elaborating the conceptualisation of international migration processes is pivotal in that it will provide a full understanding of the phenomenon. De Haas is arguing for the idea of reconceptualising ‘*migration as an intrinsic part of broader processes of economic, political, cultural, technological and demographic change embodied in concepts such as social transformation, “development” and globalisation*’. This type of epistemological request needs to move well beyond the classic paradigms and elaborate a conceptual framework that understands international migration within a broad context, including the complexity and the diversity of factors motivating individuals to migrate from one country to another. Veronese, Pepe,

Addimando, Sala and Vigliarone (2020) support the effort to understand the various motivations stimulating the decision to migrate within a broader framework as a means of addressing the concerns surrounding narrow explanations of migration. They mention the relevance of factors such as culture; education; the influence of the media; the information that is available on the destination of migration; and safety linked to the instinct of self-protection in influencing the motivations and aspirations of migrating individuals. Similarly, Ferwerda and Gest (2021) argue that the decision to migrate is motivated by several reasons, including information received from other people or the media, and the personal perceptions that individuals have of their country of destination.

For Paul and Yeoh (2021:1), a systematic theoretical framework of international migration should therefore focus on

how individual imaginations, aspirations, capabilities and subjectifications interact with multinational migration infrastructures (in the domains of education, tourism, labour, and citizenship) to lead to the adoption of complex multinational migration trajectories.

De Haas (2021:17) points out the advantages, of such a project of elaboration by scholars, of integrating diverse disciplines in support of a ‘*single meta-theoretical framework through conceptualising virtually all forms of migration as a function of aspirations and capabilities to migrate within given sets of perceived geographical opportunity structures*’.

The single meta-theoretical framework is intended, therefore, to consider the complexity of migration and to do away with narrow, limited responses to it. The next section, which discusses the patterns and trends of migrations in Africa, provides a good example of why narrow notions of migration cannot adequately explain the phenomenon.

2.7.5. Overview of modern African migrations

Sumata (2021) provides a framework for the interpretation of migration in the context of sub-Saharan Africa by illustrating the main drivers contributing to human mobility. These drivers include a variety of human and ecological factors occurring in the continent, such as war, ethnic crises, political instability and environmental degradation in the form of deforestation and drought. Ambrosetti, Miccoli and Strangio (2021) have explored human mobility in Africa by analysing several types of data from many studies. Their contribution to the explanation of migration on the continent includes a description of the key drivers and the patterns of the migrations that are happening both within and outside Africa. For them as for others, modern migration in Africa is explained by a range of factors.

Overall, the dynamics of demography and urbanisation are the key drivers affecting migration in Africa. Lucci, Mansour-Ille, Easton-Calabria and Cummings (2018:54) are of the opinion that the patterns and trends of migration in Africa are fundamentally the same as those in other developing countries in the twenty-first century: rapid urbanisation and population growth. The rate of urbanisation in Africa has been growing steadily, from 35% in 2000 to 40% in 2021, with 70% of the continent's population now living in cities. The results, according to Ambrosetti *et al.* (2021: 209), are that '*Given the lack of a comparable increase in economic and social resources, living conditions are deteriorating, with inevitable repercussions on migratory flows, which are already intense*'. By including several parameters that influence African migrations, these authors provide a broad picture of what is taking place on the African continent.

After analysing data on migration stocks and flows within Africa and other continents from 1960 to 2000, Flahaux and De Haas (2016) attest that intra-continental migration is the more dominant form of migration. McAuliffe and Triandafyllidou (2021) supported this finding on internal migration within Africa when they estimated that 21 million Africans were living in an African country different from their own. This intra-African continental migration can be explained through various causes that include easier accessibility; linguistic, racial, cultural, political and diplomatic ties between African countries; and regional co-operation and economic agreements between countries. In relation to safety and security issues, (armed) conflict and political instability are seen as key drivers pushing Africans towards other places or countries within the sub-Saharan region. McAuliffe and Triandafyllidou (2021), for example, indicate that conflict occurring in the Sub-Saharan region was the major cause of the internal displacement of the local population during the year 2020. This internal migration within developing countries is characterised by shared cultural identities, the proximity of borders, existing social networks, the differences in wages and economic opportunities, and the variation in dry and rainy seasons. Tsuwa and Adzaigba (2021:368) postulate that '*80 per cent of South-South migration occurs between states with contiguous borders where common cultural identities are likely to be found*'.

In describing the most popular routes that African migrants use, Ambrosetti *et al.* (2021:214) include '*the Centre towards the South, especially South Africa, and from the sub-Saharan area to the Maghreb, in particular Algeria and Libya*'. Some routes include the Somali region, which is used to exit Africa towards the Middle East (Ambrosetti *et al.* 2021). Flahaux and De Haas (2016) Also indicate the emergence of a pattern of migration from Western Africa to the US and Canada; and of another pattern from some African countries to Oceania (notably Australia and New Zealand). Based on the historical ties between Africa and Europe, the migration of

Africans to the old colonial metropolitan countries (the ‘*South-North migration*’) remains the most common. This migration from Africa to Europe is often dominated by the restrictions of visa requirements, which discourage many Africans who dream of migrating. Also noted in Ambrosetti et al. (2021:214) is the concentration of migrants in some countries or clusters of countries, ‘*such as coastal West Africa and Southern Africa, Djibouti, Gabon (from West and Central Africa) and Libya (from neighbouring countries)*’. SA absorbs an important number of domestic workers in its labour markets (ILO 2021a). According to Adepoju (2008), contemporary migration in sub-Saharan Africa has multifaceted configurations, based – among other things – on labour-market structures attracting skilled or unskilled migrants, and on refugees moving internally, regionally or internationally in search of asylum. This ‘*South-South pattern*’ is of great interest to an analysis of Congolese migrations to South Africa.

2.7.6. Gender and migration in Africa

The relationship between gender and migration is discussed by many scholars who engage with the complexity of issues experienced in the everyday lives of migrants. In this vein, Palmary, Burman, Chantler and Kiguwa (2010:1-2) point out – and advocate for – the following:

...gender has become a preoccupation when thinking about migration. As such, we comment on the absences, silences and exclusions of understandings of gender that have become part of the production of knowledge about migration whilst also offering new analytic starting points from thinking through the connections.

As a result of the acknowledged lack of recognition of gender issues in the migration space, the International Organization for Migration (IOM) (2015) promotes gender equality and equal rights by allowing individuals to gain access to migration opportunities. The proportion of female migrants in sub-Saharan Africa was 47.5% in 2019 (UNDESA 2019). This high proportion raises questions about how female migrants are integrated within host countries – through their access to services or their participation in the life of their communities.

The United Nations (2016), through the New York Declaration for Refugees and Migrants, advocates analysing migration issues by considering data from a gender perspective – so as to understand the nature of the inequalities and vulnerabilities experienced by and the discriminatory attitudes and practices against, migrants in relation to sexual belonging or sexual orientation. The hardship and uncertainty imposed by certain immigration policies in parts of the world do not promote gender equality. According to Piper (2006), migrant women are among disadvantaged groups facing racial, ethnic and gender discrimination in their host communities/countries. In this regard, Lefto-Everett (2007) reports on the experiences of

women immigrants in southern Africa, mentioning the marginalisation and the discrimination that they face related to finding employment and obtaining services. However, women also reported enhanced quality of life through their improved access to the labour market in the host country, whether informally or formally.

Ninety-two per cent of women work in the informal sector in developing countries, while only 87% of men work informally (Bonnet, Vanek & Chen 2019). In reading these statistics, it is important to remember that female domestic workers constitute one of the prototypes of the informal employment that migrants undertake in host countries worldwide (Pillinger 2019). Looking at this from a gender equity perspective, the main mechanism through which women are discriminated against by employers or excluded from local market structures is the division of labour. The International Labour Organisation (ILO 2021a) points out that the lack of relevant labour legislation increases the vulnerability of migrant domestic workers and exposes them to several types of abuses, including sexual abuse, physical abuse, low wages, and irregular and excessive working hours. Vulnerability is expressed in the lack of social protection: an immigrant woman working as a domestic worker may be abused; or may be fired at any time based on the employer's mood. This is also claimed by Tayah (2016), who postulates that female domestic workers globally are vulnerable and are exposed to exploitation by their employers since they lack the formal protection provided by inclusive labour legislation. Hiralal (2017) explores the vulnerabilities of immigrant women in the context of South Africa by including socio-cultural barriers, lack of economic opportunities, xenophobic treatment and discriminatory immigration policies. Moreover, these factors contribute to keeping immigrant women in abusive social environments such as marriages or relationships dominated by domestic violence.

In response, however, some female immigrants have been able to use their creativity to break the constraints of informal employment and resist exclusion by finding other ways of surviving in the community. Chapman and Marconnet (2021) report on two mechanisms immigrant women have developed. The first consists of short-term survival measures on arrival in the host country, including support from one's immediate and extended family, integration into the labour market and humanitarian assistance from donors or existing social networks. The second, a longer-term mechanism, refers to adaptation negotiated through resilience at the time of settlement. Immigrant women have developed entrepreneurial practices in the informal sector and have thereby created opportunities that help them to integrate and belong in their new society (Ncube 2017). Immigrant women are involved in self-employment and informal trading

activities to connect with the economic opportunities of the host country. They may take up work as domestic workers or farm workers or create self-employment opportunities (by working informally as hairdressers and street vendors or operating as general traders within their networks). The key argument for the emergence of informal activities by women Congolese immigrants refers to the variety of challenges they face in accessing the labour market. Nyamnjoh, Hall and Cirolia (2021) explore the practices that Congolese women in Cape Town have developed in the creation of tactics in the informal sector, concluding that '*These practices include the every day livelihood tactics sustained on shoestring budgets and transnational networks*' (Nyamnjoh *et al.* 2021:1). Congolese women's practices as observed through this study reveal the development of transnational livelihoods and networks of cross-border trade.

2.7.7. Conclusion on migration theories

This section has discussed many theories of migration and has raised the necessity of developing an overarching explanatory theoretical framework able to deal with the complexity of the phenomenon of human mobility. There are numerous causes and contributory factors to migrations around the world, including those on the African continent. Among them are economic conditions, levels and types of development, politics, culture, environmental and social factors, security issues, the media, existing and new social networks, and individual motivation and aspirations. In Africa, migration patterns and trends are dominated by continental migrations in which migrants move to neighbouring countries owing to (among other factors) cultural identities that contribute to their ease of mobility and the facility of their social integration into the host communities. This section has also explored a few studies on transnational practices linked to gender and division of labour, mainly in terms of their impacts on the employment opportunities of women migrants. The following sections discuss various conceptualisations of '*citizenship*' among scholars and how these have shaped the sense of belonging among immigrants in their host countries.

2.8. Citizenship, legal status and the nation-state

Citizenship constructs identities that define belonging to a geographical space in modern society. Scholarship generally conceptualises citizenship as a '*... legal status and relation between an individual and a state or other territorial polity...that entails specific legal rights and duties*' (Global Citizen 2020:3). As such, citizenship is a core feature of individuals' relationships with states and communities (Migration Data Portal 2021). It guides the everyday practices of individuals in the nation-state, the polity or the community. Citizenship and migration are intertwined concepts which intersect with the core concepts of nation-state and

belonging. These concepts invoke a reading of spatiality in terms of location and scale. Giugni and Grasso (2021:1) explain that,

citizens, in general, are individuals who are assigned (seen as belonging) to a certain location (originally, this was the city, but is now, more broadly, the nation), while migrants are those who migrate from one place (a city, a country, and so on) to another. However, citizenship and migration are so inextricably intertwined that it is difficult to conceptualise one without considering the other. At the same time, citizenship and migration are often seen as two distinct concepts in democracies, implying a lack of belonging for migrants or a one-sided perspective of individuals and their circumstances.

Both social phenomena (citizenship and migration) are conceptualised under several philosophical worldviews among scholars, who interpret them differently. In the body of the literature, the diversity of citizenship models makes any single conceptualisation partial because it does not represent a universal standard for all scholars worldwide. A few conceptualisations of citizenship that can be considered useful for this investigation are offered here.

Isin (2012:109) understands citizenship as ‘*the right to claim rights*’ (my emphasis). For Tilly (2004:117), on the other hand, citizenship refers to ‘*the entailing mutual obligations between categorically defined persons and agents of a government*’ (my emphasis).

In his account of citizenship, Bellamy (2008:17) states that

It is a condition of civic equality. It consists of a membership of a political community where all citizens can determine the terms of social cooperation on an equal basis. This status not only secures equal rights to the enjoyment of the collective goods provided by the political association but also involves equal duties to promote and sustain them – including the good of democratic citizenship itself.

Secor (2004:359) extends this position by engaging the issue of identity and indicates that citizenship is a ‘*set of hegemonic practices and discourse assembles and naturalizes the subject positions of citizen and stranger, situating them within a grid of power relations rendered across state and society*’. In a similar vein, citizenship is defined by Shachar *et al.* (2017:5) as ‘*legal status and political membership; as rights and obligations; as identity and belonging; as civic virtues and practices of engagement; and as a discourse of political and social equality or responsibility for a common good*’.

Using a historical lens, Smith (2002:105–106) captures four dominant citizenship models. The first model refers to classical antiquity and its political philosophy and emphasises ‘*political rights to participate in processes of popular self-governance*’ (Prak 2018:6). The second notion of citizenship, which was developed in the post-French Revolution period, refers to ‘*the legal status of individuals as members of a particular, officially sovereign political community*’ (Prak 2018:6). Compared to the first model, the second model of citizenship emphasises legal belonging as creating the identity of membership in a political community. The third conception of citizenship emerged in the twentieth century, defining citizens as ‘*those who belong to any human association*’ (Prak 2018:6). This model extends the conceptualisation of citizens into a broader vision based on belonging through human association and does not place emphasis on the political rights or the legal status foregrounded in the two previous models. The fourth notion of citizenship is one based on citizen behaviour and regards citizenship ‘*as certain standards of proper conduct*’ (Prak 2018:7). The conceptualisation of citizenship under this model focuses on the way human beings behave according to ethical values in their communities through their everyday lives or practices.

2.8.1. *The nation-state citizenship model*

The nation-state citizenship model is dominant and influential in citizenship theories. Turner (2000:23) dates the conceptualisation of modern citizenship from the Treaty of Westphalia in 1648, which, he says ‘*launched the modern system of nation-states as the principal actors within the world system*’, adding that ‘*National identity and citizenship identity became focused in the late nineteenth century around the growth of nation-states characterised by the dominant ideology of nationalism.*’

The Treaty of Westphalia is considered by historians to be a starting point in the development of the notion of modern citizenship, which is modelled on the dominance of the notion of nation-state and the practices that accompany it (Patton 2019). Based on the Westphalian rhetoric and principles of sovereignty, each country has its own way of shaping the citizenship of individuals who are living within its territory or under its polity. This national autonomy has led to tensions being observed between several models and interpretations of citizenship, and scholars have debated the validity of formal citizenship models based on the nation-state as a political community (Marshall 1950). These contestations have led to the development of new conceptualisations of citizenship emerging from different practices (Behrens 2021; Fourcade 2021; Harpaz 2019; Joppke 2019; Kalm 2020; Shachar 2017; Soysal 2021; Widyanti 2021). Prak (2018:6–7), for example, posits a useful conceptualisation of citizenship that focuses on

the quality of the relationship of a member to a human association and the way such membership is expressed through behaviour and attitudes. Influenced by the work of Lefebvre (1968), another model of citizenship is in the urban and centred on the principle of residence (*ius domicilii*) (Appadurai & Holston 1996; Bauböck 2020; Bauder 2014; Holston 1999; Purcell 2014; Smith & McQuarrie 2011).

Debates on citizenship are dominated by two main traditions that focus either on legal status as ‘*social closure*’, as seen by Brubaker (1992), or on the promotion of rights in liberal post-war sociology, as viewed by Soysal (1994). The theory developed by Brubaker (1992) refers to citizenship as a legal status in the nation-state context, while the second school of thought emphasises the discourse on citizenship through the lens of human rights philosophy and ‘*post-national*’ critics (Kymlicka & Norman 1994; Soysal 1994).

Many scholars under the nation-state (political community) tradition have been influenced by Marshall’s conceptualisation of modern citizenship status by defining it as a democratic practice (Heater 1999). Marshall (1950:24) epitomises the hegemony and discriminatory practices of the power relationship between individuals and the political community by asserting that modern citizenship is a ‘*status bestowed on those who are full members of a community*’. The reading of status refers to the level of belonging to the community. Belonging to the community is cardinal to performing citizenship and enjoying its benefits. Marshall’s definition establishes a tight bond between the rights of citizenship and civil rights by including the notions of civil citizenship, political citizenship and social citizenship. Civil citizenship refers to the inclusion of individuals in the community by providing them with legal rights. These legal rights are various and include, for instance, individual freedom, the right of ownership and the right to justice (Marshall 1950:8).

Political citizenship refers to the inclusion of individuals in the community. The focus is placed on the right to political participation as a member of the community (Marshall 1950:8). Political citizenship is an important aspect of this investigation because it stresses the voice of the voter, underlining the rights of citizens to participate in choosing those who will represent them in public office. Voters should be heard and considered in the community. Social citizenship refers to the welfare rights of individuals in a community to which they belong (Marshall 1950:8). This aspect covers the economic part of any individual to access opportunities in their community. Under this tradition, belonging to a nation-state plays a primary role in shaping citizenship. The definition of ‘*nation*’ is complex in the literature. However, many scholars subscribe to the definition of a nation as ‘*an imagined political community – and imagined as*

both inherently limited and sovereign' (Anderson 2006:6). This citizenship is expressed through a range of legal statuses that determine the level of belonging and the membership and recognition of individuals in their community. Blaustein (1994:3) elucidates that on '*the national level, constitutions are the most basic legal document, and hence they have the potential to legally define the conditions for formal membership, realised as citizenship regulations*'. These

formally defined citizenship regulations are the legal translation of formal inclusion; the most important determinant seems to be the granting or denial of citizen status in constitutional documents. (Behrens 2021:87)

This conceptualisation of the nation is socially constructed and imagined, which means that the nation is a product of mental representation and perception. Opello and Rosow (1999:3) explain this representation is materialised as

a type of politico-military rule that, first, has a distinct geographically defined territory over which it exercises jurisdiction; second, has sovereignty over its territory, which means that its jurisdiction is theoretically exclusive of outside interference by other nation-states or entities; third, it has a government made up of public offices and roles that control and administer the territory and population subject to the state's jurisdiction; fourth, it has fixed boundaries marked on the ground by entry and exit points and, in some cases, by fences patrolled by border guards and armies; fifth, its government claims a monopoly on the legitimate use of physical coercion over its population; sixth, its population manifests, to a greater or lesser degree, a sense of national identity; and, seventh, it can rely, to a greater or lesser degree, on the obedience and loyalty of its inhabitants.

In this way, each nation-state builds citizenship for its inhabitants and manages this citizenship according to a legal framework, ensuring the integration and the protection of each member. Behrens (2021:13) understands this process as building a '*special form of social relationship between an individual and a state or a society*'.

Brubaker (1992:23) applies this understanding of citizenship to the context of Germany and France in terms of the idea of closure:

[as a] powerful instrument of social closure, citizenship occupies a central place in the administrative structure and political culture of the modern nation-state and state system...The nation-state is an architect and guarantor of a number of distinctively modern forms of closure. These are embodied in such institutions

and practices as the territorial border, universal suffrage, universal military service, and naturalization.

Based on the dispositions of the legal status, individuals who are not full members of the community are often excluded from fully enjoying the services provided by the state and other institutions. Citizenship establishes the formal status that shapes the identity and the eligibility criteria of belonging on one side, and on the other side, it establishes a wall of segregation preventing non-members from accessing the formal organisation of the community. The dialectic between inclusion and exclusion is exercised dominantly by the power of the nation-state to shape the performance of citizenship. Consequently,

the legal definition of a close relationship between individuals and one state, usually documented in passports or other citizenship certificates...is a way of defining groups entitled to particular rights. (Fahrmeir 2007:2)

The conceptualisation of formal citizenship is therefore externalised through a range of documents that indicate access to a national (and, by extension, local) community and the enjoyment of its prerogatives.

2.8.2. *Post-national discourse on inclusive citizenship*

Several scholars have developed a post-national discourse to challenge the model of nation-state citizenship. Purcell (2003: 105) argues that

the current hegemonic notion of political membership is Westphalian, wherein membership is defined by one's national citizenship. Under this dominant scheme, membership in political communities at other scales –urban, regional, or global – are subordinated to membership in the national community.

Such debates bring into consideration the dynamic of citizenship as discussed among scholars. Joppke (2007:38) provides a comprehensive understanding of citizenship by distinguishing three main dimensions as follows:

citizenship as [status], which denotes formal state membership and the rules of access to it; citizenship as [rights], which is about the formal capacities and immunities connected with such status; and, in addition, citizenship as [identity], which refers to the behavioural aspects of individuals acting and conceiving of themselves as members of a collectivity, classically the nation, or the normative conceptions of such behaviour imputed by the state.

These three elements – status, rights and identity – are fundamental to the understanding of citizenship and define its practices (Giugni & Grasso 2021:2). The link between the three

elements can present some challenges in practice because status can be disconnected from access to rights or identities. This disconnection leads to a social crisis that can be seen as a social injustice in the performance of citizenship. For this reason, citizenship is regarded as an activity rather than a status. This shift roots the epistemology developed in the post-national worldview on citizenship.

Citizenship conceived as activity or practice is developed from the work of post-national analysts such as Soysal (1994), who criticises the dominant nation-state model of citizenship (as a status) and advocates the development of different understandings of citizenship based on expressions of identity and underpinned by universal human-rights philosophies and social-justice movements. In this formulation, citizenship is a '*social process, social practices or enacted processes*' (Bayer, Schwarz & Stark 2021:10; Nyers 2017:118). The dynamic of citizenship as activity is explained further by Till (1995:8), who understood citizenship as

a continuing series of transactions between persons and agents of a given state in which each has enforceable rights and obligations uniquely by virtue of (1) the person's membership in an exclusive category, the native-born plus the naturalized and (2) the agent's relation to the state rather than any other authority the agent may enjoy. Citizenship thus forms a special sort of contract...A tie qualifies as citizenship insofar as it entails enforceable rights and obligations based on persons' categorical membership and agents' relation to the state.

The post-national model of citizenship rejects the notion of citizenship as a static institution and advocates that it be conceived as a dynamic process that '*[mediates] rights between the subjects of politics and the polity to which these subjects belong*' (Isin & Nyers 2014:1). Similarly, Isin and Turner (2003) illustrate the necessity of extending the conceptualisation of citizenship because of new problems occurring around the world, by indicating that

The modern conception of citizenship as merely a status held under the authority of the state has been contested and broadened to include various political and social struggles of recognition and redistribution as instances of claim-making and hence, by extension, of citizenship. As a result, various struggles based upon identity and difference (whether sexual, racial, ethnic, diasporic, ecological, technological or cosmopolitan) have found new ways of articulating their claims as claims to citizenship understood not simply as a legal status, but as political and social recognition and economic redistribution. (Isin & Turner 2003:2)

One of the '*new problems*' that needs to be addressed is the question of immigrants who are not considered to be full citizens in the country of their residence, and this has consequences for the

recognition of their rights and their identities. This lack of full recognition impacts the quality of life of migrants. Prak (2018:3) highlights the issue, arguing that citizenship

remains a key feature of our own societies. Debates about immigration policies, the future of democracy, or how to reform the welfare state immediately touch on issues of citizenship: who is affected by these changes and how? Or, to put it more bluntly: who is 'in' and who is 'out'?

Citizenship is a protective shield that manages the everyday aspects of the life of individuals in a community. Citizenship is, therefore, the legal device that *'provides us with a public identity, thereby delivering a modicum of security against scarcity and the unavoidable trials and tribulations of life'* (Turner 2017:11). The boundaries of citizenship also define who is *'entitled to civil, political, and social rights by granting or withholding recognition'* (Glenn 2011:3). Similarly, Isin and Turner (2007:5) conceive of modern citizenship as *'a belonging in a society based on historical ties which justify a set of contributory rights and duties coming from work, public service and social engagement'*. Citizenship is a binomial concept of citizens and non-citizens. The holding of citizenship refers to the recognition of the status of being a member with privileges and rights and who can participate in the formal organisation of the community.

Glenn (2011) stresses that, in the modern world, a lack of citizenship affects families, deprives people of job opportunities and increases social inequalities. According to Bauböck (2005), civil liberties are part of universal human rights that express the practices or the activity of citizenship. For instance, through participation in the formal organisation of the life of a community, each inhabitant exercises the rights that arise, and which are guaranteed by the practice of universal rights. Such universal rights include access to public education, health care, or social security benefits. To be a non-citizen in terms of legal status carries several consequences and can influence the existence of individuals because restricted access to rights and privileges that citizenship bestows, pushes them into a marginal position (whether nation or city). This lack of recognition very often leads to exclusion from the political context or to marginalisation within it (Kalu 2003; Cogan & Derricott 2000). Exclusion and marginalisation may also result in psychological harm as non-citizens battle with the traumas of a lack of access and prejudice (Chaudry, Capps, Pedroza, Castaneda, Santos & Scott 2010). Thus, the status of being a non-citizen often exposes individuals to unequal treatment in their host community, in violation of their human rights or civil liberties.

In addition to ensuring access to civil liberties, citizenship can also be conceived as something that is lived culturally. Neveu, Clarke, Coll and Dagnino (2011:952), describe inclusive

citizenship as ‘*a connecting knot which gathers individuals or groups across many activities*’. Kiwan (2008) conceptualises these ‘*existential aspects*’ of citizenship as belonging. This belonging is constructed as an existential state that is experienced by individual persons or communities. Individuals and communities are bound together and share the same existential values by practising them (Kiwan 2008). This discourse recognises that citizenship is entwined with cultural diversity, what Rosaldo (1999:57) terms as a ‘*national community by sharing equal rights in exercising democratic activities*’.

The Westphalian notion of nation and citizenship is a taken-for-granted mode of bestowing civil liberties and benefits of society. Citizenship also gives a sense of belonging and ontological security. In these ways, citizenship is an important normative category. However, citizenship also demarcates who is ‘*inside*’ and ‘*outside*’ the pool of people who may access these benefits. Outsiders are thus marginalised with far-reaching consequences for their physical and mental quality of life. Their legal status means that migrants frequently take up this position of outsider, and the implications of this at the level of the city are explored in the next section of this literature review.

2.8.3. *Citizenship and migration*

The question of citizenship is fundamental to understanding how the existence of immigrants is affected by their new environment. The following question, posed by Giugni and Grasso (2021:2), is adopted here as a key driver to understanding and developing the link between citizenship and migration:

when it comes to linking these three components of citizenship [status, rights and identity] to migration, a key question is this: To what extent are migrants of all sorts – whether citizens of migrant origin, foreigners as regular migrants with some residence permit, or asylum-seekers and refugees, and so forth – granted the condition of civic equity?...we need to look into all three components of citizenship and raise issues pertaining to membership and belonging, rights (and duties), and (civic and political) participation.

Modern scholars debate the relationship between the performance of citizenship and the complexity of issues raised by immigration. Seol (2012:120) reminds us that

citizenship status – formal conditions of membership in a political community including nationality, permanent residency, conditions of legal visa status, or one’s status as a resident regardless of visa status, and...rights – in terms of substance, individual rights and obligations that form the foundation of

membership such as civil rights, social rights, and political rights, and the institutions and practices that protect them.

There are three components of citizenship: membership (belonging expressed through the legal status), access to rights and participation in the life of the city. One of the issues that emerge in the literature on the subject is the disconnection between these components of citizenship. This disconnection is regarded as the source of the limitation of the performance of immigrants' citizenship. Since migrants are considered outsiders and are thus not integrated, it is important to examine how this is played out in urban citizenship practices.

2.8.4. *Urban citizenship and immigration*

This section focuses on urban citizenship by exploring post-national discourses to understand the claims raised for the integration of immigrants into the life of the city. Bueger (2014), for example, conceptualises citizenship based on its different practices. Prak (2018), on his account, explores the post-national model of citizenship as a practice by investigating the role of cities in constructing urban citizenship in the past, from 1000 to 1789, in Europe and globally. He demonstrates that citizenship was managed by cities during the period covering his study. During this epoch, the city as a place of residence played a key role in the acquisition of legal status, which determined a person's membership of, or belonging in, the community. Such membership based on residence status entitled the citizens to access services and to participate in the public affairs of the city.

In addressing the challenges raised by the domination of the nation-state in the conceptualisation of citizenship, Holston and Appadurai (1999) develop the discourses of citizenship at the scale of the urban environment (city), rather than the national scale. The static consideration of citizenship as shaped by formal status is further challenged by many scholars who instead advocate a practice-oriented approach to understanding the processes that build citizenship. Such an approach is the starting point in challenging the domination of formal national citizenship and pointing out the limitations of a conceptualisation based on legal status as the criterion of eligibility for inclusion in, or exclusion from, a community.

Purcell (2003:103) rejects '*the Westphalian notion that all political loyalties must be hierarchically subordinate to one's nation-state membership*'. Scholars supporting post-national notions of citizenship hold that the participation of individuals in a political community is a form of citizenship. One of the perspectives of post-national citizenship focuses on urban citizenship as one of these political communities. Influenced by Lefebvre's notion of urban citizenship as a contract (Huchzermeyer 2018; Purcell 2014), this is a '*political identity*

(inhabitation) that is both independent of and before nationality concerning the decisions that produce urban space’ (Purcell 2003:103). Gebhardt (2016:847) analyses urban citizenship in Barcelona by considering *‘its relationship to the two dominant concepts of citizenship as national membership and as the practice of making claims for rights and belonging’*. This study is an empirical case study of how an inclusive citizenship model can be constructed at the scale of the city, so that migrants can access certain services and rights on the principle of *ius domicilii*.

The urban citizenship model claims to embody an *‘urgent need for new narratives’* (Bauböck 2020:2). Bauböck (2020) further argues that urban citizenship *‘based on ius domicilii creates a status of equality that is uniquely appropriate for cities as it can be shared by sedentary and mobile populations’* change away from the nation-state tradition of citizenship, Seubert (2020:26) argues that the urban citizenship model *‘must be at the core of the new story’*. Varsanyi (2007:312) understands the *ius domicilii* as follows: *‘If you live in the city, you’re a citizen of that city’*. As such, the urban citizenship model is a *de facto* citizenship that entitles urban inhabitants to access the city by the fact of their residence in the city. To this end, Seubert (2020:27) advocates that the principle of

‘ius domicilii’, derived from presence in the locality and including all de facto residents, would be an important normative shift with regard to democratic inclusion. It would allow inhabitants with multiple affiliations and loyalties to identify with the city as the concrete locus of their everyday life and thus support multiple experiences of identity.

The novelty of the urban citizenship model resides in its alteration of the locus and scale of citizenship through its focus on residence in the city. The implications of the principle of *ius domicilii* for an inclusive approach to citizenship are explained by Bauder (2020:22), who argues that this form of citizenship

could apply...to all inhabitants of the city – not only those who carry a national passport or national immigration papers; it would also apply to people who overstayed their visas or work permits, failed refugee claimants who nevertheless remain in the city, and those who crossed the border without state permission. This means that urban citizenship...is about including de-facto inhabitants of the community, especially those whom the nation-state does not want to live in the country and thus the city.

Urban citizenship is conceptualised as the intertwining of the three dimensions of status, rights and identity (Chauvin & Garcés-Mascareñas 2012). Urban citizenship discourse and struggles are connected to ‘*various groups and identities linked to the claims on appropriation and use of urban space*’ (Isin 2000:13). Urban citizenship claims, therefore, rest on the necessity of including all inhabitants in the city based on their residence and the interactions among them. The conceptualisation of urban citizenship nourishes the debate among scholars in the formulation of citizenship for migrants in cities. The principles of urban citizenship have challenged the restrictions on, or the exclusion of migrants from, public participation in or enjoyment of the full benefits of the services offered by cities, as practised under nation-state citizenship worldwide. Based on this social practice, Rządtki (2021:156) points out ‘*the need to develop new forms of citizenship to do justice in more inclusive ways to this changed situation*’.

The citizenship of immigrants entails many restrictions, which at times violate social justice. The urban citizenship model, therefore, postulates an epistemology of including inhabitants of the city in the process of addressing the social injustices caused by the nation-state citizenship model.

2.8.5. *Citizenship, agency and identity*

Varsanyi (2006) distinguishes three types of approaches to cities and citizenship: normative, rescaling and agency-centred approaches. Normative approaches emphasise cosmopolitan and transnational citizenship. From this perspective, the legitimacy of citizenship is assessed at the scale of the nation-state (Held 1995; Turner 2000; Wekerle 2000). The rescaling approach to urban citizenship focuses on membership that arises from residence in the city (Bauböck 1994, 2003a, b; Bauböck & Rundell 1998). In the agency-centred approach, citizenship is understood as based on the process of a contested identity. The city is seen as ‘*the physical place and context in which residents constitute the meaning and practice of citizenship*’ (Ehrkamp & Leitner 2003; Secor 2003, 2004; Staeheli 2003; Staeheli & Clarke 2003). Urban life is understood to be a dynamic resulting from interactions between urban inhabitants. Inhabitants’ interactions with the city through their daily experiences are the foundation of the rights arising from their production of urban space. Although residing in a city theoretically generates several rights for urban dwellers who contribute to the quality of life in that environment, in practice, their legal status frequently means several restrictions in terms of their access to a city’s services (Cicek-Okay 2021).

2.8.6. *Spaces of insurgent citizenship*

The exclusion of inhabitants in a city leads to the creation of '*spaces of insurgent citizenship*', which are platforms from which immigrants claim their rights as valid members of the urban public (Holston 1999a, 1999b). Insurgent citizenship implies that inhabitants get involved in a city's life by interacting within its spaces and modifying them through their practices or activities. Thus, using the city to build citizenship in response to their exclusion from the benefits of national belonging. Inhabitants of the city need to be connected to the services and opportunities of their place of residence, and they need to create spaces to initiate their inclusion in their community. Since their citizenship is controlled by the nature of their legal status, immigrants' use of the city depends predominantly on their level of integration into urban society. Immigrants thus produce insurgent citizenship through the practices they develop to create their belonging in the city of their residence. This expresses their way of integrating into the life of the city, by interacting within its spaces and modifying them through their daily struggles.

2.9. **The right to the city and the production of migrant space**

Lefebvre's (1974) account of the production of space is one of his most important contributions. It has influenced many disciplines, such as urban studies, education studies, and geography, as well as physical planning (Michalovich 2019; Middleton 2013; Pierce & Martin 2015). Scholars have stated that the strength of Lefebvre's analysis is that it provides a way of thinking about the state, space and territory, allowing us

to conceptualise them through the relationships between practices, representations, and lived experience; to see them as historically interconnected rather than determined; and to enable the use of a powerful set of conceptual categories in grasping both their historical lineage and their contemporary deployment. (Brenner & Elden 2009:367).

Lefebvre's wide influence among scholars is justified by the originality of the Lefebvrian conceptualisation of space and its provision of a holistic approach.

Under the Lefebvrian lens, space is conceptualised as

a product to be used, to be consumed, it is also a means of production; networks of exchange and flows of raw materials and energy fashion space and are determined by it. (Lefebvre 1991:85)

Space is understood by Lefebvre (1974) from within a dynamic perspective of social interactions that occur in human formations. It is associated with time as a dimension, and both space and time are '*integral aspects of social practice*' (Goonewardena, Kipfer, Milgrom & Schmid 2008:29). Lefebvre demonstrates that '*space can only be understood as something that is lived*' (Lefebvre 1976). Watkins (2005:209) emphasises the importance of space by indicating that space '*is fundamental to our lived experience of the world and that every experience is comprised of three interrelated aspects of space*'. Space is, therefore, not an abstraction, but it is '*embodied in material processes – namely, real human activities*' (Merrifield 1993:520). Space is fundamental to our lived experience of the world (Watkins 2005) and is constructed by everyday experience. This model of space takes flesh from the lived experiences of individuals and must be interpreted using an ideological model (Lefebvre 1991; Watkins 2005).

Lefebvre argues that urban space is a continuum in which social relations interact simultaneously and their impacts occur in the daily experiences or practices of the inhabitants. The power dynamic of space is embodied in the three moments of space production. Lefebvre (1974, 1991) apprehends the production of space through a unitarian theory. Such an approach provides a clear understanding of space against the epistemological fragmentations that are introduced by several disciplines dealing with abstractions in the social sciences. He considers human interactions occurring in society as key drivers that contribute to the production of space and frames that space in terms of production. The reason for using the term '*production*' is to highlight that space is not a mere concept and is linked to the social reality happening in a particular urban community (Goonewardena *et al.* 2008). From Lefebvre's point of view, the concept of production as developed in Marxism occupies great importance. Seen under a dialectic lens, space is '*a thing (a product) and a process (a production)*' (Merrifield 1993; Lefebvre 1991). The expression '*the production of space*' reveals the intrinsic dialectical relation between space as a product (space as produced) and space as a producer (space's production or '*what space produces*') (Adam 2019; Lefebvre 1974). The social space carries, therefore, the weight of the interconnections of the physical world (such as the geographical features of a city), its abstract features and its social interactions, and expresses the repercussions of each component on the others. Space is thus not perceived as a container empty of any influences resulting from social interactions but is, to the contrary, built from such interactions based on the historical conditions of each community.

In the context of urban issues, the examination of the production of space leads to the understanding of spatial injustice among the users or inhabitants of the city. This spatial injustice

can be gauged from the consequences of the interactions of those dimensions that intervene in the production of space. Space is used as a locus expressing the social injustices in a community. Based as it is on the nature of each society, space is seen as relational and dynamic.

2.9.1. Lefebvre's spatial triad model

Lefebvre (1974, 1991) developed a triadic understanding of the production of social space, namely: '*the spatial practice, the representation of space and representational space*' (Lefebvre 1991:46). These three aspects of the production of social space are known respectively as perceived space, conceived space and lived space; and are conceptualised as three moments that refer, respectively, to the physical, mental and social fields (Carp 2008). The triad is defined as '*the three moments of social space*' (Lefebvre 1991:40). It is an attempt to solve the duality inherent in the philosophy of Descartes, who conceptualised space in terms of '*res cogitans*' (the mental dimension) and '*res extensa*' (the physical dimension) (Elden 2004). For Elden (2004:187–190), Descartes theorises a dialectic in the understanding of space by opposing the body and the mind; and Lefebvre brings a theoretical solution to unify the elements resulting from this fracture. Lefebvre introduces lived space as the moment that absorbs the dual opposition of '*socially lived space and time*' (Elden 2004:187–190). According to Shields, Lefebvre defines '*moments*' as '*modalities of presence*', which are in themselves just '*glimpses*' and '*partial totalities*', or '*points of view*' reflecting a totality (Shields 1999:60).

2.9.1.1 Representations of space

Representations of space (conceived space) are the dominant type of space in society and represent a conceptualised space constructed of symbols, codes and abstract representations used by those who are in power (Lefebvre 1991:38–39). This space is produced by officials and professionals. The use of such a space is determined by formal administration (Leary-Owhin 2015:4). Conceived space includes scientific and technocratic space (Lefebvre 1991; Merrifield 1993; Shields 1999), and it is created by the administrative abstractions and projections determining the shape of the space and the formal uses to which it is put. It is produced by architects, urban planners and policymakers, who design and assign the types of space and their uses (Lefebvre 1991). Conceived space refers to what space is meant to be used for according to society's formal institutions. In this epistemology, therefore, conceived space or the representations of space refer to space that is planned and designed by those in power, dominant forces and social elites. This component is linked to the social hierarchy, power dynamics and the '*order*' they impose upon the community and its formal organisation (Lefebvre 1991). Michalovich (2019) explains that space is always organised by those who are in power. For

Lefebvre (1991:210), those in power express their hegemonic ideologies through space, because those ideologies ‘*are in space, and of it*’. The use of the space is therefore determined by the agenda of those ideologies.

In every society, conceived space represents a dominant space component created by the people who are in power and who reproduce signs and codes to determine the use of that space (Lefebvre 1991). This refers to the formality of the space as represented by officials. It also refers to the status of membership, or describes the level of belonging in a community. The description of the level of belonging in a community as carried by the legal status is reflected in the lived experiences of individuals. Conceived space or the representation of space, in the context of this study, refers to official documentation and types of discourses linked to immigration policies and used to manage Congolese immigrants' identities in the city. This legal framework is linked to the hierarchies of power, which determine the space of Congolese immigrants in Tshwane. Conceived space through the legal body framework predetermines the performance of citizenship in the use and production of urban spaces in Tshwane. The permits that bestow legal status and, by extension, mobility, access to services and housing predetermine the formal use of space in Tshwane.

Representational space

Representational (or lived) space constitutes the second moment in the production of space in the Lefebvrian triadic model. It refers to the imaginative and lived space comprised of lived experiences. It is conceptualised ‘*as directly lived through its associated images and symbols*’ and as the space of ‘*inhabitants*’ and ‘*users*’ (Lefebvre 1991:39). Lived space is the space of actual human interactions and practices (Goonewardena *et al.* 2008; Michalovich 2019). It is, therefore, the point of junction that reveals the consequences of the conceived space on the individuals within the society. It is ‘*the space of “inhabitants” and “users”*’ (Lefebvre 1991:17). In the production of the space model, Lefebvre develops the lived space as a component which is based on the facts as observed the everyday life and lived experience of the citadins (Goonewardena *et al.* 2008, Watkins 2005; Zieleniec 2008). The lived space refers to the social space, which ‘*includes not only a concrete materiality but a thought concept and a feeling—an “experience”*’ (Schmid 2008:41).

Lived space is ‘*the dominated – and hence passively experienced – space which the imagination seeks to change and appropriate*’ (Lefebvre 1991:38). The lived space is influenced by the dominance of the conceived space but remains the terrain wherein people in a society can challenge the power dynamics of the latter (Watkins 2005). Through their everyday experiences,

therefore, individuals can passively challenge the formal use of space. In investigating urban issues, lived space is considered the focal point manifesting the social interactions through the daily experiences of citizens. The lived space is the component of the production of space in which the repercussions of conceived space and perceived space can be observed and analysed. The lived space is the place where conceived and perceived spaces are manifested through their consequences in the daily life of immigrants.

Spatial practices

Spatial practice (as perceived space) constitutes the third moment of the triadic model in the production of space and includes the '*production and reproduction, and the particular locations and spatial sets characteristic of each social formation*' (Lefebvre 1991:33). Perceived space is the connection that the people of a community have with the space that they are creating (Lefebvre 1991). Individuals determine the meaning of the space where they are involved (Michalovich 2019), and it is at this level of the triad that the inhabitants of a space use or appropriate that space in shaping their everyday life practices (Merrifield 1993; Zieleniec 2008). Perceived space refers to the knowledge that people have of the different uses of their space (Lefebvre 1991). Zieleniec (2008) illustrates, for instance, the mobility of the people in the space, which arises from connecting a point of departure to a destination through a particular road. Spatial practices involve individuals needing to have certain skills or experiences before reproducing them coherently (Merrifield 1993; Zieleniec 2008). Lefebvre (1991:38) argues that whereas a '*spatial practice must have a certain cohesiveness...this does not imply that it is coherent (in the sense of intellectually worked out or logically conceived)*'. The aspect of cohesion can be seen in driving on roads in urban settings. For instance, drivers need to follow road instructions to avoid other traffic and pedestrians need to observe traffic lights before crossing the road. This indicates that spatial practices need a common understanding by individuals of the same society (Lefebvre 1991; Merrifield 1993; Zieleniec 2008). In terms of the performance of urban citizenship, spatial practices cover an important aspect that determines the level of belonging of inhabitants in a city. The performance of these spatial practices can assist in understanding the social urban issues occurring in a community. Through spatial practices, inhabitants of the city renegotiate or re-appropriate urban spaces to accommodate their needs. This appropriation of the space by spatial practices constitutes everyday experiences as a lived space. This implies that inhabitants can transgress the formal use of a place as planned by the planners or by those in power. Spatial practices are a re-definition of the conceived space by inhabitants, who use the space based on the meaning that they assign to it. The transgression appears in the sense that inhabitants, through spatial practices, create their own way of using the

space. Inhabitants perform spatial practices allowing them to develop their ways of connecting and belonging in that space.

Interestingly, once they are implemented in urban settings, spatial practices can become the source of inspiration for conceived space. In the field of housing, for instance, the appearance of an informal settlement may be recognised formally and force officials, planners and others to provide it with services and give it legal status. This reveals the dynamics in the production of urban space. Through spatial practices, the city's inhabitants may be able to challenge the formal use of space and inscribe the space with new uses, which is recognised by those in power. This can also be observed in the case of street vendors, where the municipality ends up recognizing some informal operators by creating new by-laws that accommodate their presence and mode of trading.

These three aspects of the social production of the space are interconnected and constitute the 'Lefebvrian analytical framework'. Lefebvre (1991:46) illustrates the interconnectedness of these three moments as follows:

It is reasonable to assume that spatial practice, representations of space and representational spaces contribute in different ways to the production of space according to their qualities and attributes, according to the society or mode of production in question, and according to the historical period. Relations between the three moments of the perceived, the conceived, and the lived are never either simple or stable, nor are they 'positive' in the sense in which this term might be opposed to 'negative', to the indecipherable, the unsaid, the prohibited, or the unconscious.

Huchzermeyer (2011) explains that the three moments of the triad intervene simultaneously in any organisational event. This illustrates the interconnectedness of the three moments of the production of the urban space. In the words of Lefebvre (1991:14), the three moments of the space (mental, physical and social) 'involve', 'underpin' and 'presuppose' one another. The relationship between the three aspects of the triad is so close and seems, in practice, difficult to fragment. For instance, 'One is differentiating and categorizing at the same time that one is immersed in the social space deeply enough to be present to each aspect in its simultaneity' (Carp 2008:132). This complexity, Carp (2008:132) says, is mainly the result of the ontology of 'human' as a total entity that cannot be apprehended dialectically:

No single aspect is allowed to be totalizing because, used in sequence, the three aspects cumulatively attend to the existing complexity of social space. Thus, the

triad can be used explicitly to decentre the second aspect—the mental activity that is the productive arena of abstraction – by putting it in relation to the other two aspects of human experience in space.

Therefore, the interconnectedness of the triad supports the idea that space produced socially and spatially remains in permanent motion owing to the dynamic of the social interactions occurring in society. The formality and the informality through the conceived, the lived and the perceived space of individuals are engaged in a permanent contestation in producing that space.

Applicability of the triad model in the production of urban space

The interconnectedness of the three moments in the production of urban space assists with understanding how the immigration laws of South Africa are articulated in the conceived space of Tshwane and how the perceived and lived space of Congolese immigrants as citizens interplay with these spatial artefacts of the conceived. The Lefebvrian triad is thus applied to the citizenship of Congolese immigrants in Tshwane and to their urban sense of belonging. The applicability of the model to this subject matter is rooted in Lefebvre's predictions and warnings concerning the incorrect use of the triad model:

The perceived–conceived–lived triad...loses all force if it is treated as an abstract 'model'. If it cannot grasp the concrete (as distinct from the immediate), then its import is severely limited, amounting to no more than that of one ideological mediation among others. (Lefebvre 1991:40)

Carp (2008) points out that the conceptual triad, as developed by Lefebvre, was used in several studies to understand the daily experiences of individuals in society. Certain studies that used the triad to investigate social urban injustices have shown, Carp (2008:131) argues, *'that marginalized groups find ways to appropriate their own spaces and manifest socio-spatial differences, although to varying degrees'*. Lefebvre (1979:285) claimed that *'we have passed from the production of things in space to the production of space itself'*. This implies that space is understood as a product that *'is produced and experienced (existing materiality) and as the producing of space through experience (human being)'* (Carp 2008:131). The conceptual triad assists in analysing both aspects of space. Carp (2008:131) posits that *'the conceptual triad's aspects refer to the physical space/lived experience relationship'*; and that

each aspect can be approached from either the physical standpoint (e.g., places; concrete processes of production and consumption; signs, codes, and images) or the standpoint of lived experience (e.g., human activities, sensations, thoughts, imaginations, attitudes).

Also of relevance to this study is Delaisse (2020:34), who points out that *'the guise of rationality, mental space's dominance can...serve the elite to exclude and keep other groups at a distance'*.

The spatial triad can, therefore, justifiably be applied in this research since it deals with the production of social space and fits the performance of citizenship and the sense of belonging that Congolese immigrants create in Tshwane. Their production of urban space leads to an examination of one of the most influential of Lefebvrian categories – the right to the city – which is linked to the everyday practices of individuals and expresses the dynamic aspect of social space production.

2.9.2. *The right to the city*

Lefebvre (1968) is a core theorist when it comes to articulating the intersection between agency, identity and urban life. He analysed the problems of urban life, discussed the production of the city as a locus where social interactions take place and underlined the social issues that affect the quality of life of those who inhabit the city. Although the context of his writing may differ historically from our contemporary era, dominated as it is by striking novelties in communication, the bottom line of his argument on marginality or peripheries as produced in the city remains visible in urban spatial practices. The inhabitants of cities are still held in a dialectic between inclusion and exclusion. Social injustice is, therefore, still present in the configuration of the city, as use value and exchange value. In Lefebvrian terms, use value refers to the ability of inhabitants to interact in the city to meet their daily needs; while the exchange value of the city refers to the capitalist forces oriented towards the exploitation of the urban spaces for profit, leading to inhabitants being deprived of the ability to enjoy and use those spaces. Lefebvre proposed that the solution to addressing such social injustice could be addressed by developing the theory of the right to the city.

Understanding the meaning of the right to the city is made possible by exploring Lefebvre's terminology, including categories such as *'daily, everyday life'* and *'lived experience'*, which are useful in exploring the production of urban spaces by Congolese immigrants. The right to the city is among the key themes in Lefebvre's oeuvre, and he gives its historical context in these words:

People are forced to scatter, above all the workers, away from the urban centres. What has commanded the cities' expansion process is the economic, social, cultural segregation...The urbanization of society is accompanied by the deterioration of urban life...It is with these peripheral inhabitants, their

segregation, their isolation, in mind, that I speak about a book of 'the right to the city'. (Lefebvre 2000:144–145)

The process of urban expansion accompanies the growth of capitalism and is at the origin of many types of urban struggles that the inhabitants encounter in living in the city. In the production of the city, the forces of capitalism are dominant, influencing the use of spaces and excluding certain categories of inhabitants from using the city and its resources. These exclusions and marginalisations occurring in the city are among the social injustices that need to be addressed.

2.9.3. The 'right to the city': the what and the why?

According to Lefebvre's understanding, industrialisation and capitalism contribute to the development of the city. The economic and political processes associated with this development have created social problems that include the marginalisation of certain inhabitants in the life of the city. The urban problem, as discussed by Lefebvre in *Le Droit à la Ville*, describes the crisis of industrial capitalism and its consequences as expressed by the Paris uprising of 1968. This crisis is defined by Smith (2003:xi) as '*linked directly into an urban society*'. Lefebvre (1969:157) argues that '*urban challenges in the society are dominant in the modern world*'. Lefebvre describes the right to the city largely in the following terms:

In these difficult conditions, at the heart of a society which cannot completely oppose them and yet obstructs them, rights that define civilization (in, but often against society – by, but often against culture) will find their way. These rights which are not well recognized progressively become customary before being inscribed into formalized codes. They will change reality if entered into social practice: right to work, to training and education, to health, housing, leisure, to life. Among these rights in the making features the right to the city (not to the ancient city, but to urban life, renewed centrality). (Lefebvre 1968:179)

In later writing, Lefebvre (1996:194–195) defines the right to the city as '*the right of citizens and city-dwellers, and of groups they constitute (on the basis of social relations), to appear on all networks and circuits of communication, information, and exchange*'. From Lefebvre's perspective, '*the right to the city is like a cry and a demand...a transformed and renewed right to urban life*' (Lefebvre 1996:158, my emphasis). Lefebvre (1996:68) also describes it as a '*refuge of use-values*'. In the capitalist world, the city is a '*place of consumption and consumption of place*' (Lefebvre 1996:170). It is produced as '*exchanges and places of*

exchange'; and is viewed as '*the urbanization of society*' (Lefebvre 1996:124). These are good reasons for claiming the right to the city for each inhabitant.

Commenting on the right to the city considered a cry and a demand, Marcuse (2012:31) draws attention to the concept's nuanced aspects. As he sees it, the right to the city is born both '*out of necessity*' and '*a demand for something more*'. It refers to '*an exigent demand by those deprived of basic material and legal rights, and an aspiration for the future by those discontent with life as they see it around them and perceived as limiting their potential for growth and creativity*'. This implies that '*the demand is of those who are excluded, the aspiration is for those who are alienated; the city is for the material necessities of life, the aspiration is for a broader right to what is necessary beyond the material to lead a satisfying life*'.

Based on the experiences of his time, Lefebvre brought into discussion on urban sociology several concerns on the degradation of the city through the lenses of the everyday life of the inhabitants in the relationship between the city's use value and exchange value. He argues that '*urban life suggests meetings, the confrontation of differences, reciprocal knowledge and acknowledgement (including ideological and political confrontation), ways of living, "patterns" which coexist in the city*' (Lefebvre 1996:75). Lefebvre brought a new perspective to understanding urban injustices such as marginality in the city through the lenses of space production where social interrelations engage dynamically. From Lefebvre's point of view, inhabitants who are users of the city must organise themselves to claim their right to the city by changing the principles of capitalism that alienate them (Mitchell & Heynen 2009). Use value (as opposed to exchange value) is an imperative force in producing an alternative urban society. The production of a new space is made possible by the interactions among several groups, for example, '*reactionaries*', '*liberals*', '*democrats*' and '*radicals*' (Lefebvre 1991:380–381). The city's inhabitants contribute to shaping their life through various actions and forge their identities through their various experiences.

2.9.4. The citadins

The dwellers of the city are referred to as '*citadins*' by Lefebvre (1996:34), who argues that city '*inhabitation*' should be established through the criterion of access to city services. Lefebvre used the term '*citadin*' to emphasise the necessity of establishing '*inhabitation*' as a new possibility for justifying access to the services of a city. Purcell (2013:142) posits that '*it is the everyday experience of inhabiting the city that entitles one to a right to the city, rather than one's nation-state citizenship*'. The concept of *citadin* is linked to urban citizenship practices. *Inhabitation* is a driving force in searching for the right of the city or in justifying access to the

city's life. Whereas the nation is defined as an '*imagined community*' (Anderson 2006:6), the city remains a locus where inhabitants as *citadins* encounter and interact daily (Lefebvre 1996). *Citadins* create a web of tangible and social relations within which they build and claim their identities through everyday life practices.

Through his works on *citadins*, Lefebvre (1996, 2003, 2009) therefore offers an ideal approach from which to understand and contextualise the everyday experiences of Congolese immigrants in terms of their integration into the life of Tshwane. These writings provide a radical and alternative vision for understanding issues of urbanism and formulating possible solutions in the performance of citizenship.

2.9.5. *Against marginality in the city*

The key concern of the Lefebvrian worldview – to do with how cities produce marginality – remains of great importance in these modern days, particularly as expressed in his *Writings on Cities* (Lefebvre 1995), in his works on the right to the city (Lefebvre 2001) and on the urban revolution (Lefebvre 2003). In *Writings on Cities*, Lefebvre claims that the right to the city

will make more practical the rights of the citizen as an urban dweller (citadin) and user of multiple services. It would affirm, on the one hand, the right of users to make known their ideas on the space and time of their activities in the urban area; it would also cover the right to the use of the centre, a privileged place instead of being dispersed and stuck into ghettos (for workers, immigrants, the 'marginal' and even for the 'privileged'). (Lefebvre 1995:34)

Inhabitants of the urban space, therefore, have the right to fulfil their needs where they live. In this way, the right to the city is a tool for societal transformation. Referring to immigrants' life in the city, Shields (2013:348) expresses the belief that the '*urban condition of citizenship is a key point at which the work of Henri Lefebvre and contemporary political and urban analysts of governance and migrancy intersect*'. In the case of immigrants, with their legal statuses or demographic belongings, the city generally erects many invisible barriers (such as discrimination and exclusion). According to Biagi (2020a:224), these kinds of social and spatial inequalities

evolve at the pace of capitalist development. Marginality and spatial discriminations are a product and consequence of 'global cities'. And therefore the 'planet of the slums' is a legitimate child of the global city.

This insight applies to any social injustice preventing *citadins* from enjoying the benefits to be derived from being part of '*civilisation*'. The city, as described in Lefebvre's writings, is

dominated by urban struggles indicating social exclusion. Some citadins, such as immigrants, are, even though they are residing in the city, often disconnected from being able to use the space and the resources of the city by the dominant forces of capitalism and the dominance of the nation-state through the elaboration of their membership status. Lefebvre imagines the right to the city as a possibility of inclusion. Misoczky and De Oliveira (2018:1018) point out that the *'common argument of [several of Lefebvre's] books is that space, which is radically open, holds the promise of liberation.'*

The benefits of using Lefebvre's thought for this study reside fundamentally in the assumption that, as Biagi (2020b: XIV) so clearly expressed,

the unveiling of the social contradictions of the city necessarily starts from assuming the peripheries' perspective. Any research on urban settings should be 'based on the situation in which human life unfolds at the outskirts of the cities'.

The dominant idea in Lefebvre's legacy on investigating the daily life of the citadins is encapsulated in urban methodology. This shows that Lefebvre's key issue of marginality in contemporary urban cities is concerned with issues that still need to be addressed. This justifies the development of new perspectives under the umbrella of urban citizenship by modern scholars to solve the crisis linked to urban struggles.

To escape such a crisis of exclusion, Lefebvre foresees the city as a place of integration, where each inhabitant needs to participate in building the city as an *'oeuvre d'art'* by the fact of inhabiting the city. The city is no longer a *'product'* as in *'merchandise'* but becomes instead an oeuvre produced by its inhabitants; Lefebvre (2000:22) illustrates that

the right to the city legitimates the refusal to let oneself be excluded from the urban reality by a discriminating and segregating organization...the right to the city means then the foundation or the reconstruction of a space-time unity...instead of disintegration.

This links to the lived space moment of citadins who are exposed to urban struggles and passively initiate the process of renegotiation against exclusions of any kind. The contribution of Lefebvre's *oeuvre* to an understanding of contemporary urban processes and to opening possible futures is rooted in an understanding of social struggles. Smith (2003:xiii) sees, therefore, in Lefebvre's oeuvre *'liberation from the tyranny of power, from social repression and exploitation'*. Lefebvre's contribution to urban sociology provides a useful insight into knowledge production in the everyday struggles of citadins. Misoczky and Misoczky (2018:1018) refer to *'the background of his continued preoccupation with the critique of*

everyday life, which is registered in texts published from 1947 to 1981 and point out that all of Lefebvre's production 'carries the theme of possibility'.

The city remains, therefore, a site of struggle, where the identities of inhabitants are shaped through a dynamic process. It provides the context for understanding the quality of social relations that make up the urban space.

2.9.6. Social inclusion or urban equity

The performance of citizenship is articulated in access to the services and resources of the city. This refers to the socio-economic and cultural belonging of inhabitants in the city. The right to the city advocates a new type of citizenship activity. Purcell (2002:103) explains that it can also be perceived as the effort to go beyond the

liberal-democratic citizenship structures in the face of governance change. Rather, urban inhabitance directly confronts national citizenship as the dominant basis for political membership. Because citizens...can all equally be inhabitants of a particular city, inhabitants must have a right to participation regardless of nationality.

He illustrates the importance of the right to the city in practice among communities by underlining that

the right to the city defends two elements of citizenship: the ability of all groups and individuals to live in the city, being present and enjoying it in all its parts; and partaking in the control over the decisions that shape the city, using its spaces to exercise their citizenship. If this access to control is not ensured, powerful groups and individuals would exploit their privileges to further shape the city to their advantage – thus reinforcing and extending the oppression and isolation of the marginalized. (Purcell 2002:99)

The right to the city is fundamental to be theorized and practised in connection to citizenship. According to Plyushteva (2009:85), the link between the right to the city and citizenship resides in a dual tie, because

the right to the city defends two elements of citizenship: the ability of all groups and individuals to live in the city, being present and enjoying it in all its parts; and partaking in the control over the decisions that shape the city, using its spaces to exercise their citizenship.

The right to the city can thus be applied to urban citizenship practices. The link between the right to the city and urban citizenship was also stressed by several other scholars, for example, Jacobi (1986:22), who states that

Everyone has the right to the city and the right to see themselves and to act as citizens...The right to the city means the right to city life, to housing, to dignity. It means thinking about the city as a space to be used and enjoyed in everyday life, as a place for meeting, not for holding apart.

This implies that the right to the city for immigrants is their entry point into the community as urban citizens. Shields (2013:347) illustrates the importance of an emphasis on urban citizenship practice by indicating that

A right to the city enfranchises a new citizen, who is not simply a user of the city but [is also] a participant in its creation and interpretation. The citizen has stronger ties to a local community than to a national political community.

Immigrants, as citizens, have the right to make claims based on the philosophy of urban citizenship. Lefebvre affirms that the right to the city does not permit discrimination against individuals wanting to participate in urban activities (Lefebvre 2000:XIII). Some scholars, among them Lelandais (2013:821), interpret the right to the city as a means of solving social injustices:

the promotion of equal access for all to the potential benefits of the city, the democratic participation of all inhabitants by decision-making processes, and the realization of inhabitants' fundamental rights and liberties...Lefebvre's right to the city is an argument in favour of profoundly reworking the social construction of urban space, proposing a new form of citizenship based on being an urban dweller.

Social inclusion through the right to the city provides an understanding of and an opening to urban citizenship practices. The claims on the right to the city are recorded in many discourses advocating inclusive urban citizenship aimed at allowing all inhabitants to enjoy the city's services and opportunities.

2.9.7. A modern common toolbox

Initially conceived as 'a cry and a demand' by Lefebvre', to date, the term 'the right to the city' has known various definitions and dynamic interpretations, including 'a working slogan and political ideal' (Harvey 2008), 'a fundamental human right' (World Charter on the Right to the City 2005); 'an agglomerate of claims and demands' (United Nations Global Platform for the

Right to the City 2014, 2017); and *'an ethos of engagement'* (Frediani 2020; Marcuse 2010; Merrifield, 2017, Sugranyes & Mathivet 2010) in claiming an inclusive city. Endorsed by the UN-HABITAT (United Nations 2016), the philosophy of the right to the city has become a point of convergence in the international roadmap pursuing sustainable development through the concept *'city for all'* (Turok & Scheba 2019) and supporting the promotion of an inclusive approach to citizenship practices among nation-states.

The standardised notion of *'the right to the city'* remains at the core of a hermeneutical discussion on its use in many discourses. Attoh (2011:6) points out that,

When it comes to answering the question of what kind of right is a right to the city, or who has a right to the city, the current scholarship advocates a radical openness.

Attoh (2011:10) points out, furthermore, that in *'Lefebvre's initial notion of the right to the city, rights themselves remain a black box'*. All of this means that *'in terms of rights, the literature on the right to the city remains quite open'* (Attoh 2011:7).

Frediani *et al.* (2020:106) consider whether the diversity in the application of the concept of the right to the city raises the question of *'whether it is more an analytical approach or a propositional agenda'*. They propose that the right to the city covers a large spectrum in the academic debates on *'the market vs social/use-value of land and housing, the insidious privatization of public space, urban processes of dispossession by accumulation, and the embodied experience of the city and city imaginaries'* (Frediani *et al.* 2020:106). Along similar lines, Mitchell and Heynen (2009) state that the right to the city is characterised by its openness and can be applied in many contexts. Attoh (2011:6) illustrates that this *'openness...can serve to unify the struggles of various marginalized groups around a common rallying cry'*. For Schmid (2012:42), the right to the city *'often serves just as a kind of umbrella for all types of political and social demands that generally address the problems arising in urban areas today.'*

The right to the city does not refer to a unique aspect of the urban issues that occur in the city but is applied to any situation linked to urban injustice. Applying the term *'the right to the city'* is also frequent in social movements that campaign against social injustice in urban environments and advocate for an inclusive approach for all inhabitants in the city. This is the case also with civil society activists who were involved in the international discussions that adopted the right to the city as a formal tool to address social injustice of any kind in the life of the city (United Nations Global Platform for the Right to the City 2014; World Charter on the Right to the City 2005). The term was also introduced in Brazil's 2001 federal legal framework

for the City Statute on providing urban rights to citizens (Fernandes 2010). Temple (2021:1) summarises the right to the city as the right *'to be able to participate in life as a whole'*. The right to the city thus remains a powerful but dynamic toolbox with flexible application depending on the urban issues at stake.

According to Attoh (2011:7), *'[urban] struggles are numerous. As such, the right to the city constitutes not a singular right, but a set of rights'*. This statement further opens the complexity in the interpretation of the right to the city among scholars. For example, Purcell (2014:146) extends the notion of the right to the city to a new Lefebvrian project of a *'contract of citizenship'* that identifies the city through its role as a terrain of many opportunities. He elaborates on the idea in this way:

Cities are important spaces...because large agglomerations of people multiply encounters and therefore increase the possibility of meaningful interaction...cities are, therefore, the best soil in which to cultivate the urban. They are politically important locations...because access to and use of the space of the city is a vital element of envisioning, calling forth, and achieving a truly urban society (Purcell 2014:150).

This section has demonstrated how aptly the use of the concept of the right to the city serves to express the urban struggles in the everyday practices of Congolese immigrants in their organisation and participation in Tshwane. The following section deals with the possibilities for engagement with and connection to the city as opposed to marginalisation and exclusion.

2.9.8. *Engaging and connecting with the city*

Under the umbrella of the right to the city, the inclusive call means that all inhabitants need to interact through the city's networks to carry out their activities. The space of the city is therefore used by the inhabitants to meet their daily needs. The interactions of inhabitants are key factors in determining the level of participation or integration in the city. According to Purcell (2014:149), life in the city

involves inhabitants engaging each other in meaningful interactions through which they overcome their separation, come to learn about each other, and deliberate together about the meaning and future of the city.

The lack of participation in the life of the city leads to the exclusion of some inhabitants, who become vulnerable and marginalised. Urban exclusion maps onto the five faces of oppression described by Young (1990:39–65): exploitation, marginalisation, powerlessness, cultural imperialism and violence. Claims related to integration and participation in the organisation of

the city support the recognition of membership for all inhabitants through the conceptualisation of the right to the city. Purcell (2002:103) explains that the approach of the right to the city, therefore, means *'a political identity (inhabitation) that is both independent of and prior to nationality with respect to the decisions that produce urban space.'* Focus is placed on the contribution that inhabitants make in the landscape of the city and the place of their residence since this place is shaping their daily existential experiences. Harvey (2008:23) emphasises the role of the city as a locus where changes can apply when he formulates that the *'right to the city is far more than the individual liberty to access urban resources: it is a right inhabitants have to change themselves by changing the city'*. For Allon (2013:256), *'the city is a battleground for the production of new identities and new forms of social-political mobilization'*. Defining the city as a battleground implies that citizens shape the life of the city by participating as members of the community. The city represents a locus with epistemological and ontological experiences built on the social interactions and encounters of the citizens. Living in the city contributes to building collective memories among individuals through the creation of their identity and belonging.

Frediani (2020:109) argues that *'the right to the city is often understood not as a defined project, but rather is constituted by a network of claims and mobilizations led by grassroots groups interested in linking local concerns, practices, and narratives with global processes'*. The claims related to the right to the city are recorded on a global scale through charters and platforms, and connecting inhabitants locally to cities can help to solve urban struggles. This interpretation is supported by Cuppini (2015), who indicates that the right to the city is not only a tool to inventory the claims and the struggles of the city but was also framed in such a way as to help citizens to re-appropriate the political aspects, the resources and the values of the city in all its aspects. The interpretation of the right to the city closest to this investigation is the worldview that epitomises it as an ethos of engagement. According to Frediani (2020:109), the right to the city as an ethos of engagement *'requires an approach that is rooted in the experiences and claims of struggles embedded in local contexts, with relevance and connections to global actors and processes'* (Frediani 2020:109). For Marcuse, the right to the city *'leads to an examination of what makes the system tick, what produces the pain and what produces the benefits it achieves, what its weaknesses and its strengths are – beyond what a simple analysis of the causes of individual problems and subsystems produces'* (Marcuse 2010:89).

Such an ethos of engagement is manifested in Article 11 of the New Urban Agenda Vision (United Nations 2017):

We share a vision of cities for all, referring to the equal use and enjoyment of cities and human settlements, seeking to promote inclusivity and ensure that all inhabitants, of present and future generations, without discrimination of any kind, can inhabit and produce just, safe, healthy, accessible, affordable, resilient and sustainable cities and human settlements to foster prosperity and quality of life for all. We note the efforts of some national and local governments to enshrine this vision, referred to as the ‘right to the city’, in their legislations, political declarations and charters.

Through this vision, the United Nations established the principle of the inclusion of inhabitants in the services and opportunities of the city by the fact of residing in an urban community. This expresses the recognition of being a member of the community and advocates inclusive policies. Inclusive urban policies are in line with the ‘*right to the city*’ philosophy. Fernandes (2007:208) defined the inclusive aspects involved:

the ‘right to the city’ [consists] of the right of all city dwellers to fully enjoy urban life with all of its services and advantages – the right to habitation – as well as taking direct part in the management of cities – the right to participation.

Assessing the application of the right to the city entails considering two main components: ‘*the right to participation and the right to appropriation*’ (Purcell 2002:102). These two aspects of the right to the city are discussed in the next paragraphs.

2.9.9. *Appropriation in the city*

The notion of appropriating urban space has been understood in academic literature as having access to and utilizing city spaces. Duke (2009:112), for instance, defines the right to appropriation as ‘*utilizing the city’s use value*’. For Purcell (2002), the notion of appropriation refers directly to the accessibility and the capacity to use urban space by city-dwellers. Appropriation refers to

the right of inhabitants to physically access, occupy and use urban space, and so this notion has been the primary focus of those who advocate the right of people to be physically present in the space of the city. (Purcell 2002:102)

Appropriation is closely linked to the spatial practices that can be observed in inhabitants’ use of space. The development of spatial practices shows the level of appropriation and the organisation of space and gives voice to the claims and aspirations of the inhabitants. Kuymulu (2014:49) highlights some aspects of the right to appropriation, including ‘*the housing, the freedom of circulation and occupying and using public spaces for political activities*’.

Citadins are key players in the production of urban space. They are involved in urban space production and therefore need to appropriate the city via their daily practices as users and as dwellers (Lefebvre 1996; Purcell 2002). Grazioli (2017:405) supports the view that

the right of the citadin is not a flat and sedentary one, mirroring the bequeathed understanding of the nation-state. It is an everyday politics of scale, articulated in the plurality of layers and polycentric sites that have progressively redefined the quality of the urban space as such.

Citadins transform the landscape of the city and appropriate the urban spaces by developing their activities. The right to the city, therefore, is perceived as a dynamic process of

one vital element of this movement toward the urban...when inhabitants decide to rise up and reclaim space in the city when they assert use value over exchange value, encounter overconsumption, interaction over segregation, free activity and play overwork. As they appropriate space, as they develop the ability to manage the city for themselves, they give shape to the urban. They get better at perceiving its form, at feeling its rhythms and moods. (Purcell 2014:151)

This illustrates that appropriation occurs through the uses the inhabitants make of urban spaces and their social interactions within them. The inhabitants of the city contribute to building their existential experiences, which cannot be contained by the restrictions imposed by the artificial law of citizenship practices. In the next section, the philosophy of the right to the city is developed by focusing on the participation of inhabitants in the networks of the city.

2.9.10. Participating in the city

Participation in the life of the city supports that ‘*citadins should play a central role in any decision that contributes to the production of urban space*’ (Purcell 2002:102). This participation is determined by the inhabitants’ political belonging in the community. The right to the city implies not only a right to urban space but also a right to ‘*a political space as well, constituting the city as a space of politics*’ (Dikeç 2001:1790). Lefebvre (1996:34) calls for a city where each inhabitant, by residing in the city, fully participates in urban political life and activities. The right to the city is, therefore, a new way of seeing the city; it is defined by the participation of all groups in political struggles for a radical transformation of the processes that lead to the production of capitalist urban spaces and cities. The right to the city is a dynamic and collective transformative process of values and identities in the production of urban space (Harvey 2008:23). However, according to Kuymulu (2014:42), the right to the city as described by Lefebvre remains an idealistic city that is yet to be produced. Claiming the right to the city

is determined by several aspects or parameters established by public administration, and this constitutes a challenge for inhabitants who may be limited by legal restrictions.

2.9.11. *Lefebvre, immigrants and the city*

There are numerous examples of the use of the Lefebvrian framework of the right to the city and the production of space to explore the everyday life of migrants in wealthier cities of the North. Increasingly, this framework is being used to investigate the experiences of migrants in African cities. The rationale for the use of Lefebvre's work is that it explores the dynamics of everyday experiences of social injustice, and it addresses the marginalisation that affects the quality of life of migrants inhabitants of the city. The application of Lefebvre's theoretical framework can provide a deeper understanding of social exclusion through every day practices. This kind of analysis can also provide pathways to greater access to services and more inclusive urban policies (Schmid 2022).

There are a number of examples from the global North where researchers have applied the theory of the production of space to the question of immigrants in urban settings. Queirós, Ludocvici and Malheros (2019) explore the production of urban space by immigrants in Lisbon, arguing that immigrants reorganise and reappropriate urban space territorially and socially. This is a dynamic process which includes the legal framework of Portugal, identities, practices and knowledge. Formanowicz (2021) uses Lefebvre's production of space theory as an epistemological tool to explore urban informality in cities in the Global North. Immigrants produce transnational space through local interactions and interactions with others in their countries of origin. Another study by Delaisee, Huot, Veronis and Ben Mortenson (2021), examines the way that the production of the immigrant space in Vancouver is influenced by the type of occupation that the immigrants were involved in. Here the linguistic nexus played an important role in the development of inclusive spaces. Similarly, Vathi and Carney (2023) use Lefebvre's triad to develop an inclusive urban model for migrants in Liverpool.

In all of these examples, the application of Lefebvre's theory aims "radical social change". The use of his theories in studies of the global South has similarly highlighted injustices with regard to the access of services. Ko and Hong (2020) for example discuss access to education in the Koryoin (immigrants post-Soviet states) community living in South Korea. Their findings report on the cultural, linguistic, legal and economic discrimination of everyday life for this community, but also use Lefebvre's triad to emphasise the tactics that the community has developed to overcome microaggressions. These tactics include appropriating emancipatory spaces where they can organise against social injustice.

Lefebvrian theory on the production of space and the right to the city has also been used by several scholars in the context of African cities. Kassa (2018), for instance, explores the link between urban citizenship and the right to the city by examining the everyday experiences of Ethiopian refugees in Nairobi. The study reports that Ethiopian refugees appropriate the urban spaces of Nairobi by establishing a social network and creating informal trading activities such as restaurants in the city. The sense of appropriation, as observed through the livelihood-related activities of these refugees, expresses their participation in shaping the landscape of the city. They participate, therefore, in the transformation of the landscape of the city by producing urban spaces. They connect with the life of the city through the creation of economic opportunities and express their membership in it through their social networks.

Babere (2015) explores the case of a lived space through the understanding of the informal economic opportunities in the livelihood in Dar es Salaam in Tanzania by using the Lefebvrian model on the production of space. He demonstrates that the space is produced socially through the interactions between the customers and informal traders in the city. Informal operators appropriate urban spaces, transforming them for trading. Ngau (2020) illustrates the production of space by studying informal settlements in Mukuru Kwa Njenga in Nairobi, indicating the ways in which ownership plays an important role in organising lived space through the internal structures and the hierarchy that the dwellers create in their settings. Huchzermeyer (2011) illustrates how the dwellers of informal settlements in several cities around Africa apply the right to the city by appropriating the urban space through the creation of slums.

2.10. Conclusion

Under the international system regulating the relationships between nations, migration refers to human mobility and the various factors (forced or voluntary) influencing the decision of individuals to move from one country (the sending country or origin) to the country of destination (the receiving country). The displacement can happen from one region to another or from a specific place to another.

Although some scholars traditionally give the key drivers determining human mobility in Africa as war, the lack of economic opportunities and the search for a better quality of life that development provides, new perspectives explore the aspirations and the perceptions of individuals influencing the decisions related to migration. These include the process of social

transformation occurring around the world and the acquisition of relevant information influencing the decision to migrate.

Compared to what is happening on other continents, the main trend of migration in Africa remains an intracontinental one. Migrants use many different routes, but their movements are mainly regionalised and are concentrated according to clusters of countries. This study captures the features of this intracontinental migration by briefly outlining the historical profile of the Congolese migration into South Africa and indicates that political and socioeconomic factors were the key drivers determining Congolese immigrants' decisions. Studies of transnational identities have analysed some cases of the ties that (Congolese) immigrants have developed with their country of origin while they are living in their host country. The development of transnational identities leads immigrants to integrate into the host country by combining the skills, cultural values (language, religion, dietary habits) and political identities linking them to their country of origin.

Two models of citizenship are reviewed in the study. The first model centres on the conceptualisation of nation-state that is rooted in the acquisitions of the Westphalia Treaty. This model of citizenship is constructed via a constitution and various other legal tools and documents tailored to each nation-state. In this model, the legal framework and the constitution grant the legal status of membership to individuals by linking them officially to rights and obligations and to participation in the life of the nation-state. This formal model of citizenship focuses on conceptualisation in terms of inclusion for the members of the nation-state and exclusion of non-members based on legal status. The exclusion of individuals who are non-members, for instance, immigrants in a nation-state, has led to several types of social injustice, depriving individuals of access to fundamental human rights, participation in political life or various kinds of opportunities of their place of residence.

Concerning such exclusion or marginalisation, scholars falling under the name of '*post-national critics*' have challenged the nation-state-based citizenship model because of the social fragmentation that is introduced by the notions of inclusion and exclusion. This worldview has theorised the extension of the conceptualisation of citizenship and advocates the emergence of new models of citizenship. The urban citizenship model is one of them. This model of citizenship proposes an inclusive approach to the performance of citizenship. It also proposes the city as a locus where the identities of citizens are forged through their daily struggles and interactions. Therefore, the principle of residence is the key driver from which the urban citizenship model develops its philosophy of an inclusive approach. Urban citizenship also

advocates that, aside from their legal status, all inhabitants must have access to the resources and services of the city. This call is rooted in moral claims supporting that all inhabitants participate in the process of shaping the life of the city through their interactions; and that they deserve to be treated with dignity because they are part of humanity.

Lefebvre's spatial triad and the notion of the right to the city form a powerful framework to explore the situation of Congolese immigrants in Tshwane. Under the Lefebvrian worldview, space is conceptualised as a product and a production emanating from social interrelations. The production of space passes through three moments, which include the representation of the space (the conceived space), the representational space (the lived space) and spatial practices (the perceived space). These three moments remain connected and influence each other in the process of the production of space. This right to the city is theorised as *a cry and a demand* emanating from the space that is socially and spatially produced by the inhabitants of the city. The core message of the right to the city is linked to the urban citizenship model in fundamental ways and is commented upon by several scholars. Several interpretations are arrived at in the process of connecting the right to the city to urban citizenship practices. The literature illustrates the use of the Lefebvrian theoretical framework on the production of space and the articulation of the right of the city in the context of a few African cities, such as Nairobi and Dar es Salaam, and various South African cities in the case of illegal settlements. African cities reveal the fitness of the Lefebvrian theoretical framework through observations of the dynamic of the production of the space combined with the right to the city of immigrants or other marginalised groups. Immigrants or marginalised groups produce the informal landscape of African cities socially and spatially by using and appropriating existing urban spaces.

CHAPTER THREE: METHODOLOGY

3.1. Introduction

This chapter discusses the investigative methodology that was used for data generation, analysis and interpretation. It discusses the study design under the applicable qualitative methodology and worldview, with a focus on urban ethnography and narrative inquiry as primary tools for data generation. A qualitative methodology was selected for this study based on its practicability in gathering and understanding Congolese immigrants' daily urban experiences through their production of space-related the performance of citizenship in Tshwane. The researcher's motivation, the social location and the study population are also discussed. The strategy adopted for data analysis is explained, with an emphasis on the thematic content analysis the researcher used to organise and interpret the data collected. The trustworthiness of the narrative that the researcher developed is discussed, while the ethical considerations applied during the investigation are described and shown to meet ethical norms regarding study dealing with human beings and exploring their everyday experiences.

3.2. Research design

This research uses a qualitative methodology with an emphasis on urban ethnography and techniques of narrative inquiry. Generally, qualitative methods are defined as '*ways of studying people and their social worlds by going there, observing them closely, in their natural setting, and learning how they understand their situations and account for their behaviour*' (Lyn 2015:1). Qualitative research refers to a systematic and subjective approach through which the researcher explores daily life experiences of the study population and provides a better understanding of the phenomena observed (Burns & Grove 2009). Qualitative research uses qualitative data derived from a post-positivist approach (Coffey & Atkinson 1996). In the same vein, Lincoln (1992) highlights the use of qualitative research in the understanding of human experiences using a holistic approach in which the researcher emphasises their immersion in the social phenomena under investigation to extract their deep meaning.

In qualitative research, the researcher aims to elaborate a holistic framework based on the observations and perceptions taken from the social experiences as lived by the study population (Holloway & Wheeler 2002). The use of qualitative methods is advocated for the purpose of allowing the researcher to produce qualitative data that is then interpreted to help researchers and their readers gain deep knowledge of people's lives and a better understanding of the

meaning of lived experience (Denzin & Lincoln 2003). Qualitative research, therefore, explores a social or human problem in a natural setting (Creswell 1998:15).

Qualitative research is fundamentally based on the interpretations of human experiences as provided by the researcher. This is not without issues. Jacobs (1993:827) points out that in terms of methodology, *'To speak of "qualitative approaches" evokes a methodologically diverse terrain, tenuously drawn together by reliance upon the hermeneutic interpretative process.'* Lowe and Short (1990:7) underline that qualitative approaches are useful in ethnography and are made to *'convey the inner life and texture of...diverse social enclaves'*. Jacobs (1993:827) also mentions *'the more familiar...methods associated with ethnography (such as the in-depth interview and participant observation)'* but says that these are *'often marginalised'* (Jacobs 1993:827). Gioia (2021:24) suggests in his account that qualitative research also refers to

interpretive research'—because the research is grounded in informant interpretations (not mainly in researcher interpretations) of the structures and processes the informants themselves are using to socially construct the meaning of their experience.

The use of urban ethnographic and narrative inquiry techniques constitutes the methodological background to understanding Congolese immigrants' daily experiences in their urban settings throughout this study. Such understanding was developed from information gathered on their citizenship practices as *citadins* (city dwellers) in Tshwane.

3.3. Qualitative inquiry

Designed as it was under qualitative research, this study utilised participant observations and face-to-face interviews as these have been described in several works on ethnography and narrative inquiry (Kim 2015; Ocejó 2012; Trahar 2013). Migration and citizenship issues are among the thorny debates dividing governments, social movements and schools of thought. Investigation of citizenship and the urban sense of belonging among Congolese immigrants in Tshwane has been qualified as a topic within human geography since the emphasis was placed on understanding complex social phenomena taking place in an urban geographical setting. Geographical questions include *'What is the sense of place of the setting's inhabitants?'* (Mendoza & Morén-Alegret 2013) or *'Who is deemed to belong to that place and who is out of place?'* (Simandan 2017:4) or *'What are the daily citizenship practices of Congolese immigrants in Tshwane?'* are important ones to address in this investigation. These questions epistemologically require many methods to respond to them based on the ontological nature of

the perceptions generated by phenomena of social formation occurring in the milieu under investigation.

From the scientific literature, human geography has used qualitative methodology to investigate several phenomena occurring in social formations (DeLyser, Herbert, Aitken, Crang & McDowell 2009; George & Stratford 2016). Based on Lefebvre's (1991, 1974) works on the city as an *oeuvre*, as '*socially produced sites of meaning and power*', the use of the qualitative method was shown to be well justified in excavating Congolese immigrants' citizenship daily practices by analysing their experiences as city dwellers in Tshwane.

The research included three main stages: first, the preparation and documentation before fieldwork. The second was the data collection process using face-to-face interviews, the writing of field notes, participant observation (and the use of photographs captured during the fieldwork) and memos. The third was the post-fieldwork stage comprising the data-analysis strategy and report-writing through the thesis.

The data generation ended empirically when informational redundancy was observed, that is, when any additional data collected contributed little or nothing that was new to the study (Gentles, Charles, Ploeg & McKibbin 2015). This indicated that no further categories were discovered or constructed based on the examination of newly generated data – because the existing system of categories accounted for all meaningful aspects of the phenomena under investigation.

3.3.1. *Ethnographic methods*

The use of ethnographic methods within human geography is well documented in studies by various scholars (DeLyser *et al.* 2009; Ingold 2010). The term '*ethnography*' covers a broad perspective in social science, and this has resulted in a diverse range of definitions. This methodological practice was initiated in the early nineteenth century to investigate the lives of people living in a rural environment. Broadly speaking, ethnography is a qualitative method (Wolcott 1999) that is used to gain deep knowledge of the social world(s) of a group of people by describing their experiences based on observations and contacts made in situ (Verloo 2021). Malinowski (1932), for example, provided the scientific basis of ethnography as a research method in his work on the Trobriand Islands. Ethnography was later used to investigate the lives of people in an urban environment. Since then, several different approaches to ethnography have emerged from different schools of thought. This investigation draws on a few of them since they meet the purpose of this research and can be used to respond to the research question.

Willis and Trondman (2000:5) describe ethnography as ‘*a methodology that draws on a family of methods involving direct and sustained social contact with agents, and on richly writing up the encounter, respecting, recording, representing, at least partly in its terms, the irreducibility of human experience*’. From the definition of this perspective, ethnography is a complex methodology that emphasises direct contact between the researcher and the people who are investigated and the outcomes of such interactions as provided in written format. Ethnography as a research method is characterised by the following key features (Atkinson & Hammersley 1998:110–111):

- People’s behaviour is studied in everyday contexts rather than under unnatural or experimental circumstances created by the researcher.
- Data are collected by various techniques but primarily through observation.
- Data collection is flexible and unstructured to avoid pre-fixed arrangements that impose categories on what people say and do.
- The focus is generally on a single setting or group and is small-scale.
- The analysis of the data involves the attribution of the meanings of the human actions described and explained.

Burgess (1982:15) understands ethnography as field research that ‘*involves the study of real-life situations*’. Field researchers, therefore, observe people in the settings in which they live and participate in their day-to-day activities. According to Venegas and Huerta (2010:5), ethnography is ‘*systematic and features a detailed study of the social environment including physical spaces and customs*’. Van Maanen (1996) explains that

The methods that can be used in these studies are unstructured, flexible and open-ended. When used as a method, ethnography typically refers to fieldwork (alternatively, participant observation) conducted by a single investigator who “lives with and lives like” those who are studied, usually for a year or more.

It is important, at this point, to repeat that ethnography understood as the field of research, fits this investigation’s purpose to answer the research question outlined in Chapter One. By undertaking the fieldwork, the researcher has generated data from the daily experiences of Congolese immigrants in Tshwane.

Hammersley and Atkinson expand on the diversity of definitions of the term ethnography but also emphasise the data-generation method based on fieldwork. This point of view is justified by the fact that ethnography

...usually involves the ethnographer participating, overtly or covertly, in people's daily lives for an extended period, watching what happens, listening to what is said, and/or asking questions through informal and formal interviews, collecting documents and artefacts in fact, gathering whatever data are available to throw light on the issues that are the emerging focus of inquiry. (Hammersley & Atkinson 2007:3)

Much earlier, Frake (1964:111) had similarly pointed out that a '*description of a culture, an ethnography, is produced from an ethnographic record of the events of a society within a given period of time, including, of course, informants' responses to the ethnographer and his queries, tests, and apparatus.*'

The fundamental and common elements of ethnographic research include a description of lived experiences by the researcher who has participated in collecting field data within the lived experiences of the people who are under investigation with the aim of generating knowledge. In the case of this study, the researcher shared the daily experiences of the participants and, using several techniques, collected information through active interactions with them. Because the research was carried out in an urban setting, the use of urban ethnography was relevant to the generation of data and the interpretation strategy employed.

3.3.2. *Using urban ethnography to generate data*

Historically, urban ethnography is '*a subfield of sociology, with a connection to the Chicago School ethnographic approaches that emerged post World War II and linked to shifts in ethnographic cultural shifts in the 1960s*' (Venegas & Huerta 2010:5). The urban ethnographic method is rooted in the research conducted in urban settings (Park 1915; Thrasher 1963, Verloo 2021; Wirth 1928). The Chicago School's new methodology for the study of urban problems emerged in response to the City of Chicago's rapid urban growth and the challenges experienced by its inhabitants. Its researchers used the city as a natural setting or laboratory in which to conduct their investigation. The Chicago School played a revolutionary methodological role in understanding urban issues, a role based on researchers' observations of and interactions with the study population of the city, which resulted in the institution '*tower[ing] over the intellectual and professional landscape of sociology from 1892 until 1942*' (Deegan 2001:11). Robert Park, the pioneer of the Chicago School, exhorted his students in these terms:

Go and sit in the lounges of the luxury hotels and on the doorsteps of the flophouses; sit on the Gold Coast settees and on the slum shakedowns; sit in the

Orchestra Hall and in the Star and Garter Burlesk. In short, gentlemen (sic), go get the seat of your pants dirty in real research. (Park cited in Bulmer 1984:97)

This researcher's work, which was conducted in the urban areas of Tshwane, resembles the Chicago School's research. The concept 'urban' is described by Venegas & Huerta (2010:2) as '*a social, cultural, and physical space that is located within a major city setting. Urban city dwellers may experience condensed housing conditions, limited access to quality education, health care [and] transportation, and increased exposure to violence.*' As for Imilan and Marquez (2019:6), ethnography is suitable as an '*instrument for urban studies because contemporary popular culture finds its dwelling space within cities*'. Urban ethnography collects and analyses information on social problems and practices occurring in cities.

Urban ethnography as a research method was relevant to exploring and understanding the daily experiences of Congolese immigrants in terms of their citizenship practices in the city of Tshwane. In the use of urban ethnography in generating data, Cohen (2006) suggests including a range of factors such as spatial context, history, socio-economic conditions and integration of the inhabitants in an environment when exploring urban population challenges. These are the factors that constituted the daily experiences of Congolese immigrants and the expressed citizenship practices of their lives in Tshwane.

Important works on urban ethnography provide a variety of fieldwork techniques for gathering information in urban environments (Ocejo 2012; Pardo & Prato 2018). These have contributed to researchers' ability to understand and explain the challenges and struggles linked to urbanisation issues in the modern world based on the experiences shared by city dwellers. Imilan and Marquez (2019:1), for example, highlight the role of ethnography in understanding the urban environments of '*different social groups that inhabit the city as well as the ways in which diversity achieves organization and claims its rights to the city*'. Urban ethnography offers an appropriate way of understanding the daily experience of people in the life of the city, with the urban ethnographic approach focusing on the explanation of social problems in the context of urban settings. Imilan and Marquez (2019:13) posit that '*Ethnographic practice has established lasting links with humanist geography in its eagerness to capture the construction of the senses of places from the experiences of the human beings living there*'. The urban ethnographic approach provided an important framework for conducting this investigation of Congolese immigrants' daily experiences in Tshwane.

More specifically, the application of the Lefebvrian framework on the production of space, linked to its underlying philosophy of the right to the city, assisted in gathering information on

the conceptualisation of citizenship and the practices that relate to it by Congolese immigrants in Tshwane.

In summary, from the point of view of this study, ethnography as a method has value in that it focuses on *'the meaning of actions and events to the people we seek to understand'* (Spradley 2016). Another major benefit of using an ethnographic approach was that the engagement in fieldwork provided the opportunity to gather rich, detailed data (Verloo 2021). The research gathered meaningful information concerning the social world of Congolese immigrants by exploring and interpreting their citizenship practices, claims and aspirations concerning their residence in Tshwane.

Since Tshwane is one of the cities in Gauteng province that attract immigrants both because it is a hub of economic opportunity and provides access to the administrative offices of official government departments (Pieterse 2015), its urban settings and services offer a setting in which to understand the citizenship practices and the urban sense of belonging of its inhabitants. The researcher engaged with Congolese immigrants to listen to what they had to say and to participate in their experiences by conducting observations in the different settings where they were to be found.

Data-generation techniques used in ethnography include mainly *'participant observation, interviews and archival research'* (Angrosino 2007). The next section portrays the ethnographic interview as a tool for gathering information.

3.3.2.1 *Ethnographic interviews*

Interviews have long been used as an essential method in qualitative research in general and in ethnographic research in particular. According to Kalekin-Fishman (2002), interviews have been featured as noteworthy research tools in many works for several decades. The interview has been called the primary method used in qualitative research (Doody & Noonan 2013; Schultze & Avital 2011) and *'the most direct, research-focused interaction between research and participant'* (Kazmer & Xie 2008:258).

In the qualitative paradigm, interviews are often seen as one of the best ways to *'enter into the other person's perspective'* (Patton 2002:341). This is because they enable researchers to develop *'thick descriptions of a given social world analysed for cultural patterns and themes'* (Warren 2002:85).

The use of ethnographic interviews as a research technique for gathering data was thoroughly described by Spradley (2016). The face-to-face interviewing method is advocated by several

scholars, who describe its process as covering the phases of generating information with a voice recorder while sitting with the participants, including the writing of field notes to keep track of nonverbal cues (Patton 2002; Merriam 2009). In the context of interactive research on the social and geographical worlds of respondents, interviews will be used ‘*to gain access to the meanings which subjects attribute to their experiences of these worlds*’ (Cloke, Cook, Crang, Goodwin, Painter & Philo 2004:149).

The choice of qualitative interviewing is justified by the ontological position that Congolese immigrants’ perceptions, understandings, experiences, knowledge, views, interpretations and interactions constitute the foundation of their social reality. The use of qualitative research is epistemologically justified by the fact that the ethnographic interviews will contribute sufficiently to knowledge generation related to Congolese immigrants’ formations in Tshwane. Thus, knowledge was built from the social interactions between the researcher and Congolese immigrants in Tshwane, and interviewing constituted a channel of communication that allowed the voices of Congolese immigrants as knowledge co-producers to be heard.

The following key skills for successful interviewing, covered in Cloke *et al.* (2004:159), were important to the researcher:

Listening sensitively; remembering what has already been said; achieving an effective balance between listening and speaking out (with questions, prompts and responses to questions from the interview subject); sensitivity to unspoken signals, particularly around body language and demeanour; and technical response in tape-recording or note-taking.

The researcher conducted 48 interviews with the participants in different settings (which was well above the twelve interviews recommended by Braun and Clarke (2021) for thematic analysis). The location of the interviews included the streets, the workplaces and the residences of Congolese immigrants. Interviews were conducted in English, French and Lingala. The interview duration varied, at times lasting up to more than 60 minutes, depending on the informant’s availability and the experiences the informant wanted to share during the study. However, based on informant availability, the researcher sometimes requested further elucidation and clarification when he came across interesting elements that might enhance the quality of the information in the research.

During the interviews, open-ended questions were discussed. Replies were recorded, and field notes were taken at the same time as a means of recording the non-verbal aspects of respondents’ communication. The wording of the interview questions was precise, and the questions were

kept short. These questions were pre-tested among a few Congolese immigrants. From the three principal moments of the production of space and the right to the city as one aspect of urban citizenship practices, questions were formulated to cover Congolese immigrants' daily experiences through their legal status and its repercussions on their lived and perceived space.

3.4. Sampling technique and study population

This investigation was conducted using the method known as purposive sampling. This technique is described by Palinkas, Horwitz, Green, Wisdom, Duan and Hoagwood (2015), who support its use for qualitative data collection. Within the same perspective, Patton (2015:264) claims that using purposeful sampling consists '*in selecting information-rich cases for in-depth study*' and provides a deep understanding of the research question. Teddlie and Yu (2007:77) indicate that purposive sampling techniques are used primarily in qualitative studies and may be defined as the selection of units, for example, individuals, groups of individuals and institutions, based on specific purposes associated with answering a research study's questions. Purposive sampling implies the identification and selection of individuals or groups of individuals with sufficient knowledge or experience of the social phenomena under investigation (Creswell & Clark 2011).

The study population for this study was selected purposely among Congolese immigrants residing in Tshwane. Participant recruitment was conducted mainly through the Congolese social network (see Appendix D). In addition, observations were conducted at meetings and in businesses and residences. This study included only Congolese citizens who were living in Tshwane. Interviewees were targeted through Congolese social and cultural associations, church and funerals gatherings, and parties. The participants were selected based on their validated legal status (this included formal work permits or refugee and asylum-seeker status) and people's willingness to participate in the study.

The participants were identified also based on socio-demographic criteria such as age, gender, residence duration, education level and employment status (see Table 3.1). Fifty four percent of the participants were men and 46% were women. In terms of age, 54% were in the range 31 to 40 years, 23% were between 20 and 30 years. Fifteen and 8 percent ranged between 40 to 50 and 50 to 60 years, respectively. This variable was important to understand as the majority of Congolese immigrants were mostly between 20 to 60 years old, an age which is considered to be productive adult years. This group constituted a reserve that could be used in the labour market and contribute to the economic growth of the country. Three clear categories of employment were identified. Most of the participants (65%) were involved in the informal

sector where many of them were self-employed. Twenty-five percent were unemployed, while 10% were employed in formal sector jobs. Related to the employability of immigrants is their educational status. Only 9% of the research participants reported that they had not attained matric. The majority (56%) had passed matric, while 23% held an undergraduate degree. Four percent held a PhD degree.

The residence period is an important variable that influences the citizenship path of immigrants. Most of the Congolese respondents (36%) had resided in Tshwane for 11 to 15 years, followed by 33% who had resided for 5 or less years. Nineteen percent had resided in Tshwane for 6 to 10 years, while 2% had resided in Tshwane for between 26 and 30 years. That most of the participants had resided in South Africa for longer than five years is an indicator that this is a well-established urban community. These different socio-demographic factors influenced the production of the space occurring within the social interactions.

Table 3.1: Socio-demographic information of the participants

Age range in years	20-30	31-40	41-50	51-60		
Number	11	26	7	4		
Gender	Male	Female				
Number	26	22				
Residence time in years	1 – 5	6 – 10	11 – 15	16 – 20	21 – 25	26 – 30
Number	16	9	17	4	1	1
Education level	PhD	Graduate	Matric	Non-matric	Diploma	
Number	2	11	27	4	4	
Job status	Formal job	Informal Job	Jobless			
Number	5	31	12			

3.4.1.1 Participant observation as a method of ‘getting the hands of the researcher dirty’ in Tshwane

Making use of fieldwork and engaging with the participants via face-to-face interviews were both associated with participant observation in the Tshwane urban setting where the Congolese immigrants were living. Written field notes were kept as part of collecting observation data on participants. Participant observation is well documented as one of the valid ethnographic

methods for generating data (Ocejo 2019; Verloo 2021). Participant observation is frequently used in human geography (Pardo & Prato 2018; Verloo 2021). According to Angrosino (2007), observation is the act of perceiving the activities and interrelationships of people in the field setting. Several reasons justified the use of that method in this study. Atkinson, Coffey, Delamont, Lofland & Lofland (2000:4) advocate that ‘*Observation and participation (according to circumstance and the analytic purpose at hand) remain the characteristic features of the ethnographic approach*’. A key feature of participant observation is that it offers the researcher the possibility of collecting information on the life of participants while keeping a distance from them and their circumstances throughout the process (Fetterman 1998), which the researcher found to be helpful.

The steps in observation were those shown in Table 3.2, which is based on the description by Wolfinger (2002:91).

Table 3.2: Steps in observations

Observational dimensions	Descriptions
Space	The physical layout of the place(s)
Actor	The range of people involved
Activity	A set of related activities that occurs
Object	The physical things that are present
Act	Single actions people undertake
Event	Activities people carry out
Time	The sequencing of the events that occur
Goals	Things that people are trying to accomplish
Feelings	Emotions felt and expressed

In this research, the researcher engaged with Congolese immigrants in places, events and associations performing a social or cultural role, for instance, churches, funeral gatherings, trading associations and parties. Ocejo (2012:12) underlines the importance of participant observation in fieldwork and stresses that it allows the researcher to understand the lived experience of the population under study deeply. By getting close to the life of the population under investigation, the researcher collected sufficient data reflecting peoples’ experiences of the people. Genzok (2003:2) explains that the researcher must develop ‘*an insider’s view of what is happening. This means that the researcher not only sees what is happening but [also] “feels”*’

what it is like to be part of the group'. Considering this, the main advantage of participant observation is its ability to keep the researcher in the balance between his participation in the lives of the people under study and maintaining sufficient distance to the research question (Fetterman 1998).

In addition to recording and taking notes during the observation process, the researcher captured some photographic images of spaces, objects and events as a technique for providing an alternative source of information to enhance the understanding of the phenomena under investigation.

The fieldwork via participant observation and the interview as part of the urban ethnography method allowed the researcher to apply narrative enquiry as an additional technique to record data. This contributed to exploring and understanding the phenomena under investigation using several methodological tools to enhance the quality of findings. Combining urban ethnography and narrative inquiry gave the research a holistic insight anchoring on lived and historical experiences.

3.4.1.2 *Narrative inquiry*

Narrative inquiry is a research tool that uses stories as qualitative data to understand and explore people's experiences linked to their context. According to Clandinin and Connelly (1994:415), *'Experience...is the stories people live. People live stories and in the telling of them reaffirm them, modify them, and create new ones.'* Narrative inquiry is *'an approach to the study of human lives conceived as a way of honouring lived experience as a source of important knowledge and understanding'* (Clandinin 2013:17). Narrative enquiry is therefore considered to be both a phenomenon and a methodology. Moreover, *'Narrative inquiry as a methodology entails a view of the phenomenon'* (Connelly & Clandinin 2006: 375).

Many fields of study dealing with lived experience have used narrative inquiry as a methodology (Kim 2015; Trahar 2013). The main claim of narrative inquiry is that human experiences can be shared via stories. Life stories portray the identities of people who describe themselves in relation to their lived experiences of the world and are linked to particular times and places. In these ways, they are important sources of knowledge. Scholars consider that the use of narrative inquiry is a way of understanding experience. As Clandinin and Connelly (2000:20) put it, *'It is a collaboration between researcher and participants, over time, in a place or series of places, and in social interaction with milieus.'*

The researcher used the methodology of narrative inquiry to both understand and explain the experiences of people as they were expressed through the stories gathered during the face-to-face interviews. Stories reflected the deep experiences of the respondents. The interaction between the researcher and the population who participated in the research was crucial in producing knowledge concerning Congolese immigrants' citizenship practices in Tshwane. At a simple level, human beings express their daily experiences through stories, and these stories reflect the ways in which they interact with society. But stories are a great deal more than that. For Rosenwald and Ochberg (1992:1), '*Personal stories are not merely a way of telling someone (or oneself) about one's life; they are the means by which identities may be fashioned.*' Langellier (2001:700) argues that for ordinary, marginalised and muted people, '*personal narrative responds to the disintegration of master narratives as people make sense of experience, claim identities, and "get a life" by telling and writing their stories*'. These views foreground, therefore, that narratives play a role in the social construction of identity. Ryan (2007:24) highlights the narrative to be the '*human experience, and...the temporality of existence*'.

The idea has been advocated by Clandinin (2013:18) that

narrative inquiries begin and end in the storied lives of the people involved. Narrative inquirers study the individual's experience in the world, an experience that is storied both in the living and telling and that can be studied by listening, observing, living alongside another, and writing and interpreting texts.

The narrative inquiry thus involves strong interaction between the researcher and the participants. The researcher who is using narrative inquiry gathers the information by listening to the interviewees' stories or by observing phenomena in the settings of the research.

3.4.2. Reflections on being an insider

Books and scientific papers on immigrants' citizenship activity or their urban sense of belonging in cities around the world never attracted my scientific curiosity until I moved to South Africa in 2009. Here my experiences as an immigrant triggered an interest topic. The spark of this interest on my first arrival at OR Tambo International. My first experience of South Africa was with the migration services there. I seemed to have misplaced my yellow fever vaccine card. After checking the visa on my passport, a migration officer sent me out of the queue and asked me to go to the airport clinic to get a vaccination. I experienced this as one of the invisible barriers of space imposed through the international legal framework and regulations on immigration that controls. The first frustration of being an immigrant came from the language

barrier and miscommunication until I found the vaccination certificate in the pocket of my jacket.

On 3 December 2011, I participated in a protest march organised by Congolese immigrants to Luthuli House, the headquarters of South Africa's ruling party, the African National Congress, in Johannesburg's inner-city area. The participants wished to highlight irregularities concerning ballot papers they said had occurred during the then elections in the Democratic Republic of Congo. The march started some distance away, at the Yeoville Recreation Centre, where thousands of Congolese immigrants gathered to march peacefully, singing and holding placards showing pictures of the war atrocities in the Eastern Congo. It was clear that immigrants remained connected to their countries of origin, and this raised the question of why.

Several visits to Tshwane showed long queues of Congolese immigrants stretching around the Marabastad Refugees Office. These immigrants had come to renew their papers, which was possible on Mondays and Tuesdays. This was a normal phenomenon until the riot of refugees at the office of the United Nations High Commission for Refugees in Tshwane. Families (men, women and children) organised sit-ins for days on end at the Metro Park Building, 351 Frances Baard Street, and asked for repatriation to the DRC or to be sent to another country. This was based on their claims that they were being victimised by South Africans and that they feared xenophobic attacks that threatened their very lives.

As someone who shared the cultural and national identity of Congolese immigrants, I faced the same urban struggles of being a non-citizen who was subject to the conceptualisation of citizenship in its three dimensions, that is, citizenry as constructed by legal status, citizen rights (and duties) through access to services, and participation in the life of the city. In line with the right to the city, this categorisation of being a non-citizen meant a role of an '*insider*' who shared the same fears, frustrations and aspirations as the research informants regarding integration into the life of the city. This identity of an insider was a genuine tool for exploring, understanding and developing a narrative that closely reflects Congolese immigrants' citizenship and their urban sense of belonging as negotiated through their daily experiences (see Appendix H).

During the fieldwork, I often shared the same emotions and feelings as the informants when listening to their narratives or conducting observations of their practices in my attempts to understand their world and their daily struggle. This may have led to potential bias as data was collected, analysed and reported the findings. However, being an insider in the community also has several benefits in terms of access and closeness to the topic. This insider status was essential to represent the perceptions of Congolese immigrants in their daily experiences and summarise

how they negotiate their citizenship and urban sense of belonging in their host city. The great benefit of sharing the same national identity and socio-cultural background as the participants helped to penetrate deeply into the world of Congolese immigrants and the inscription of their habitus in the urban spaces through their social networks. This shared national identity facilitated the interviews and the robustness of the subsequent interpretations. This presented a distinct advantage: a researcher who is not familiar with the habitus (languages, culture, dietary habits, religion, politics and transnational identities) of Congolese people in Tshwane through their socio-cultural identity and practices would have struggled, as an ‘outsider’, to surmount a range of cultural and linguistic barriers to exploring and interpreting the social patterns that Congolese immigrants produce as a means of creating their belonging in that city. A researcher from outside the Congolese community in Tshwane would be less in tune politically, culturally and emotionally with the feelings of the informants; and might thus interpret the research results by developing a narrative that did not focus on the reproduction of Congolese habitus in Congolese social networks – or the role this habitus plays in the production of urban spaces – concerning the conceptualisation of citizenship in Tshwane, and the activities related to it.

On various occasions, my involvement with the Congolese community exposed me to a wide network of immigrants who shared their life stories and experiences of living in Tshwane with him. These experiences formed the backbone of the motivation to carry out research by collecting the lived experience of Congolese immigrants through a scientific lens. In the fieldwork this meant becoming close to the immigrants who were observed through information gathering on their citizenship activity in Tshwane. Many memorable moments were shared with them in their daily experiences and struggles in the life of the city, in their working environments and/or their residences. I conversed with them, and they shared a great deal of information concerning the performance of their citizenship in Tshwane, as well as their aspirations to integrate into the life of the city. Congolese immigrants raised many themes on the urban issues they were facing while living in the city, and, through the fieldwork I discovered the submerged parts of an iceberg of Congolese experience that were previously hidden. This insider research identity was pivotal in ensuring that the research remained an authentic and close reading of the Congolese immigrant community.

The knowledge gained through the research constituted a *vade mecum* that can inform potential immigrants dreaming of coming to Tshwane. Reading and reflecting on the daily and lived experiences of Congolese immigrants provided a valuable opportunity to understand the deep meaning of the conceptualisation of citizenship and its repercussions on immigrants in the life

of the city. It also allowed for the formulation of claims on the right to the city in calling for the transformation of the current ways of connecting inhabitants to the place where they are living. The results will also inform those who are interested in the topic of migration in the twenty-first century and in how migrants (and others) perceive and define themselves in the city.

3.5. Data analysis strategy

The procedures followed in this investigation included data collection based on interviews, field notes, and the taking of relevant photographs during participant observations. Interviews were analysed by producing in vivo quotations and field notes from participant observation, and memos were used to describe experiences. The products of both procedures have been merged into narrative descriptions. The narrative in the reporting included in vivo quotations and additional pictures captured during the fieldwork that helped to tell '*the story*' of being in situ with the informants in their settings (Hammersley 1990).

The data collected were analysed using thematic analysis. According to Genzuk (2003:9), the analysis of ethnographic data entails

the process of bringing order to the data, organizing what is there into patterns, categories, and basic descriptive units. The process of analysis involves consideration of words, tone, context, non-verbal, internal consistency, frequency, extensiveness, intensity, specificity of responses and big ideas.

During this stage, the researcher searched for, described, classified and connected the characteristics of themes and patterns across transcripts generated from the interviews, the field notes, the memos and the information gathered through participant observation. The researcher identified salient patterns in the transcripts by comparing the units of text; and by classifying them by category and subtheme based on the study's phenomena. The researcher then identified the patterns of human activity emerging from the data analysis by comparing the themes.

The analytic strategy of this investigation included the following steps as suggested by Roper and Shapira (2000): '*coding for descriptive labels, sorting for patterns, identifying outliers, generalizing constructs and theories, memoing with reflective remarks*'. The researcher undertook the thematic analysis by following the framework established by Braun and Clarke (2006). The first step of their framework is familiarisation with the data. The second step is the generation of initial codes, achieved by searching for themes, reviewing themes, and defining and naming (and also renaming) themes (Braun & Clarke (2006). In terms of this research, themes were derived and grouped according to social slices or '*aspects of linked practices and*

arrangements' (Schatzki 2015:12) that were recorded from the narratives and everyday experiences of Congolese immigrants regarding the three moments of the triad in the production of urban spaces and the right to the city as developed in the theoretical framework. Since the goal of thematic analysis is to identify themes and patterns in the dataset, the researcher identified the salient themes within the transcripts, field notes and non-verbal materials gathered during the fieldwork and memos to organise the main findings on the performance of Congolese immigrants' citizenship in Tshwane. Themes were developed through a combination of inductive and deductive analysis. Inductive coding allowed for emergent themes that were not covered (or well-covered) in the literature. Deductive coding was developed from the Lefebvrian theoretical framework of the production of the space and the right to the city. According to Maguire and Delahunt (2017), such an approach to thematic analysis allows the researcher to organise data based on the research question by making sense of them. Thematic analysis was thus a useful tool in exploring and developing a deep understanding of the conceptualisation of citizenship; and of the claims, the struggles and the aspirations expressed socially and spatially through the engagement of the right to the city for Congolese immigrants in Tshwane. The next section explores the criteria justifying the trustworthiness of the study that was undertaken in the field and describes the reporting process.

3.6. Trustworthiness of the inquiry into immigrants' citizenship practices

Readers frequently raise the question of the validity of qualitative research. This issue of validity is referred to by authors using allied terms such as '*credibility*', '*trustworthiness*' and '*authenticity*' interchangeably (Creswell & Miller 2000; Lincoln, Lynham & Guba 2011). Lincoln and Guba (1985) refined the concept of trustworthiness by introducing the criteria and techniques of credibility, transferability and audit trails in relation to it. These criteria were applied in consideration of the research context and were used to acknowledge and manage the limitations of the research design. It is now generally accepted that the validity of qualitative research is no longer to be searched for in the impossible task of representing '*the truth*'. Instead, it focuses on the notion of '*trustworthiness*' (Riessman 1993), as discussed directly below.

In this study, key aspects of the concept of trustworthiness are as follows: credibility, transferability, dependability, confirmability, transparency and reflexivity. This is because these are the elements used as the main criteria for assessing qualitative research rigour (Lemon & Hayes 2020; Korstjens & Moser 2018; Rose & Johnson 2020). These criteria build confidence in the research outcomes by showing the coherence of the research question formulation, the data-generation process, the interpretations and the reporting process.

3.7. Credibility

The credibility of this piece of qualitative research resides to a great extent in the fact that the researcher carried out data analysis by linking the research question and developing themes based on the theoretical framework. The researcher was led by a neutral attitude when treating the information during the whole research process –from data collection, via data analysis, to the interpretation of the results. The aim of applying the correct approaches and techniques is to allow researchers to check the accuracy of the data collected during the fieldwork and support their findings based on suitable analysis methods. This contributes mainly to reducing the researcher’s information bias, which may impact the quality of the findings.

Credibility in qualitative inquiry is a pillar upon which the findings rest. It provides elements that ensure the conclusions are methodologically and logically attached to the research question. It represents the authenticity of social slices of the participants’ experiences through the lens of the researcher’s narrative. It reflects the field data rigorously interpreted and represented by the investigator (Polit & Beck 2012). In describing human experiences under the lens of qualitative enquiry, the researcher reaches credibility in their investigation if the readers recognise that the experiences related to the researcher’s narrative are associated with the social reality of the phenomena under observation (Sandelowski 1986).

The credibility of this investigation was based on the number of activities the researcher undertook during the research period through his interactions with the informants and by observing their activities. The researcher was engaged with informants in various settings, which included residences, streets, workplaces (shops and workshops), parties, funeral gatherings and church meetings. Pieces of information were gathered through interviews, photographs captured during the participant observations and field notes. Materials gathered for analysis included face-to-face interviews, transcripts, field notes and photographs captured during observations (see Appendices). The strategy of building the credibility of this study consisted of undertaking prolonged engagement with informants through conversations and by performing participant observations in Tshwane among Congolese immigrants’ social networks in which several interactions or transactions were taking place. The researcher undertook persistent participant observations in Tshwane in a Congolese environment. The main aim of the participant observations was to build informants’ confidence and trust by becoming close to them and being allowed to collect meaningful details to fit the research purpose.

In this research, triangulation and verification of the data were used as the main technique, as discussed by Jason and Glenwick (2016). When conducting qualitative research, the researcher

applied triangulation, defined as ‘*the combination of methodologies in the study of the same phenomenon*’ (Denzin 1978: 291). Triangulation in this research strategy contributed to seeking ‘*convergence among multiple and different sources of information to form themes or categories*’ (Creswell & Miller 2000: 126). Triangulation has been used, in this qualitative research, as the primary strategy for linking the findings to the conclusion. For Flick (2008:23), applying triangulation as a qualitative strategy contributes to understanding and describing social reality. Flick proposes that triangulation supports the fact that the researcher uses

different perspectives on an issue under study or more generally in answering research questions. These perspectives can be substantiated by using several methods and/or several theoretical approaches...it refers to combining different sorts of data against the background of the theoretical perspectives that are applied to the data.

Based on the benefits of applying triangulation as described above, this investigation combined data triangulation and investigator triangulation. Data triangulation combined the interviews, the life stories gathered during the fieldwork and information from participant observations such as photographs captured during the investigation. The triangulation approach in this study aimed to minimise biases by combining interviewee narratives, the researcher’s participant observations and the researcher’s own social location. It helped to formulate balanced and critical claims on the right to the city that are in line with the promotion of human dignity via the national, regional and international framework on sustainable development goals as pursued through services such as access to employment, education, healthcare and housing to ensure inclusive urban citizenship models and practices. From this perspective, triangulation assisted the researcher in developing a deep understanding of citizenship, daily immigration challenges and aspirations to promote human dignity through genuine social practices and the protection of immigrants. The narrative was constructed, therefore, by systematically combining the researcher’s own points of view, informants’ views (based on their legal statuses and gender), and the views of other scholars on the social phenomenon under study in this research.

This process allowed the researcher to address the possibility that he might be coming up with biased information that might negatively influence the trustworthiness and quality of the research findings. Triangulation led him to cross-examine, for instance, the similarities or discrepancies between the claims made during the interviews and the phenomena noted during the participant observation in those settings within which Congolese immigrants operated. In particular, the triangulation technique assisted the researcher in assessing the outcomes of the investigation into citizenship and the urban sense of belonging (the right to the city) as

experienced in the daily lives of immigrants. Congolese immigrants specifically assisted the researcher in assessing the outcomes of the investigations of their citizenship practices through their claims and struggle with urban issues experienced because of living in Tshwane. The triangulation technique compared the salient themes generated by the analysis of face-to-face interviews and life stories on one side and the dominant themes developed from participant observation on the other.

Verification of the data was achieved by applying member-checking techniques that provided feedback on the accuracy of the data and the findings. The importance of member-checking techniques, also known as '*informant feedback*' and '*respondent validation*' techniques, is highlighted by Miles, Huberman and Saldana (2014:270). Member checking is a recognised technique used to make sure that a qualitative study, like other kinds of studies, is accurate, valid, credible and transferable.

The researcher applied the member checking and clarification techniques using twelve available participants based on the quality of the information aligning with the research question that the interviewees provided. He verified data quality by giving the transcripts of their interviews to these participants to enable them to attest that the information in the transcripts matched what they had said during the interviews. The researcher met with these participants in various social meetings (occasions) to discuss the key issues Congolese immigrants faced in Tshwane.

The final dataset was, after that, triple-checked for validity. This procedure consisted, first, of double-checking the consistency of the codes applied to quotations in all the interviews; second, of double-checking that the codes and sub-themes had been appropriately grouped under various themes; and third, of submitting the findings to the supervisor for further critical feedback on the generation of themes. This assisted in linking the themes to the research question – grounded on the theoretical framework of citizenship practices – by zooming in on the production of the urban space by, and the right to the city of, Congolese immigrants.

Glaser's (1999:838) code of conduct for researchers includes the ability to conceptualise data while tolerating some confusion or contradictions from the interviewees. This kind of tolerance allows for the collection of data without the imposition of researchers' views on the informants. The researcher avoided applying any preconceived judgements to the task of extracting the constructs, categories and themes expressed in the data by the informants. The researcher also made the process of data collection and analysis transparent, and the interpretations of the results and the writing ought to be in line with the data collected.

3.8. Study confirmability

The findings reported in this study reflected the social reality that developed from the daily experiences of Congolese immigrants. At the same time, the interpretations were arrived at under the umbrella of urban citizenship practices. Using urban ethnography as a method of investigation in the city, findings were grounded in the claims and struggles expressing the impacts of the immigration laws and regulations on the everyday life of Congolese immigrants. These urban struggles were the foundation for developing a narrative that called for model urban citizenship practices through a framework emanating from the philosophy of the right to the city. The audit trails of the study were conducted by recording the steps of the study from the face-to-face interviews, field notes and pictures collected during the participant observations.

3.9. Coherence of the research approach

This investigation was informed by the combination of the theoretical framework shaped by Lefebvre's theory on the production of space and the right to the city understood as an ethos of engagement in the face of urban issues (Frediani *et al.* 2020). The use of urban ethnography and participant observations methodology (Pardo & Prato 2018; Verloo 2021) was well suited to collecting and exploring the daily urban issues arising among Congolese immigrants and the interpretation of the data focusing on the tactics as conceptualised by De Certeau (1984/2009) to deepen the understanding of the social reality of their citizenship practices. The findings were aligned with the core philosophy for the call, hailed by scholars, social movements and international organisations, for urban citizenship rooted in the inclusive vision of all inhabitants in their participation in the life of the city. This met the call for urban justice, which advocates connecting inhabitants to the city that they need to use – and the services to which they need to gain access. In the case of the Congolese immigrants in this study, the daily experiences were the privileged milieu of observations of their citizenship practices and coming to understand (a) the burden of the restrictions imposed by the immigration laws and their regulations and (b) the forms of resistance that these immigrants developed to re-appropriate specific spaces of Tshwane and to participate in the formal organisation of the city in a parallel process. The ontological and epistemological approaches developed through the literature, and the framework for the conceptualisation of space production and urban citizenship, helped the researcher to address the complexity of the research question by bridging the appropriate methodology of data collection, analysis and interpretations under a deep understanding of social phenomena of the impacts of immigration laws on citizenship practices. As a researcher, says Gioia (2021:24), *'it is my job to be a credible messenger-to report my findings so readers can understand the*

experience of my informants as the informants see it'. Based on this responsibility as a researcher, the research findings will therefore be reported in a manner that is a '*plausible, defensible explanation of some phenomenon of interest*' (Gioia 2021:27).

3.10. Transparency of the study

The research transparency was addressed at each stage of the investigation during the fieldwork; informants were recruited to participate in the study and signed a consent form. All interviews were conducted during the day; however, some participant observations, like social gatherings, were conducted at night. The researcher has also indicated the study's limitations (see Section 6 below, among other sections). It was important for him to focus on how he might be positively and negatively influenced as a Congolese immigrant experiencing the same immigration law repercussions as the informants in the investigation. On the positive side, he shared happy experiences resulting in many good memories with informants, and sometimes the wider Congolese community, in their social networks and activities. These encounters encouraged and boosted the progress of the research. On the negative side, some of the experiences shared by and with the same informants were very painful to witness and/or to listen to. It was not possible to remain unaffected by their everyday urban struggles in relation to their legal status, and their lack of access to employment, education, healthcare and housing in Tshwane.

3.11. Ethical considerations

The fieldwork was conducted with Congolese immigrants in their personal and social settings and in their work environments. Before the research started, an ethics clearance authorisation 2020/CAES_HREC/015 was granted by the UNISA-CAES Health Research Ethics Committee (see Appendix E). It was followed closely throughout the research steps, including data generation, analysis and reporting (publication). Researchers are responsible for managing participants' information safety, anonymity and confidentiality. The researcher interacted with Congolese immigrants in the process of data collection via interviews and participant observations in several settings. According to Punch (1998), ethical considerations play an essential role in qualitative research because the researcher interacts with participants' daily experiences in their settings. The researcher needed to follow ethical standards during the entire process of research by obtaining an *Informed Consent* document signed by individual participants. Participants were informed of their rights and provided brief information about the research study (Neuman 2011) before the interview.

Participation in the study was voluntary. Before the interview, participants were informed by the researcher that withdrawal from the research was possible. On the consent form, the withdrawal clause clearly indicated that participants had the full right to withdraw from the study without having to provide any reason. Participant consent was thus a key parameter for conducting the study among Congolese immigrants. Participants were also informed that the interview could be stopped if they did not feel comfortable about the topic. Before observations by the researcher, participants were informed that they had the right not to consent to these and that they would be asked for permission before photographs of them or the venue where they were meeting could be taken (see Appendix B and Appendix C).

The researcher has the professional obligation to protect informants' information according to the ethical clearance and was not allowed to reveal the identities of the participants or any information linked to their privacy. The anonymity of the participants was guaranteed, and the identities or personal information of informants were not – and will not be – mentioned in any public report, proceedings or scientific paper. Information on the participants was used only in the context of the research. The researcher always reminded interviewees not to provide confidential information that did not match the purpose of the study. Data were kept safe in a lockable filing cabinet, and any electronic data files were stored in computers that had been protected by strong passwords.

All the interviews were conducted according to the ethical standards established in the ethical clearance form. The topic of discussion was given to participants before the interview session to inform them about the matter to be discussed. The researcher remained flexible concerning the participants' availability and maintained their anonymity in the reporting by assigning a code to each of them.

3.12. Limitations of the research

Human experiences as social phenomena are always subject to the contextual background in which they occur and are often reported on mainly from the narrator's viewpoint. Since the researcher was a participant-observer during data collection, this account, through the development of themes, may have been influenced by his analysis and reading of the information based on personal experiences and struggles as an immigrant in South Africa. On the other hand, informants could be biased when reporting their experiences or might exaggerate or amplify some of the facts they provided regarding their citizenship construction and activity.

The nation-state-based citizenship model explored in the study is based on the fragmentation of legal statuses among permanent, temporary, undocumented and refugee (asylum-seeker) immigrants. However, the study uses a purposive sampling technique, recruiting only documented Congolese immigrants with a valid legal status of residence in Tshwane and excluding undocumented ones, as the UNISA ethics clearance of the project specified the scope of the informants. The claims and struggles of undocumented Congolese immigrants in their integration into the life of the city are therefore not reported on in this study. Neither could the study investigate every aspect of citizenship, or its related activities, among Congolese immigrants in Tshwane. In addition, as users of the city, immigrants of other nationalities have also contributed to the production of the urban space in Tshwane. While they might well share experiences with Congolese immigrants, they, too, have not been included in the study.

Regarding the citizenship of Congolese immigrants in Tshwane, the model of the conception of the nation-state showed the repercussions of the legal status as manifested in immigrants' experiences. The study explored their access to four services: employment, education, healthcare and housing, judged to be fundamental to assessing '*the right to the city*' under the model of urban citizenship. However, further research could be expanded to investigate the impacts of their legal status on the everyday lives of immigrants and the production of urban space by understanding to what extent they transform the city's landscape. In terms of informants, the study did not include South African immigration officials, state officials involved in Congolese immigrants' citizenship conceptualisation (policies) and practices, or officials in charge of regulating access to the public services organised by Tshwane. Statements on the citizenship of immigrants are made regularly by South African politicians and by the South African leaders of various social movements during anti-immigrant marches and speeches in various cities in South Africa. The study might also be more interesting if it included the native populations of Tshwane to understand their claims about and their perceptions of immigrants regarding the latter group's access to services such as employment and economic opportunities. Such an approach could enhance the study by revealing the extent to which the social cohesion among Tshwane citizens is influenced by their conceptualisation of citizenship and the degree and type of activity between citizens and non-citizens.

The study did not explore the state of Congolese immigrants' civic education, which might empower them with sufficient information to initiate claims based on the performance of citizenship by including the nature of their membership, their rights, and their participation in the life of the city or the country. Congolese immigrants are members of the Southern African

Development Community (SADC) and have an immigration profile that differs from immigrants whose countries of origin are not SADC members. Findings on Congolese immigrants' claims and struggles in terms of citizenship and its practices and entitlements might be influenced by the potential role of such membership in defining their legal statuses.

Based on the legal framework in South Africa, each centre of local government (municipality) has certain independence in managing the city within it. Since each city has its urban policies, this independence may influence urban citizenship practices. Congolese immigrants' daily experiences in Tshwane may thus not be fully applicable or correctly transferable to Congolese immigrants in other cities. Urban claims and struggles will therefore vary from one city to another based on the urban policies determining or regulating the eligibility criteria for membership, access to rights, and participation in campaigning for an inclusive approach for all inhabitants in the city. The model of the production space as inspired by the Lefebvrian theoretical framework, did not include, for instance, the digital space that immigrants might create to negotiate their citizenship.

3.13. Summary

This chapter has covered the methodology applied in the study and the justification for its use based on the theoretical framework that supports the research. This aimed to define the qualitative inquiry as well suited to answering the research question on Congolese immigrants' citizenship performance in Tshwane. The use of qualitative methods was motivated, as it allowed the researcher to produce qualitative data to gain deep knowledge and result in a better understanding of the meaning of the lived experiences of Congolese immigrants in Tshwane. Since the study was conducted in an urban setting, the use of urban ethnography was justified to gather social slices of Congolese immigrants' daily experiences related to the performance of their citizenship, which could be understood through the lens of their production of the urban space they occupied and their engagement for their right to the city. To this end, the thematic analysis developed from the three moments of the production of urban space, combined with the theory of the right to the city, was advocated to explore and extract the deep meaning of the immigrants' everyday experiences by deciphering their citizenship practices in Tshwane. The chapter also discussed the study's trustworthiness and the ethical considerations requiring a genuine qualitative inquiry into human experiences. The researcher also discussed the study's limitations, linked to the theories and the methodology employed.

In the next chapter, the researcher portrays the findings by exploring the theme of citizenship conceptualisation and its repercussions through access to services and participation as expressions of the right to the city in the lived space of Congolese immigrants in Tshwane.

CHAPTER FOUR: CONGOLESE IMMIGRANTS, THE RIGHT TO THE CITY AND ACCESS TO SERVICES IN TSHWANE

4.1. Introduction - conceived space and experiences of Congolese immigrants in Tshwane

Traditionally, under the world view of the nation-state, the performance of citizenship sets legal status as a tool for categorising individuals into citizens and non-citizens. Through the legal status-categorisation, the nation-state or polity establishes the eligibility criteria for accessing services and other benefits provided within its territory. Legal status constitutes the foundation of the *de jure* citizenship of individuals. According to Sainsbury (2012), legal status determines immigrants' social rights access. They are instruments that the nation-state uses to shape and control the performance of immigrants' citizenship. They are therefore used in controlling and limiting access to the resources and activities in a city (Ataç & Rosenberger 2019). Each legal status, through its permits, specifies the rights and types of rights and services to which the holder is entitled. The different permits, therefore, act as tools of inclusion and exclusion in the practices of citizenship in the life of a city. Legal status influences the production of the urban space socially and spatially and creates social stratification expressed through the fragmentation of citizenship practices in a community. This civic stratification can be perceived through the impacts, on the life of immigrants, of the laws governing immigration.

The nation-state model of citizenship entails several limitations for immigrants, who are often excluded from getting access to services and protection in the communities in which they reside. The city is one example of a society where this model of citizenship can be observed in the everyday practices of all inhabitants. Under the nation-state worldview, membership, rights and participation in a community like a city are justified not by individuals' residence within its geographical configuration but by possession of the legal status as granted by the national legal framework.

Practically, the fact that the performance of citizenship is socially and spatially controlled by the legal framework of a community or a polity (city or nation) supports the idea that the performance of citizenship can be captured by understanding the production of that space. In the context of this study, an understanding of the performance of Congolese immigrants' citizenship was guided by contextualizing the Lefebvrian triadic model of the production of the urban space and the right to the city (Walker, Carvalho & Diaconescu 2020; Leary-Owhin & McCarthy 2019; Blokland *et al.* 2015). According to Lefebvre (1974), the urban space can be interpreted and understood as a process and a product resulting from social interactions. Developing a unitary theory of the production of that space, Lefebvre points to dialectical

interrelations between three moments. These three moments interact as a social web in which mutual influences are recorded in each component of a triadic model. The representations of the space (the conceived space) through legal statuses deeply influence the other two moments: the representational spaces (the lived space) and the spatial practices (the perceived space) of the performance of Congolese immigrants' citizenship. The dynamic interconnectedness of Lefebvre's triad moments remains central to the presentation and interpretation of the results of this study as they relate to the production of urban spaces by Congolese immigrants in Tshwane. The dynamic of such a dialectic mutually influencing the three components of the triadic model presented an empirical challenge in drawing an accurate dividing line in the production of urban space in Tshwane. In his own words, Lefebvre (1991) acknowledges such challenges in the dynamic of the three moments of the triad by cautioning that '*Relations between the three moments of the perceived, the conceived and the lived are never either simple or stable*' (Lefebvre 1991:46).

Through face-to-face interviews with individuals and public participant observations, the researcher explored the performance of citizenship and the sense of urban belonging of Congolese immigrants in Tshwane. This was done, on the one hand, by analysing the repercussions of their legal statuses on their daily experiences of accessing services and on the other hand, by examining their re-appropriation of, and participation in, the production of the urban space in that city.

The findings of this investigation are presented in Chapter Four and Chapter Five, with the results discussed under a dialectical interpretation. The researcher explores, gradually, the performance of the citizenship of Congolese immigrants by analysing the three dimensions of the production of space and the right to the city. The interpretation is organised by emphasizing the continual and mutual influences that all components of the triad have on one another when they interact (Figure 4.1) in relation to the production of urban spaces). The researcher maintains the dialectical relationships between the three moments of the triad described above and links these to the interpretation of the right to the city in the context of Congolese immigrants in Tshwane.

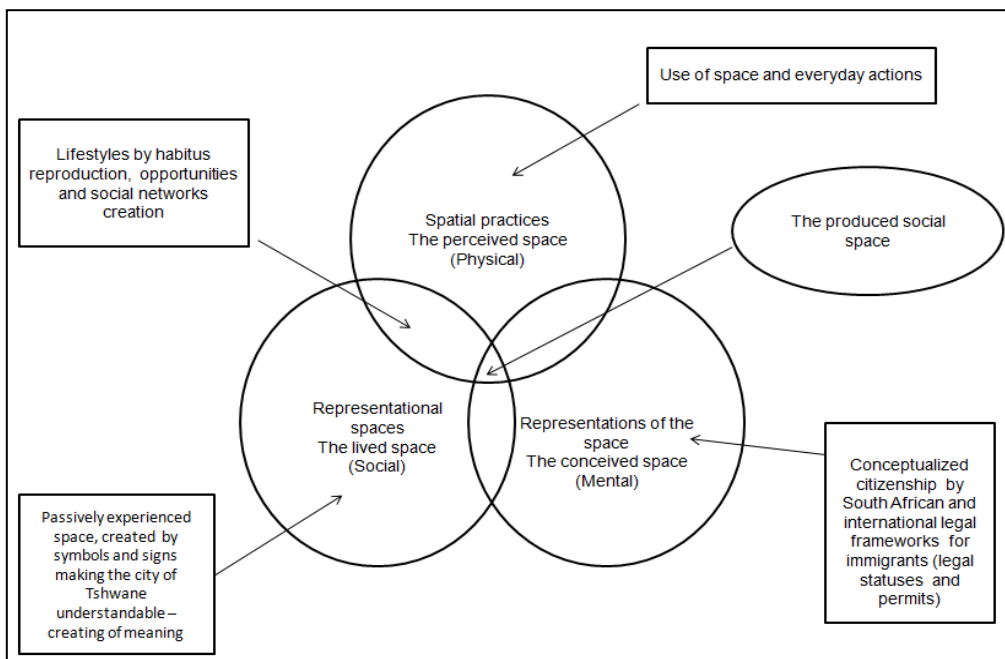


Figure 4.1: Triad application on the performance of citizenship by Congolese immigrants (Adapted from Thodelius 2018)

The visual map of the findings is presented in Figure 4.2, which depicts a dialectical influence between the triadic model in the production of urban space and the right to the city on the performance of citizenship. The linkage between the Lefebvrian triadic model on the production of that space and his theory of the right to the city is expressed through a dialectical influence guided by the dynamic of citizenship performance. Both are intertwined with the performance of citizenship. The researcher claims that the performance of citizenship influences the production of the space in the city and that, at the same time, inhabitants can modify that space by using the right to the city theory to address the impacts of citizenship practices through their daily experiences in the same city (Tshwane). The performance of Congolese immigrants' citizenship is taking place in the city, and studying the production of space in that city is fundamental to understanding social inequality and urban struggles.

On the one hand, the triad helped to scrutinise and to unveil the fragmentation of the performance of citizenship expressed through the legal status and its repercussions in the daily experiences and the urban struggles of Congolese immigrants. Such repercussions were felt through the legal framework's restrictions on accessing the services provided by the city. The triad, therefore, assisted this study in identifying social and spatial exclusion brought about by applying immigration laws regarding the performance of the citizenship of Congolese immigrants in Tshwane.

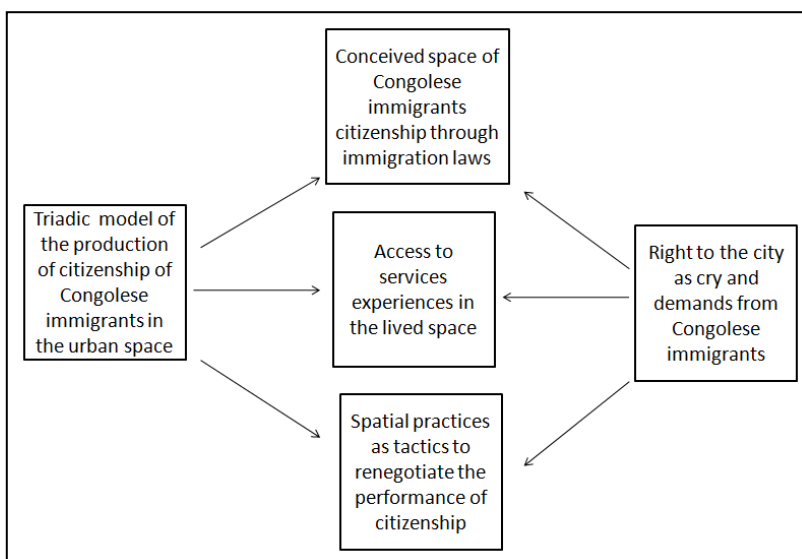


Figure 4.2: Dialectical influences between the triad and the right to the city through the performance of citizenship

On the other hand, the philosophy of the right to the city assisted this study in formulating claims against the social and spatial exclusion that have disconnected Congolese immigrants as city dwellers from the formal organisation of the city; and in advocating the development of inclusive urban policies based on human dignity. The right to the city is envisaged as a way of connecting inhabitants to the formal organisation of the city by addressing the impacts created by applying the hegemony of the nation-state worldview on citizenship practices.

In this chapter, the researcher presents, firstly, the conceived space and the lived space of Congolese immigrants in Tshwane. He explores, respectively, the representations of space and the representational space in the context of Congolese immigrants' citizenship performance by zooming in on the urban space production. Therefore, the researcher aligns the influence of the conceived space on the lived space by analysing and interpreting the results of such interrelations under the lens of the right to the city. He considers, in particular, access to the four pillar services of employment, education, healthcare and housing. Access to those selected services and participation in the life of Tshwane have served as indicators to assess the quality of the performance of citizenship by Congolese immigrants in Tshwane.

Complementarily, in Chapter Five, the researcher discusses and interprets the spatial practices of Congolese immigrants in Tshwane by underlining the city's connection to the conceived and lived space moments in the process of production of the urban spaces. Key findings demonstrated the transformation of the Tshwane landscape, which unveiled the dynamic of creating new uses and meanings of socially and spatially produced urban spaces. In addition,

findings from the application of the Lefebvrian triad (the conceived, perceived and lived space) were simultaneously interpreted through the lens of the philosophy of the right to the city and by reformulating the claims on Congolese immigrants' urban struggles and their aspirations to inhabit the city through a meaningful life (Marcuse 2012).

The findings on the conceived space and the lived space through the performance of the citizenship of Congolese immigrants are presented below.

4.2. Citizenship and permits

This section discusses the conceived space through the fragmentation of the pathway of citizenship and experiences from the lived space of Congolese immigrants in Tshwane.

4.2.1. *Citizenship*

Under this subsection, the researcher presents the findings on representations of space for Congolese immigrants' citizenship conceptualisation in Tshwane. This covers the conceived space moment in the Lefebvrian triad on the production of urban space. The conceived space represents a dominant moment in the model on the production of space, according to Lefebvre (1991), because it is at the beginning of abstract space creation and fundamentally influences the two other moments in the process. Schmid (2012) interprets the conceived space by referring to a mental definition of the urban space. It comprises immaterial elements or mental constructions and conceptions such as the norms, rules, laws, social conventions and ethical considerations that manage and organise the urban space. According to Shields (1999: 163), these representations refer to the '*logic and forms of knowledge, and the ideological content of codes, theories, and the conceptual depictions of space*'. In the context of Congolese immigrants' citizenship in Tshwane, the findings on these representations of space refer to the South African national and international legal framework (texts) that conceptualise and determine their legal statuses as immigrants (non-citizens).

In the following section, findings are presented on the legal framework that manages and shapes the legal status of citizenship of Congolese immigrants in Tshwane.

4.2.2. *Fragmentation of citizenship status*

Regarding the conceived space for immigrants, South Africa, as a nation-state, applies international conventions and national laws and regulations to shape and manage the legal status of Congolese immigrants. The legal status of citizenship among immigrants in South Africa differs from their profile, which is determined either by international laws or national laws. Under the nation-state worldview, legal status as a conceived space of the performance of

citizenship has revealed its dominance in the life of the people by creating social stratification. This social stratification is expressed through the different permits Congolese immigrants are granted through their legal status.

Internationally and regionally, as a signatory to several conventions on migration, South Africa provides legal status to some immigrants based on international documents such as the 1951 UN Convention Relating to the Status of Refugees and the 1969 Convention Governing Specific Aspects of Refugee Problems in Africa (Organisation of African Unity 1969). Migrants with legal status profiles under international protection laws fall under the classification of refugees and asylum seekers. As a host country and signatory to these international documents, South Africa is mandated to protect refugees seeking assistance within its national territory and under its polity.

In addition, immigrants with asylum-seeker and refugee permits are managed by the Refugees Act (1998) and its various amendments and regulations, which determine their rights and obligations. Based on the Act, RSA has adopted the non-encampment approach as a strategy for the local integration of refugees and asylum-seekers in the country. This implies that refugees and asylum seekers are not kept in camps, enjoy freedom of movement within the national territory of RSA, are allowed to work or study there, and have access to ways of exercising the fundamental rights defined in the Act. This non-encampment approach, as practised in South Africa, is seen to be a better treatment of refugees (Johnson 2015) than that in other countries where, for instance, refugees' movements or mobility are tightly restricted and controlled.

There are, of course, many reasons that push migrants to seek asylum in other countries. It must be noted here that these various reasons are beyond the scope of this investigation.

Several statistical sources on asylum seekers have shown that RSA is among the main host countries around the world. For instance, from 2006 to 2015, RSA registered 1 082669 asylum-seeker applications through the South African Department of Home Affairs (DHA), with the highest number (223 324) registered in 2009 (Department of Home Affairs 2017). In mid-2018, according to the United Nations High Commissioner for Refugees (2019), South Africa registered 89285 refugees. These figures demonstrate that South Africa attracts many asylum seekers who need protection under international immigration laws and regulations.

At a national level, immigrants are managed based on their legal status as defined in the Constitution of South Africa (1996) and the Immigration Act (2002) and its amendments; and Immigration Regulations GNR413 (DHA 2014). In general, South Africa's Bill of Rights

(Chapter 2 of the Constitution) makes provisions for the legal status of citizenship; and determines the access criteria to fundamental rights such as social, civil, and economic rights for each person living within the country's national territory and under its polity. In specific ways, the Immigration Act of 2002 manages the legal status of immigrants and determines the access criteria to some rights in the national territory.

In the following lines, the researcher presents the findings of this research on the conceived space for Congolese immigrants as shaped by the immigration laws and policies of South Africa. The researcher considers the legal status of Congolese immigrants as *de jure* citizenship. The pathway of *de jure* citizenship is expressed via the different types of legal documents that Congolese immigrants hold in RSA, as captured in the legal status tree illustrated in Figure 4.3. This legal tree, which must be read from the bottom of the figure upwards, represents the citizenship pathway and its consequences for each category of immigrants in accessing services. It covers the full range of Congolese immigrants with permits: asylum-seeker permits, refugee permits, works permits, permanent-residence permits, and naturalised citizens. It shows that legal status through different permits is a tool for managing and controlling access to services in the city. The production of the space by immigrants through the performance of citizenship depends fundamentally upon the instructions or regulations within the perimeter of their legal status and the ways they obey or transgress them. Those instructions/regulations embodied in the immigration laws determine the use of the city's space by Congolese immigrants.

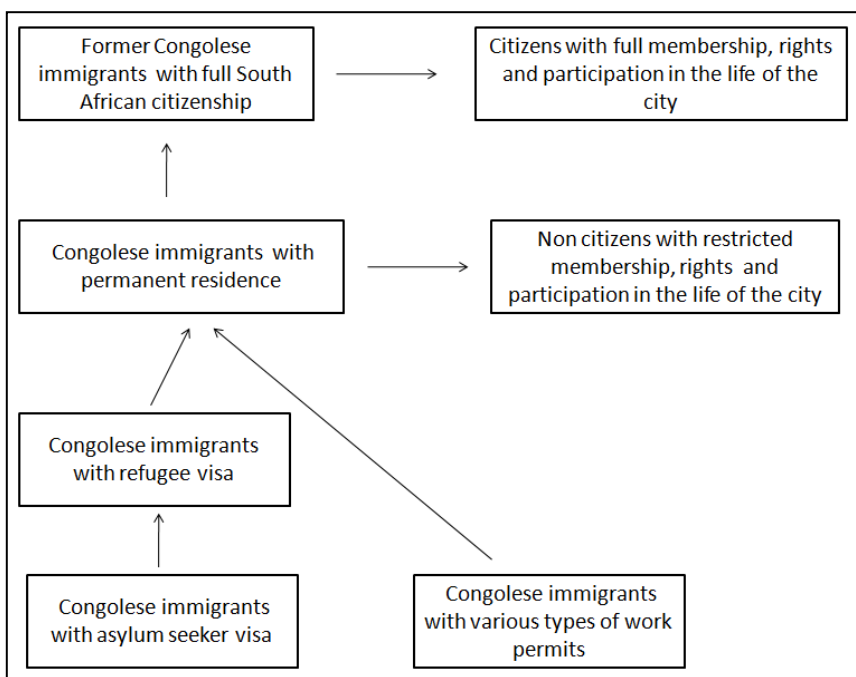


Figure 4.3: Hierarchical legal status tree showing upward trajectory towards South African citizenship for Congolese immigrants

According to immigration laws and regulations, Congolese immigrants have been categorised mainly based on the duration of their residence in South Africa. The categorisation of immigrants has included immigrants with temporary and permanent residences.

4.2.3. *Temporary residence permits*

Congolese immigrants under the temporary residence permits comprised two groups. The first consisted of immigrants with diverse types of work permits issued in line with provisions of the Immigration Act (2002), while the second included those with asylum-seeker or refugee permits issued in terms of the Refugees Act (1998) and its regulations.

4.2.3.1 *Work permits*

Congolese immigrants' legal status is managed by the Immigration Act (2002), which establishes that access criteria to employment in Tshwane must be secured by applying for a work permit. The regulations on the work-permit application are given in Section 19 of the Immigration Act Regulations of 2014. The duration and the type of work or business are determined by the nature of the work permit. The study found that there were Congolese immigrants using the work permit in Tshwane. Regarding the nature of their permit, the holders of these types of permits had access to certain services in the city but also lived under some restrictions. Those restrictions included, for instance, access to education and to healthcare services, for which they needed to fulfil a number of requirements as established in the legal

framework before gaining access to them. Access to each selected service is discussed further on in the study under the lived space moment in space production and the related right to the city.

4.2.3.2 *Asylum-seeker and refugee permits*

Based on the duration of their residence, another group of Congolese immigrants who participated in the study consisted of asylum seekers and refugees. The legal statuses of these participants were conceived and defined by international laws and regulated in a particular manner by the Refugees Act (Act No. 130 of 1998) and by the Refugees Regulations (2019). Under this category, the South African legal framework distinguishes the legal status of Congolese immigrants seeking to become asylum-seeker or refugee permit holders. These permits allow them to reside legally in RSA and determine the nature of the rights and obligations that their legal status grants them during their residence in the country. The bearer of both the asylum seeker permit and the refugee permit gets access to services of the city or the country, as based on the provisions of Section 1(v) of the Refugees Act or Section 12(a) of the Refugees Regulations of 2019. Such services include basic education, employment and healthcare.

For instance, the conditions for getting access to employment or education are given in Section 5(3) of the Refugees Regulations (2019), which amended Section 22 of the Refugees Act (1998) and gave the Standing Committee for Refugee Affairs (SCRA) the authority to determine the nature of the access to study or employment that an asylum seeker may gain access to.

Theoretically, an asylum-seeker permit is granted for a period of between three and six months preceding the granting of legal refugee status. It may, however, end up being renewed several times. In terms of procedure, the asylum-seeker permit is obtained at the Refugee Reception Office (RRO) for a particular area and is renewed where it was initially issued. In the case of Congolese immigrants staying in Tshwane, the permit renewal depends on the location of the RRO which first issued their permits. This may have been in a different province and, in those cases, may thus entail lengthy and costly travel. More recently, owing to the Covid-19 pandemic crisis, the DHA extended the validity of such permits electronically through the provisions of Government Gazette No. 44072 (DHA 2021a). This was still in place at the time of writing.

The second category falling under this group was Congolese immigrants with refugee status. By law, refugee status is bestowed by immigration officials after the asylum seeker has stayed in the country for a certain period; and after their case has been heard and the authorities are convinced that the applicant needs the protection of South Africa as provided for in Section 3

of the Refugees Act (1988). According to the provisions of the Act, the legal status of a refugee is bestowed on an asylum seeker who has been staying in the Republic of South Africa for five straight years since the day the asylum-seeker permit was granted. The refugee permit is valid for two years and may be renewed. The legal status bestowed via the permit gives its holders, while they reside in South Africa, the rights and obligations defined in Section 27 of the Refugees Act. Regarding life in the city, refugees and asylum seekers share the same conditions and access to several socio-economic rights such as employment, basic education and healthcare. There are, however, some restrictions to accessing housing organised by the State. Asylum seekers and refugees are also not allowed to participate in political activity in their country of origin (Refugees Act Regulations 2019) and cannot vote in South Africa. This is discussed in detail while exploring each selected service.

From the conversations conducted with informants during the study, many Congolese immigrants confirmed that they were using the asylum-seeker and refugee permits as their legal status in South Africa. One informant expressed the following views:

I am still emphasising about the refugees, because the majority of the Congolese in this country are refugees or asylum seekers...so in 2017, yes, we have 400 650 Congolese in RSA, that was a statistic, up to now, I think we have 500 000 Congolese maybe...you know so we may reach one million, you never know, there are, in this amount, the majority are refugees, among those refugees, the majority they are still asylum seekers. (Informant 201020-1452)

In 2017, the United Nations High Commissioner for Refugees (UNHCR) estimated that 16 295 Congolese asylum seekers and 32 582 Congolese refugees were living in South Africa. In addition, the UNHCR (2018) mentioned that 25 000 Congolese refugees have lived in South Africa for five consecutive years or longer. This situation was acknowledged recently by the agreement signed between the Department of Home Affairs (DHA) and the UNHCR to eliminate a backlog in the asylum system (Department of Home Affairs 2021b, UNHCR 2021). Some Congolese asylum seekers have been waiting for more than a decade to be heard and to obtain a final decision from DHA. At the time of the writing of this thesis, Home Affairs had still not provided a final decision on granting or denying refugee status to asylum seekers who were part of this backlog. A study on Congolese immigrants holding asylum-seeker permits showed that many had used this legal status for more than ten years (Schockaert, Venables, Gil-Bazo, Barnwell, Gerstenhaber & Whitehouse 2020). Its findings suggested that

a structural intervention should be undertaken to ensure that fair and efficient asylum procedures are in place, that they last only as long as they need to ensure

the quality of the decision-making process, whilst maintaining the freedom of movement, right to dignity, and right to work and study, yet accompanied by actions that would translate into making such work a real possibility (Schockaert et al. 2020:30).

In summary, the findings of this research showed that many Congolese immigrants live in South Africa with the legal status of asylum seekers or refugees. This high number of Congolese immigrants with asylum-seeker status was accounted for by the slow pace of DHA bureaucracy in processing their applications. Based on some of the experiences shared by research participants, the long period could last even longer than a decade.

4.2.3.3 Permanent-residence permits

The legal status of permanent residence is regulated by two main documents that manage Congolese immigrants with work permits and those with refugee permits. The conceived space of permanent residence is bestowed on Congolese immigrants with work permits via the Immigration Act of 2002. Congolese immigrants can apply for a permanent residence permit in terms of Sections 23 to 25 of the Immigration Act (2002), which covers both direct residency permits and residency-on-other-grounds permits in cases where immigrants have been working for a minimum period of five years. These legal dispositions also apply to spouses and dependents of South African citizens and holders of permanent residence permits. In addition, in Section 27(c) of the Refugees Act (1998), refugees are allowed to apply for a permanent residence permit. The permanent residence permit is an important step towards full citizenship. It will enable the holder to have the same rights as a South African citizen (including, for example, employment, education, healthcare, housing and social services), except for the vote, the right to a South African passport and access to specific public-office posts.

Several of the Congolese immigrants in Tshwane who were participants in this study held permanent residence:

like myself, I am [have] a residence now in South Africa (Informant 201020-16114).

after 13 years here, I am already a permanent resident; I have the papers from here (Informant 201021-1118).

first thing, I am a permanent resident in South Africa, here, and in my fifteen years (Informant 201020-1452).

The acquisition of the legal status of permanent residents is managed through the time the immigrant has spent in the country. This refers to applying provisions based on the conceived space moment of immigration.

4.2.3.4 *Naturalised South African citizens*

Congolese immigrants with a permanent residence permit can apply for South African national identification, regulated by the Identification Act of 1997. The study showed that there were Congolese immigrants with South African national identity in Tshwane. This regulation under the Identification Act functions as a document of conceived space for the Congolese immigrants who hold it.

Former Congolese immigrants naturalised as South Africans have been bestowed the legal status of citizens and are regulated by the South African Citizenship Act (Act No. 88 of 1995) and other citizenship regulations, such as Notice No. R1122 of 28 December 2012 and its amendment in the South African Citizenship Regulation 2020. This category of immigrants falls under the label of citizens of South Africa, have access to the rights, and are bound by the obligations defined by the laws of the Republic of South Africa. The following excerpt provides examples of Congolese immigrants with South African citizenship or a South African identity (ID) document.

Researcher: *Your identity, what kind of citizen do you feel you are?*

Informant 201023-1441: *I can say that I have a dual identity: I am South African and Congolese.*

Informant 201020-151620: *even other fellows Congolese, who have ID, they say they become South Africans.*

Based on legal status as a device for exercising citizenship, Congolese immigrants are therefore classified as RSA citizens and non-RSA citizens. This classification of the legal status as a conceived space shaped by immigration laws is echoed in the lived space of Congolese immigrants through their everyday experiences. Former Congolese immigrants who have been naturalised South African, by bearing the legal status of citizens of South Africa, enjoy full rights in, and have full obligations towards, the country. They are entitled to participate in the life of the city at the same level as the natives.

The non-citizen category, which includes Congolese immigrants with work permits on their national passports and asylum or refugee permits, faces many restrictions in exercising citizenship according to immigration law and regulations. Those restrictions have produced a

kind of marginalisation within the application of immigration laws, which has placed them in a legal periphery. The application of the Lefebvrian model on the conceived space revealed that Congolese immigrants were managed by different laws that fragmented their legal profile as shaped by the immigration laws and policies in existence. Put simply, immigration laws and regulations have placed strict restrictions on non-citizens' undertaking of full-citizenship practices.

The production of the different types of permits refers to the conceived space as one of the moments in space production according to the Lefebvrian triad model, and those permits determine the ways in which Congolese immigrants use, perceive and live the space of the city. The legal documents (permits) produced by the South African Department of Home Affairs are important tools for controlling and managing the citizenship practices of Congolese immigrants socially and spatially. These permits, therefore, control Congolese immigrants' activities and interactions within the urban spaces they create in Tshwane. As such, these permits constitute

the legal pathways in society...in a figurative sense, the venue where the notion of belonging is negotiated and where we can observe the human selectivity of societies based on powerful self-descriptions of societies in economic terms (Schlee 2021:146).

The practice of immigration policies '*institutionalizes exclusion and generates precarious immigrants*' (Schlee 2021:144). In the following sections, the researcher discusses the claims and urban struggles linked to the lived space of Congolese immigrants in connection with immigration policies.

4.2.4. Claims on legal status

This subsection deals with the salient claims and struggles gathered from Congolese immigrants' daily experiences of their citizenship practices in Tshwane as they relate to their legal statuses. These experiences connect to representational space as one component of the Lefebvrian triad. Schmid (2012:52) interprets representational space as referring to

the process of signification, which is expressed in (material) symbolism. The production of significance imparts symbolic meaning to spaces and thus turns them into spaces of representation. This aspect of space is encountered or experienced by people in their everyday life, which is why Lefebvre also calls it 'espace vécu', a space that is lived or experienced. A lived, practical experience cannot be fully grasped by theoretical analysis. 'Something' always remains an

ineffable residue that defies analysis and that can only be expressed by artistic means.

The lived space of Congolese immigrants regarding their legal statuses revealed experiences, claims and demands. Those claims were aligned under the right to the city philosophy understood as Congolese immigrants' cry expressed through the aspirations – and the necessity – of having proper documentation so as to integrate with the city. They also expressed demands as aspirations, calling for a change to the urban struggles that result from South African immigration laws and policies on their lives.

4.2.5. *Crying out for documentation*

Findings on the claims and struggles of Congolese immigrants, as expressed through practices of daily life, showed that these were perceived as linked mainly to documentation challenges. The profile of Congolese immigrants played a key role in understanding the repercussions of their legal status on their everyday experiences in the production of urban space. For those using the asylum and refugee permits, the delay in processing their cases and the challenges linked to lack of status were described as painful experiences. These Congolese immigrants indicated that:

First of all, when it comes to documents, it is really hard, even if you get a permit, you can't get a normal job. And also, the xenophobia thing is a problem.
(Informant 201019-1323)

Good, the first thing that hurts me as a foreigner, you see we came into a foreigner land, we were not born here, we came in a foreign country to live, the first thing is hard, it is about paper, this is the main problem for all the majority of people are crying about papers. (Informant 201020-151620)

Congolese are suffering here...finding food, accommodation, many things, the Congolese suffer. (Informant 201019-1223)

The following extract captured the intensity of the consequences of documentation (legal status) as conceived space in terms of profound effects on Congolese immigrants.

Researcher: What makes you cry a little bit in living in the city of Pretoria?

Informant 201018-160342: ...paper, only paper issues, just paper, it is the one makes me cry, just problem of the paper, if maybe they can think about that, yeah, that is the paper problem, and I am not the only one, everyone is crying about the

papers...I told you, it is that papers thing, that's all, it is the one that makes me cry...I hate South Africa.

In addition to the problems of documentation, work and xenophobia, many cries were raised regarding the accommodation system in Tshwane. One informant stressed that the experience of accommodation was more bitter in South Africa than in Congo:

...[in] my country I am free...but in South Africa, if I don't have the money everything is blocked, they throw away your things at any hour without mercy...if you have no money that means you take your luggage [and you] go outside...in South Africa...[at] the beginning of the month you have to pay. If you don't pay you are outside. (Informant 201019-113650)

The legal status among Congolese immigrants was found to be a determinant factor in understanding their everyday struggles. The lived space of Congolese immigrants was the terrain in which to observe the repercussions of the conceived space conceptualisation of immigration laws in South Africa. The legal profile status of the immigrants determined their participation in the life of the city. The cries and struggles of Congolese immigrants were produced mainly through immigration laws and regulations – by the legal status as a conceived space moment – and consequently had repercussions in the lived space as expressed in people's everyday experiences.

4.2.6. *Demands as the right to the city for Congolese immigrants*

Demands from Congolese immigrants living in Tshwane included the documentation issues related to the Department of Home Affairs. The acquisition of legal status was the key demand that Congolese immigrants formulated regarding their right to live in Tshwane. Those demands were addressed to the government of South Africa and the government of the DRC.

Demands made to the South African government were concerned with the aspiration of getting integrated into the city of Tshwane by being offered business opportunities. Such integration would be possible if the Congolese immigrants could be offered proper identification documentation that could allow them to exercise their urban citizenship. Complaining about the challenges related to papers, some informants expressed their concerns by suggesting that:

at least...they must take our kids at school, they must give us business opportunities, we must do our things like business, they must give us life, they must give us opportunity, maybe to look for a job, to ehh, like South African can, eeh ehh South African companies, it is going to be a good thing for us. We feel like, we are, us foreigners, we are suffering, as long we are having asylum, we

are suffering, we are suffering, we are going to do piece job, [or] you go and sell. Someone maybe he is a graduate, he does have Master's, or what what [sic], but when he comes here, he cannot get a good job, he have to go and work at Marabastad, it is not fair. (Informant 201018-11426)

the best thing is to provide us with the documents that will allow us to do any job. What prevents many people here is the document because many have gone more than 20 years without proper documents. (Informant 201020-1213)

In terms of the healthcare system, for instance, one respondent recommended that:

I will emphasise that if this information will get to the government of South Africa, they have to review the policy of hospitals. Hospitals, the way the hospital treat the patients...it is worse to us foreigners, it is worse, very, very disappointed. (Informant 201021-1327)

Concerning social cohesion and integration, the excerpt was very informative because it evoked a cry based on the notion of belonging as an African:

Researcher: *Okay, if you wanted to see that we could change something in Pretoria, what would it be?*

Informant 201019-1119: *What can be changed here in Pretoria?...You see the way they treat us, we are treated here, that is what must change.*

Researcher: *How are you treated?*

Informant 201019-1119: *even during the lockdown, they shared parcels food, it was only for the South Africans and not the foreigners and you see, they were doing the injustice. We are all Africans.*

Researcher: *Okay, we're all Africans, you said, so we're all Africans.*

Informant 201019-1119: *While, what I can ask, that they stop whatever they're doing there, that's not right, we're all Africans, blacks...they should not put what; the difference between foreigners and South Africans is not good.*

Demands from Congolese immigrants amounted to a cry to acquire a legal status that would allow them to get access to the services of the city from which they were excluded. This opened a window of thinking about how their residence could be used as a new terrain for practising their citizenship. Regarding the philosophy of the right to the city as an ethos of engagement, the experiences of Congolese immigrants on their lack of participation in the life of the city is a call for a transformation of their situation. Such modification will be possible by reformulating

urban policies, which will allow them to be integrated with the life of the city. Without any proper legal status, Congolese immigrants will always be marginalised and excluded from Tshwane. This marginalisation will keep them outsiders and disconnect them from their living place. The right to the city provides a framing for a radical social transformation to improve the relationship of Congolese immigrants to the city. The finding of this research demonstrated the necessity of urban-citizenship practices that advocate entitling inhabitants to full access to life in the city and its activities. At this point in time, the claims and the struggles of Congolese immigrants remain crucial and need to be addressed through an inclusive approach that considers all citizens as members of the city and provides them with equal opportunities. Such aspirations remain utopian if one refers to current urban policies that leave little room for immigrants' integration into Tshwane. The next section discusses the interconnectedness of the conceived space, and access to services at the lived space of Congolese immigrants.

4.3. Access to services

This subsection presents findings on representations of space (conceived space) and representational space (the lived space) on the production of urban space in the context of the performance of citizenship by Congolese immigrants in Tshwane. The researcher supplies the set of legal dispositions that control and influence access to services such as employment, education, healthcare and housing. The use of these services influences the production of the urban space by citizens and their interactions in the city. Access to these services is essential for the existence of any individual who is living in the city. Access to services is one pivotal pillar of the right to the city philosophy and constitutes a venue for observations on the repercussions of the legal status on the daily experiences of inhabitants in the city. Such repercussions can be justified by the fact that:

Citizenship status may represent a basis for differential treatment. Undoubtedly, citizenship status is generally considered a legitimate basis for differential treatment...foreign citizenship status creates barriers to access to social subsidies, healthcare, specific professions, and pensions or exposure to differential treatment in criminal justice. (Fibbi, Midtbøen & Simon 2021:2–3)

Citizenship remains, therefore, a key device in regulating access to resources or opportunities (Turner 1997).

Tshwane, as the administrative capital of South Africa, has several national institutions that regulate the legal status of immigrants. It is a privileged ground from which to observe the conceived and lived spaces of the performance of the citizenship in accessing services. The city

allows an analysis of the dynamic interrelations between the conceived space and the lived space in the production of the social space. As a locus of residence, the city of Tshwane played a major role in forming social experiences related to the urban struggles the researcher recorded during the fieldwork aimed at formulating this account.

The role of the city in generating social experiences is underlined by Schmid (2012:52), who proposes that:

The city is thus always also a concrete, practical experience, a place of its residents who use it and appropriate it in their everyday practices. The nature of a 'city' is something that its inhabitants learn from infancy – and something they combine with their memories. These worlds of experience and processes of socialization also give rise to implicit value systems. Whether a city is perceived as a refuge of civilization, or as a dangerous and unpredictable place, is due mainly to such experiences.

Since the city provides a venue of observations for such social experiences, the researcher examined the conceived space of Congolese immigrants to access services in their lived space and formulated their claims and struggles under the philosophy of the right to the city based on their status as city dwellers in Tshwane. The following section describes the conceived space and the experiences of Congolese immigrants in the lived space to access employment in Tshwane.

4.4. Employment

At the level of the conceived space in the employment of immigrants, South African legislation makes provision for its labour market via the Immigration Act (2002), the Labour Relations Act (No. 66 of 1995), as amended, the Refugees Act (1998), the Refugees Amendment Act (2019), and the White Paper on International Migration for South Africa (DHA 2017). The South African government has made provisions related to access to labour by introducing policies that guarantee equity in the labour market for its citizens. The labour legal framework includes the Basic Conditions of Employment Act (1997), the Employment Equity Act (1998) and various regulations related to wage legislation in low-wage employment.

At the conceived level of post-employment social security, Congolese immigrants are managed through several pieces of legislation: Section 27(1) of the Constitution of South Africa (1996), the Unemployment Insurance Act (Act No. 63 of 2001), and the Unemployment Insurance Contributions Act (No. 4 of 2002). In terms of certain legal provisions in these documents, each

employee benefits from social security that covers anyone, without any discrimination, based on their country of origin or their qualifications.

Previously, it was argued that Congolese immigrants' legal statuses showed that their pathway to full citizenship in South Africa was one of social stratification that displayed adversity based on their immigration pattern, which determined their level of integration or access to employment. Congolese immigrants get access to employment through a diverse range of permits which include work permits, refugee permits, permanent residence permits, or national identification. These permits have different impacts on access and on social security related to employment. South Africa is an African country with high economic opportunities that attract immigrants. Immigrants' access to its labour market, however, has been described as challenging for two main reasons: their legal status and their socio-demographic grouping. Access to the labour market is regulated by a legal framework that determines the employment conditions for immigrants in the country. It is typified by many challenges related to a job-seeker's legal status and their limited capacity to create jobs.

Consequently, many immigrants find employment in the informal or private sectors. In most cases, this means that they are not always covered or protected by employment laws and regulations. Access to the employment of immigrants in the South African labour market can be summarised as follows: *'While foreign migrants are more likely to be employed, they are more likely to be in the informal sector and precarious employment, both characterised by lower levels of earnings'* (Budlender & Fauvelle-Aymar 2014:5). According to the Department of Statistics (2021), during the last quarter (October to December) of 2020, South Africa experienced an unemployment rate of 32.5% of. The rate for Gauteng as a province was 41.0% and for the city of Tshwane 40%. This period coincided with the data collection step of this study. Since the levels of unemployment of citizens in the formal employment sector are already very high, the probability that Congolese immigrants find work in that sector is even lower. The only window open to them is to find jobs in the informal sector or to perform precarious jobs for a living.

Theodore *et al.* (2018) emphasise that the migrant labour policy promotes informal activities due to its restrictions for low- and middle-skilled immigrants to access the South African labour market. Formal employment is systematically protected against immigrants through the implementation of policy restrictions and the development of exclusionary political discourse (Trimikliniotis, Gordon, & Zondo, 2008; Theodore *et al.* 2015). This exclusion from market labour can be understood by reading harsh work permit conditions or skills-based requirements

given to the employer who may be willing to offer a formal job opportunity to immigrants (Crush, Chikanda, & Skinner, 2015). This posits that the involvement of immigrants in informal economic activities is a response that they develop to overcome their exclusion to access the local labour markets (Crush *et al.*, 2015). The creativity and entrepreneurship of immigrants in the informal sector can be read as survival tactics and practices.

Living in a city requires several monetary resources, and employment is one of the formal sources of income generation, ensuring social security. Since economic factors are a major driver of immigration in the first place (Dutta 2021, International Organization for Migration 2019, Razi 2014), access to employment is an essential dimension of urban citizenship in the new country. In terms of Lefebvre's model of the production of space, several studies have discussed access to employment as the territory between the conceived spaces of the city and the lived experiences of Congolese migrants (Frediani *et al.* 2020, Walker *et al.* 2020, Blokland *et al.* 2015). The lived space moment of Congolese immigrants in Tshwane in the field of employment constituted a privileged terrain of observations on the repercussions of legal status on daily lived experience.

4.4.1. *Accessing employment*

The Lefebvrian triadic model of a lived space supports the assumption that the three moments of creating that space are fundamentally interconnected. For this reason, the conceived space influences the lived space, which influence can be deciphered through the everyday experiences of individuals in many sectors of their existence. In this investigation, findings on the lived space moment of access to employment were analysed to capture the repercussions caused by South Africa's immigration laws as a conceived space. The experiences in the lived space were interpreted as a springboard serving to develop the right to the city as claims (cry as necessity) and demands (as aspirations) by Congolese immigrants. Based on the legal status profile of Congolese immigrants in Tshwane, the researcher first examines the claims and struggles of employment in their lived space and then uses these to conceptualise their right to the city. In the following sub-section, the researcher captures the daily experiences of Congolese immigrants with asylum-seeker permits and refugee permits in their attempts to gain access to employment.

4.4.2. *Immigrants with asylum-seeker or refugee permits*

This subsection covers the lived space moment of Congolese immigrants with asylum-seeker permits and refugee permits; and reports on their daily experiences of accessing the labour

market in the city. It echoes the repercussions of their legal status on their everyday experiences related to employment.

Congolese asylum-seeker and refugee permit-holders expressed their concerns and struggles concerning employment in the city of Tshwane. Their statements revealed the power of their legal status in their everyday experiences. Asylum-seeker permits presented challenges in the life of their bearers because some companies or employers did not recognise them as formal documents permitting access to the labour market. Another challenge concerned the type of work they were typically offered. Congolese immigrants with asylum-seeker status expressed their concerns regarding access to better work opportunities because of the limitations they experienced in their daily life in the following terms:

So, if you get that asylum paper, I can see for other people it can help them like working in the shop for clothes...you have a degree...but you are limited because of that paper...you are a foreigner and there is no any advantage. (Informant 201023-0938)

that asylum permit here, it's just for three months, that's a big problem. And even to have a job, you will be asked for the status, do you have the status, or do you have the ID? And you don't have any, you can't work, it's a bit difficult to take off work with the asylum permit. (Informant 201019-1119)

The claims made above revealed that asylum-seeker permits did not have a great influence in placing those who hold them within the labour market, especially not when it came to good-quality work opportunities. The lived space of Congolese immigrants with asylum-seeker and refugee permits in getting access to employment can be summarised as a state of frustration generated by exclusion: Immigrants holding these passports are in a legal periphery created by current immigration policies. They were in a marginalisation zone with few possibilities of getting access to decent work. Their legal status, as assigned by existing immigration laws and policies, influences their probability of getting employed or covered by the social security linked to employment.

This situation is not unique to Tshwane or to South African cities in general. Study of the access of asylum seekers or other immigrants to the labour market in many cities around the world has documented many similar barriers and discriminatory practices (Esses 2021, Federico & Baglioni 2021, Kafkoutou & Oikonomou 2020). In the context of South African immigration, this study's examination of the legal framework around immigration has revealed several pitfalls in integrating Congolese immigrants into the labour market. The study foregrounded the

marginalisation of asylum seekers and refugees, observed especially in the clash between the conceived space moment and the lived space moment in the field of employment. This was observed generally in the challenges of getting access to employment through the asylum-seeker permit or the refugee permit in the labour market. Many informants shared their experiences of the lack of consideration of the asylum permit in the employment market. They reported that

South Africans distinguish between foreigners and citizens, you are not comfortable. Even at work, we [they] ask you for ID, with ngunda [asylum-seeker permit] we [they] can't take you. (Informant 201020-092241)

Asylum that they give us, it does not have any value here, even you stay 13 years, 14 years, 15 years, 20 years here, always asylum...when you take that paper and go look for work, they will ask you for passport...the paper that they give us at Home Affairs, it is nothing, ask people. (Informant 201022-16071)

to even have a job here, it's quite a problem. If you don't have status, if you don't have what, their paper what, the ID...we use the asylum, and it's just for three months. (Informant 201019-1119)

when the challenge of paper starts. Then, the job is given only to those who have the paper (permanent residence), but with the challenges [posed by] asylum-seeker permit, it is difficult. (Informant 201021-1118)

and if when you go to apply for the work permit, they will tell you [you] need to have critical skills permit, but not everyone falls under the field of critical skills, what about people who do not fall under critical skills? So, meaning those people are vulnerable. (Informant 201019 - 093319)

Such experiences sum up the discrimination in getting into the labour market that Congolese immigrants face daily because of their legal status. They find themselves marginalised from the labour market. Regarding the right to that city, such exclusion needs to be addressed because they are part of the city and have the moral right to gain access to the city through their habitation of it. At the core of these experiences, the major problems with the legal status of asylum seekers and refugees were also linked to the access to a permanent job because of their short validity period.

Several claims regarding the difficulty of accessing employment were linked to strong feelings of rejection. The same informants felt they were seen as foreigners first and reported feeling rejected by the local population when it came to their right to be employed in the labour market.

This was another of the key repercussions of their legal and socio-demographic statuses on their practices in daily life. They claimed that

Now, the problem is the employment, you can finish your education when it comes to employment, it is whereby people always face problem or challenge...maybe you want to go and work, let me say at [the] Sheraton...you are not always welcome...they always see you as ...being a foreigner, but not knowing that you have the ability and you have the capacity of doing a better job. (Informant 202019-10054)

when it comes to document, it is really hard, even if you get a permit, you can't get a normal job. And also, the xenophobia thing is a problem. (Informant 201019-1323)

The legal status of asylum seekers or refugees was considered a key factor in getting access to work opportunities. The access to employment for Congolese immigrants with asylum-seeker or refugee permits was shaped at the level of conceived space via the immigration legal framework and its regulations. This had repercussions in their lived spaces through various everyday experiences of being prevented from accessing employment in Tshwane. Congolese immigrants' feelings of being excluded from employment were strong enough to define themselves as marginalised. Their experiences of employment discrimination against Congolese immigrants with asylum-seeker or refugee permits were viewed as one of the repercussions of the conceived space of immigration law on their lived space.

Similarly, Schlee (2021) has described this exclusion of asylum seekers from the labour market in terms of their being denied access to the kind of training or the type of integration measures that would make job applications more likely to result in employment. These approaches have been used successfully in countries like Germany (Brücker, Jaschke, & Kosyakova 2019). In this case, integration policies included language training with a duration period of 600 hours for general courses, 900 hours for special courses, and 400 hours for intensive courses. The curriculum on the integration also includes 100 hours for all asylum seekers and refugees to learn about the German legal system, culture, and values (Brücker *et al.*, 2019). Luangrath (2020) gives some examples of the integration policies and practices of Germany and Sweden that occur through training, upskilling refugees, and improving their access to higher education. Bernstein and Vilter (2018) discuss the upskilling of the immigrant workforce in three American cities (Miami, Dallas, and Seattle). In these cities, strategies included the organisation of English language skill building, training, support for transportation, and childcare. Policies also allowed

for inclusive staffing practices that allow immigrants to become full members of work organisations and trusted providers. These strategies are local initiatives that encourage the integration of immigrants by improving their skills through training and access to services in the city. Enchautegui (2015) shows that employers contribute to the integration of the immigrant workforce by providing them with training that enables them to access better job opportunities. Small business training is also among the strategies for integrating immigrants into the city's economic activities (Dyssegaard Kallick 2015). This strategy of providing immigrants with training, education, and access to city services allows them to contribute to building the city's economy and enjoy its benefits. The findings of the research on spatial practices on informal activities illustrate that Congolese immigrants contribute to the RSA economy. This kind of contribution can be maximised by getting support from local policymakers and funders to encourage the integration and upskilling of the immigrant workforce.

The access of Congolese immigrants with asylum-seeker and refugee permits to the labour market can be summarised as being littered with tremendous challenges and struggles related to exclusion, discrimination, or rejection based on the legal status and socio-demographic status. These experiences collected from informants regarding the difficulties in access to employment were also recorded by Crush et al. (2017:1), who indicated that asylum seekers and refugees were vulnerable populations in the labour market in South Africa. The vulnerability caused by not accessing employment was a permanent cry among the Congolese respondents. Regarding the right to the city, Congolese immigrants with this legal status faced exclusion from the labour market and were exposed to the hardship caused by unemployment. These findings are similar to those presented by Mutambara et al. (2022:705), who discussed the vulnerability and exclusion of asylum seekers and refugees from the labour market in the following terms,

...because of legal and economic structures of inequality, they are often unable to work in the formal sector and are pushed into precarious or exploitative informal employment.

The struggles of asylum seekers and refugees in getting access to formal employment are justified by the assertion that this is '*because they do not have work permits*' (Mawire et al. 2020:129-130). The lack of proper papers such as work permits, residence permits, or a national identity document pushes the immigrants into the vulnerability zone because some employers exploit them through poor remuneration, as observed in the private sector or informal employment sector (African Centre for Migration & Society 2017).

This serves to indicate the power that the legal status has to access the labour market. Congolese immigrants with asylum-seeker or refugee permits have restricted access to formal employment or employment within the public sector, from which they have been excluded, marginalised, and rendered vulnerable. The following quotes portray the lived space moment of informants' experiences regarding low payment and lack of equity because of legal or socio-demographic status.

I was working somewhere like I was coming from Congo my salary was less and those people who came from, from South Africa their salaries was [were] up...another day my boss give [gives] me a payslip...so it push [pushes] my attention to open because it was only a paper, it was not in the envelope...I try to open it...I was very, very, very shocked, I worked [much harder] than anyone and I was getting less money. (Informant 201023-093838)

lastly, I went for an interview in one company that wanted a bilingual speaker...I was the only one who speaks French and English, but, because I was a foreigner, this had changed everything that I went to do...the salary that they proposed was R1 000, but because I am a foreigner and not with great paper, they want to pay me R150. I did not take that offer. (Informant 201020-151620)

These findings on the experiences related to the discrimination against asylum-seeker permit holders because of the socio-demographic origin of being a foreigner were similar to those previously described by Schockaert *et al.* (2020), who reported the same experiences of discrimination based on the legal or socio-demographic status of immigrants in various labour markets.

Under the same vein of Congolese immigrants' struggles in employment, unfair labour practices were mentioned by informants who underlined the discrimination regarding the lack of equity in their respective work environments because, they claimed, of their origin.

Less money indeed, which I don't deserve and...I was the only one who could do that job. (Informant 201020-151620)

people that [who] were coming late because they were South Africans, they were getting a better salary. I try to talk to my boss, I say my salary is too small, what I am doing is too much, other people I don't know how much you pay them, I try to express myself, but my boss was not listening to anyone, so I decide to resign. (Informant 201023-093838)

The examples above on unfair labour practices against Congolese immigrants with asylum-seeker or refugee permits indicate that they are in the marginalisation zone produced by citizenship practices as shaped by the immigration laws and policies as the conceived space moment. This marginalisation is manifested in the lived space moment of Congolese immigrants with asylum-seeker or refugee permits in the city. It is the foundation of their cry and their aspirations to integrate equally into the labour market to transform the precarious situation linked to employment.

For scholars advocating the theory of the right to the city as an ethos of engagement (Frediani *et al.* 2020; Walker *et al.* 2020; Blokland *et al.* 2015), the city of Tshwane has served as a locus for recording the struggles resulting from the exclusion, discrimination against and vulnerability of Congolese immigrants with asylum-seeker or refugee permits in the lived space, and the claims made regarding these impediments. These struggles and claims are expressed under the umbrella of the right to the city and have formed a springboard from which to demand a new horizon of living citizenship. This demonstrates the necessity of integrating Congolese immigrants' aspirations regarding access to the labour market on an equal basis, as advocated by many international legal frameworks, scholars, grassroots groupings and activists on urban justice. The research also examined experiences related to the post-employment phase for Congolese immigrants with asylum-seeker or refugee permits. The findings are presented in the following subsection.

4.4.3. Accessing post-employment benefits

Regardless of their country of origin, access to a social security package related to post-employment is a socio-economic right for all employees registered by their employer and who have made a monthly payment towards this type of social security using a specific percentage (determined by law) of their salary.

To be eligible for such social security advantages/post-employment benefits, as seen at the legal space moment, each employee must provide their country of origin's ID or national passport with a valid South African permit. Some of the Congolese immigrant interviewees alleged that employed immigrants with asylum-seeker and refugee permits (the legal status of which is temporary and renewable) were made to contribute to the Unemployment Insurance Fund (UIF) during their employment period but were unable to claim from the UIF once they were unemployed. Other interviewees with asylum-seeker and refugee permits contended that they had been marginalized from applying for UIF because of their legal status. Informants who stated that UIF fees had been deducted from their salaries but that they had not been allowed to

apply for UIF benefits during their period of unemployment expressed their disappointment by testifying as follows:

They are taking our UIF, but when you go for maternity leave, they don't pay us, they say we are foreigners, but they are taking our money, they don't think about us, as long as you are having asylum, at least, they must say that no, these people are suffering, they don't have a job...they must give us something at least. No, they don't think about us. (Informant 201018-11426)

Every month, I was paying, they used to cut, I don't know the percentage like for UIF, that I didn't even receive...I [was] suppose[d] to get it. But I didn't have it...there is UIF, that I suppose to be having, but somewhere and somehow, I was not getting it, because of no, you know your document you are this, you are this, so the[re] were so many things that come behind, I was not protected, even though I have my rights. (Informant 202019-10054)

The repercussions of legal status were heavy on the lives of Congolese immigrants with asylum-seeker and refugee permits. Legally, holders of these permits were vulnerable and could not claim social security linked to their employment. The silence of the legal dispositions justifies the exclusion of Congolese immigrants with asylum-seeker and refugee permits: the legal framework does not say anything about their legal status. Such silence does not allow them to fit the criteria for accessing post-employment advantages. This situation constitutes a cry against social injustice. Because they contribute upstream to the national security package during their employment, they should also be included downstream of their unemployment. Such exclusion is also observed in the case of retirement package benefits. According to one informant, the same practice was applied in terms of the retirement package for asylum seekers or refugees.

You [do] not receive any retrenchment package, the thing is, you don't even have a payslip, nothing. How someone can work for 10 years, 15 years, you cannot give him a retrenchment package, hein? You see all of these things, that boss; don't you see that you don't have value? Why? Asylum, that paper does not have any value, Hein? That is the problem. (Informant 201022-16071)

The asylum-seeker or refugee permits did not allow the bearers to claim post-employment benefits. This exclusion was a consequence of the employment law, which is shaped in such a way that the bearers of asylum-seeker and refugee permits do not have the required legal support to launch any claims related to the social security linked to their employment. Since they were not covered by legal dispositions, asylum seekers and refugees could not deal with the unfair labour practices they encountered daily. Congolese immigrants using the asylum-seeker and

refugee permits also mentioned getting paid without a pay slip, not receiving retrenchment packages and not having access to provident funds. The fact of not giving a payslip to a worker in the context of the South African market means that such employees cannot apply to purchase something on credit, claim for UIF or access provident funds. These claims constituted a cry and a demand for reparation. The lack of legal dispositions on this matter maintained a situation of exclusion and exploitation of immigrants. It resulted in a call to change the situation by creating equity to access to social security for post-employment benefits.

In summary, informants' statements regarding access to the employment market of Congolese immigrants contained many claims of discrimination, low chances of getting long-term jobs, vulnerability and exclusion resulting from the impacts of *de jure* citizenship on *de facto* citizenship. Those impacts were conceptualised as claims linked to the right to the city, which they saw as a way of expressing their *de facto* citizenship.

4.4.4. Immigrants with work permits

This sub-section reports on the experiences of access to the employment market of Congolese immigrants with work permits. The findings referred to their experiences in their lived space. The holders of this legal status shared their challenges and struggles in accessing the employment market. Although they had various types of work permits, one of the challenges they experienced was that most companies demanded a South African identity document (ID) before offering employment. This was explicitly stated by one informant, who declared that

for the moment I use a passport with the work permit...while I use the passport and the work permit, there are some companies that I, I would like to work better in these companies...I have no access because of that identity. There are some companies where you want to work i.e., they ask you if you have an ID, they ask you if you are a citizen. So that's it, yes that's a bit shocking. (Informant 201021-1327).

A second informant claimed that the way he maintained his legal status was by getting a visa before looking for employment:

I go home with my passport and ask for a visa then I come back. (Informant 201020-095412).

The lack of an ID in this context is a fact that companies exploit to limit the access to employment of Congolese immigrants with work permits. This limitation constitutes exclusion from and discrimination in access to employment based on the principle of the right to the city. The legal status expressed its dominance over the lived space by insisting that an ID was the

only means of getting employment in some companies. This discrimination based on legal status was also linked to the socio-demographic status of Congolese immigrants. One informant raised an interesting view on the nature of this type of discrimination by underlining the role of his origin as a major selection criterion in lack of access to employment:

I don't know, even you have ID, citizenship, you are still a foreigner, you don't, not have enough opportunity. (Informant 201019-1323)

The experiences shared by Congolese immigrants with work permits showed concerns about the way their legal status influenced their daily lives as foreigners.

I studied here but when you apply...you are told that your paper does not allow you to work. This is to tell you, that you, strangers, you have no room
(Informant 201019-1136)

From their lived experiences, their access to employment showed that Congolese immigrants with work permits faced some limitations. Their legal status did not allow them to be given work opportunities by some companies who demanded the South African ID as a key document before hiring them. This revealed that the exclusion from employment in the city remained a crucial issue in integrating Congolese immigrants with work permits. In the context of the right to the city theory, these claims and struggles, as reported by Congolese immigrants with work permits, constituted their call for the transformation of the criteria governing access to the labour market, for an end to discrimination and integration based on the principles of residence in the inclusive city as developed by many scholars, international organisations, activists and social movements.

4.4.5. *Immigrants with permanent residence or naturalised as South African*

The employment situation of Congolese immigrants with permanent residence or naturalised as South African citizens was looked at in the general context of the labour market, which, as described earlier on, has suffered a high unemployment rate. Naturally, this situation also applied to Congolese immigrants who had achieved permanent residence permits or citizenship. Though informants justified their exclusion from employment because of their origin or socio-demographic status, it is also essential to read the situation based on the general context of the employment sector, which faces the whole population with a challenge. Therefore, their struggles in accessing the labour market can be explained by many factors linked to the general crisis of the employment sector.

UN DESA (2020) provided an estimated number of 2.9 million migrants residing in South Africa as of mid-year 2020 and identified several migration push factors, such as economic

opportunities, political unrest and environmental crises. According to Statistics South Africa (2018), as a financial hub, Gauteng province attracted 47,5% of international immigrants settling in South Africa. With this high rate of international immigration into Gauteng, access to employment will be highly competitive and worsened by the existing high rate of unemployment among citizens (Stats SA 2021) and may therefore have the harmful impacts already observed on Congolese immigrants' lived space.

Immigrants' access to employment is challenging not only in the context of South Africa but also at the international level. Compared to their native populations, the probability of immigrants getting access to European labour markets is influenced by socio-demographic factors (Dustmann & Frattini 2012; Kogan 2011). Considering all types of legal-status profiles of Congolese immigrants, findings on access to employment revealed that Congolese immigrants were in vulnerable situations expressed through several restrictions and violations regarding their rights as observed in their lived space. Such experiences related to the employment of Congolese immigration constituted a set of claims under the umbrella of the right to the city, as theorised by many scholars in the literature. The Congolese immigrants' claims were cries expressing the exclusion, discrimination, and vulnerability in accessing employment because of their legal status and demographic grouping, as already observed in the previous context (High Commissioner for Human Rights 2018).

In addition, Congolese immigrants expressed their aspirations of being integrated into the life of the city in the employment environment based on their talents and professional skills rather than their legal status or origin. Such integration in the labour market presents two types of benefits, firstly it will improve the quality of life of Congolese immigrants by offering them the possibility of living a meaningful life by getting access to better opportunities, and it will restore their dignity as human beings who will find themselves integrated into South African society and culture via citizenship practices and protected by the labour laws applying in the workplace. This meets the philosophy of Lefebvre on the possibility of inclusive citizenship that is linked to the right to the city and does not exclude inhabitants from the services of the city. This will be in line with the application of the concept of the right to the city as theorised by Lefebvre and as interpreted by scholars such as Marcuse (2012) and Purcell (2014), who advocate the extension of the possibility of moving from the exclusion, discrimination and vulnerability shaped by the legal status of *de jure* citizenship into access to employment and to *de facto* citizenship as practices based on the principle of residence and on the competence of Congolese immigrants in the labour market. Such claims on integrating Congolese immigrants in the labour

market remain fundamentally rooted in a philosophy of urban citizenship that emphasises the participative approach of the city's inhabitants in the life of the city. This presents a second aspect of the benefits of integrating Congolese immigrants in the labour market, in the sense that these immigrants could exercise positive impacts on their environment by releasing their potential and creativity to contribute to building the country's economy.

4.4.6. *Employment as the right to the city*

Access to employment was used as a locus for observing the repercussions of *de jure* citizenship on *de facto* citizenship of Congolese immigrants as city dwellers in Tshwane by exploring the concept of right to the city as conceived by Lefebvre and others. In the lived-space moment, informants shared their experiences through their claims and struggles regarding access to employment. Understood as the right to the city, these claims of Congolese immigrants, linked to access to the labour market, were expressed in terms of exclusion, discrimination and vulnerability, and lack of social protection related to post-employment. They were used to advocate for the consideration of inclusive citizenship. Through their claims and struggles, Congolese immigrants expressed their aspirations of getting integrated into the labour market. Such integration could only be made possible by reconceptualising immigration laws and policies, particularly regulations on the employment of immigrants, to increase the chance of accessing employment and using the value offered by the city's potential.

4.5. Accessing education

This section deals with the conceived space and the experiences of Congolese immigrants in accessing education.

4.5.1. *The conceived space of education*

Education is a key consideration when examining city dwellers' rights to the city. This section displays the findings on the access to education for Congolese immigrants as inhabitants of Tshwane. At the level of conceived space, access to education in Tshwane is linked firstly to a framework of international conventions. These conventions advocate and define access to education for each individual as a universal human right. They include the Universal Declaration of Human Rights (1948), UNESCO's Education for All (2000), The Convention on the Rights of the Child (1989), the Convention Relating to the Status of Refugees (1951), the International Covenant on Civil and Political Rights (1966), and the International Conference on the Right to Basic Education as a Fundamental Human Right and the Legal Framework for Its Financing (2005). Furthermore, education for each individual is one of the sustainable development Goals

under Agenda 2030 (United Nations General Assembly 2015). In the same perspective, Agenda 2063 for Africa emphasises the necessity of providing education for each African citizen (African Union Commission 2015).

In South Africa, access to education for each individual is framed as a conceived space by a whole set of national and provincial legislation. The right to education is constitutional (Constitution of the Republic of South Africa 1996). Section 29 of the Bill of Rights stipulates that *'Everyone has the right to a basic education, including adult basic education.'* This constitutional right is repeated and emphasised by the South African Schools Act (No. 84 of 1996) and the Education Laws Amendment Act (No. 24 of 2005). These two Acts frame the norms for the admission and participation of any learner in public schools in the country. Several policies and guidelines on education are outlined in the National Education Policy Act (No. 27 of 1996) and the Admission Policy for Ordinary Public Schools (Department of Basic Education 1998). In addition, access to basic education by immigrants under international protection is provided for in Section 27 of the Refugees Act (No. 130 of 1998), while immigrants' access to other types of education is regulated by the Immigration Act (No. 13 of 2002). Education in South Africa is provided by both the public sector and the private sector. Linking as it does with education as the right to the city, this investigation will focus only on access to education in public schools. Through public schools and other institutions, the government organises basic education for children and higher education and training for adults.

4.5.2. *Childhood education*

The Department of Basic Education manages primary and secondary education for children in South Africa. The right of each child to access basic education was emphasised in Act No. 84 (Department of Education 1996). Its legal dispositions determine the conditions for accessing public schools for basic education by underlining the right of each child to be given access to basic education as organised by the department. Section 3(1) of the South African Schools Act of 1996 makes it compulsory for parents to send their children to school for basic education (i.e. for primary and secondary education). Furthermore, Section 5(1) of the same Act specifies that the admission of learners to public schools must be conducted without any discrimination. This indicates that no child must be excluded from basic education because of their legal status or country of origin. Access to basic education is typified by an approach inclusive of all children and is framed as a legal right. In these ways, it conforms to the core philosophy of the right to the city.

Although access to basic education is compulsory, this access is not free for all children. The Education Laws Amendment Act (No. 24 of 2005) mentions that learners need to pay school fees to participate in public schools. Parents who cannot pay for school fees due to financial hardship cannot apply for fee exemptions. These legal dispositions constitute the dimension of the conceived space with respect to access to basic education for children in South Africa. Therefore, the right to education is framed in terms of a universal category – by providing access to basic education to all children regardless of their socioeconomic and cultural identity.

4.5.3. *Adult education*

The education of adults falls under the Department of Higher Education and Training, which manages colleges, universities, and universities of technology in South Africa. Compared to basic education, higher education access is not considered compulsory for any adult. In addition, access to higher education is not free of charge. The government provides a measure of support by determining the eligibility criteria of students who can apply for national scholarships or bursaries. For instance, the National Student Financial Aid Scheme of South Africa (NSFAS) is a national institution that assists South African students in pursuing their education at public colleges, universities, or universities of technology. This support concentrates on RSA citizens seeking relevant skills that can help build the country's economy. The main criteria for accessing these financial tools are based on the legal status of citizenship or permanent residence of the country. Immigrants get access to such programmes based on their legal-status profile. Access to education for immigrants who are using work permits is regulated by the Immigration Act of 2002. Immigrants with asylum-seeker and refugee permits, permanent-residents permits, or certificates of naturalisation enjoy the same educational rights as RSA citizens. They are legally entitled to apply for the financial support described above based on their legal status as defined in the Constitution and the Refugees Act of 1998.

Under the following subsection, the researcher presents the findings of this research concerning adult Congolese immigrants' experiences of access to the education system in Tshwane.

4.5.4. *Education for adults with refugee and asylum-seeker permits*

This subsection discusses the experiences of Congolese immigrants with refugee and asylum-seeker permits regarding their access to the education systems in Tshwane. The right to access education is given to anyone living in the country legally. This right is guaranteed by the Constitution of South Africa, the Refugees Act of 1998, and various international laws on human rights. That this guarantee is in force has been confirmed by informants who did not experience any exclusion regarding gaining access to education. One informant said:

Since I came there are things that I learned to like, I am a beautician, I have learned how to do hair, I have learned how to do nails, I have learned how to do massage. (Informant 202019-10054)

Interestingly this access to education as a right to the city showed its inclusiveness by being based purely on the principle of residence in/inhabitation of the city. Congolese refugees and asylum seekers attested to getting access to short training to transform their skills with the support that they gained from the organisations already mentioned by stating the following:

I registered for the six-month refugee course, but since I was pregnant and due to give birth in six months, that's why I missed this course, twice...I have registered since last week to do something that may help me in the future. (Informant 201019-1136)

No, education, depends on the person, the opportunity, it has been given to everybody, like there are some organisations here, as a Congolese or a foreigner, we do have organisations, that help people who are willing to study, who are willing to do some skills...For instance, like I remember the one that I went, JRS [Jesuit Refugee Service]...I think it is that one I know they gave us, so the opportunity to go school if you want to do some short courses, you can do, so the opportunity of going to school is given to almost everyone.(Informant 202019-10054).

JRS is a non-governmental organisation (NGO) with the mission of assisting refugees worldwide. In Tshwane, is a member of the Core Humanitarian Standards Alliance and conducts many activities for immigrants through many educational projects. It helps immigrants (asylum seekers and refugees) improve their social conditions and integrate into society by offering them various general training courses. The involvement of JRS is based on its humanitarian motivation to help to assist refugees and asylum seekers in improving their lives. In the absence of government support for further training for immigrants with asylum-seeker and refugee permits, JRS is a structure that fills this gap by assisting immigrants (refugees and asylum seekers) with financial support to gain the necessary skills for local integration into the life of the city.

Although most informants acknowledged that their access to education did not show proof of any discrimination, some informants highlighted issues on their limitations in getting support from the government or organisations because of their legal status:

I went to JRS [Jesuit Refugee Service], they were giving opportunities to foreigners to study. But now they are helping only South Africans. South Africans can apply for a bursary. As a foreigner, you can't apply for a bursary. It is very hard; I don't know a Congolese who has received a bursary...We have studies and scholarship problems...I went to apply for a bursary, they say South Africans only not foreigners. (Informant 201019-1323)

This experience, therefore, pointed to the fact that at least some Congolese immigrants had experienced their asylum-seeker or refugee status as a selection criterion used to exclude them from getting access to scholarships or other bursaries. Such exclusion amounts to the repercussion of legal status on a person's lived space. Regarding the right to the city as an ethos of engagement, this claim on the exclusion reinforces the necessity of providing Congolese immigrants as inhabitants of the city with access to education through access to financial support. Such an inclusive approach to accessing education will allow Congolese immigrants to fulfil their aspirations.

4.5.5. Challenges faced by adults with study permits

Congolese adults who hold work permits and who want to undertake studies in higher education or training are required to have a study s permit and to pay academic fees along the same lines as those indicated for international students. Experiences of exclusion in getting access to education for adults were not recorded frequently in the study. However, one Congolese immigrant shared the following:

When I was in [at] the university here, there was one department that they don't allow you to study there. But they won't tell you that straight. They will play with some intellectual...They don't tell you straight that we don't need you here, they will bring on board some reasons, some escapes telling you that no, it's already full...But after, you will realise that there are still citizens [getting] access to the same department that you were told that they were already full or something like that. So, they are trying to play politics. (Informant 201021-1327)

This can be analysed as discrimination based on country of origin, even though the right to the city advocates an approach inclusive of all its inhabitants.

4.5.6. Challenges faced by children of immigrants with asylum-seeker permits

Congolese immigrants also expressed concerns about the challenges they faced, because of their legal status, in getting access to the education system and its benefits for their kids. Although based on their socio-economic profile, asylum seekers and refugees are supposed to be eligible

for exemption from school-fee payment, one informant shared her experience of not getting financial support for her children's education owing to her origins. She narrated the incident as follows:

Like at school, we are asking for, what they call this thing, ehh subsist...I once went to ask for subsist, they told me that, us, we are foreigners, you don't have right for subsist, they said only South Africans have right for subsist, not foreigners, that thing touched me, I never like it. (Informant 201018-11426)

This testimony pointed to an instance when parents were excluded from obtaining a fee waiver because of their legal status. The fact that immigrant parents may find it a challenge to get granted exemption from school fees and thus to access education for their children in South Africa was previously indicated by other studies (Marishane 2013, CoRMSA 2011).

Furthermore, one informant shared her experience of discrimination against her children in getting admission into schools because of their legal profile by indicating that

there are some schools before you enter, they will ask you asylum for kids, they will ask you ehh papers for kids, but here, kids they are having they were born here, they have a birth certificate...that one is the unabridged birth certificate, the kids they must have the papers that the parents are using here in RSA, but the kids they were born here, that one it is not right, for that side I always cry, I am crying every day for that side for our kids, the kids were born here, they should take them like their own, their own, but here they are refusing, that a child must have also the asylum like a mother, like a father. That one, that one it is not fair at all for us...I am having two kids, I am not managing to pay for a private school, and I can't enter [them] in the government school because my kids do not have papers, you see, it is very difficult for me, very difficult. (Informant 201018-11426)

Besides the claims of Congolese parents with asylum-seeker and refugee status being excluded from receiving financial support for their children's schooling and the children of Congolese parents being discriminated against by being refused entrance to a school, reference was made to additional fees (besides school fees) that some schools are asking for the education of the children of Congolese parents:

[At] the state school, we don't pay, but we are asked for money, we have texted daddy [dad] come to pay. (Informant 201019-1136)

This practice by some schools of asking Congolese immigrants with asylum-seeker and refugee permits for money other than that for the school fees was previously reported by Ramjathan-Keogh (2017: 137) as a major financial obstacle to access to school education:

Schools sometimes demand payment in return for admitting a learner who is not a South African citizen or asks for additional financial contributions from these parents. These financial obstacles can make it very difficult for refugees or asylum seekers who are already under financial stress to access schooling.

In the same vein of financial obstacles refugees are facing concerning the education of their children, Khan (2007:5) attested that

Despite these rights, refugees face huge obstacles accessing education for their children. They are often requested to pay school fees (where they would otherwise qualify for school fees exemptions).

In addition to the financial obstacles that Congolese immigrants with asylum-seeker and refugee permits were facing in getting access to the education of their children, informants reported documentation issues, with children who were prevented from writing their matric exams because some schools did not know that the asylum-seeker or refugee permit was a legal document the holder could use to gain access to the education system.

The children were with that [asylum-seeker permit], at a certain point when the children finish taking the state exams, the children are sent back by the South Africans, they say that we do not know this document, go get the passport, the study allowed as long as when the children were at school, they had these refugee papers, it changes when the children finish the state exams, it creates a lot of problems for us, it requires looking for lawyers to come and plead. (Informant 201023-1242)

Even at school, children who are writing matric, but some are making things complicated that they must go to Home Affairs. Fortunately, Home Affairs wrote them a letter to that department. (Informant 201019-1323)

These claims and struggles, as recorded by Congolese parents, were justified because of the clash between the legislation regulating children's identities when they reach the age of maturity and are ready to write the matric exam. The legal dispositions acknowledge two formal documents: an ID or a passport plus a study visa to access the matriculation exam. The silence of the legal disposition on the asylum permits in accessing the matriculation exam has had an impact in terms of frustrating the parents and their children.

The study did not record any complaints regarding frustrated access to education relating to the children of Congolese immigrants with works permits or permanent residence permits. This study assumes that the relevant legal dispositions are being applied in these cases.

In summary, although international and national laws have guaranteed the right to education as a conceived space moment for each child, the lived space, as described by some experiences, revealed some challenges in their application in Tshwane, leading to the conclusion that

Both international and domestic law guarantee the right to basic education to all learners. The State is obliged to provide basic education to all children, irrespective of nationality, documentation status, or ability to pay for school fees. Unfortunately, this right is not being uniformly respected and promoted in South Africa. There are still many refugee and migrant learners who face significant barriers to learning. (Ramjathan-Keogh 2017:137)

The challenges experienced by Congolese immigrant children in getting access to basic education were expressed by the claims based on discriminatory practices for their admission or on financial obstacles such as the rejection of their application for exemption from school fees or the additional fees some schools were asking of non-citizens. These claims and struggles on excluding children from schooling or examinations need to be addressed by ensuring that policies allowing their access to education are correctly understood and implemented. Such measures will help to meet the international and national legal criteria advocating immigrant children's access to education in South Africa.

Access to education in South Africa has been conceived for many years as a constitutional right for everyone. Access to education in the country is regulated by an international and a national framework. The international framework refers to the body of international treaties to which South Africa has been a signatory. At the national level, access to education is a fundamental right guaranteed by the legal provisions of the Constitution and several laws and regulations related to education. However, in their experiences, Congolese immigrants have faced some exclusion based on their legal status and the sociodemographic group to which they belong. In the case of immigrants, children's access to education is theoretically based on the same rights and privileges granted to South African children. However, in reality, full access to education depends on the legal status of people and on the sociodemographic group to which they belong. Several scholars have mentioned that access to education for children of asylum seekers and refugees faces several challenges under the guise of exclusion and discriminatory treatment (Khan 2007, Ramjathan-Keogh 2017, Marishane 2013). These experiences work against the international and national legal frameworks that make children's access to education compulsory. Adults' access to education is more clearly driven by their legal status, which creates barriers to obtaining the financial and other support that make it possible for adults to link into many educational opportunities. The struggles described and the claims made by the

informants, therefore, represent a call to end the persistence of lack of access to education and a call to the South African educational authorities to ensure access to the educational opportunities of the city.

4.6. Accessing healthcare services

This subsection presents the findings on a conceived space and the lived experiences of Congolese immigrants in Tshwane by considering the impacts of their legal-status profiles on their access to the healthcare system.

4.6.1. *Healthcare for Congolese immigrants*

Access to health is among the key targets of the United Nations Sustainable Development Goals (SDGs). Under the umbrella of Universal Health Coverage (UHC), the third SDG goal pursues the amelioration of conditions to ensure access to a good quality of healthcare services for the population by reducing inequities (United Nations 2019: 6); and by considering the economic conditions prevailing on the affordability of healthcare for its users (WHO 2019:7). In several international documents, access to healthcare is conceptualised in several international documents as a fundamental right. In South Africa, access to healthcare services is a constitutional right for everyone and is embodied in a complex legal public-health-management framework. The legal framework managing access to healthcare services includes the provisions contained in Sections 27 and 28 (1) of the Constitution of 1996, Section 27(g) of the Refugees Act (No. 130 of 1998), Sections 4(3) and 5 of the National Health Act (No. 61 of 2003) and the Immigration Act of 2002. In addition, several sets of Health Department regulations are applied based on the different contexts of the nine provinces. This legal framework determines the eligibility to primary healthcare of Congolese immigrants in South Africa.

The main concern of these immigrants relates to their eligibility– or not – for free access to basic healthcare. This is the result mainly of the inconsistencies in the legal framework. Legal dispositions regarding the eligibility of immigrants, asylum seekers and refugees for free primary care are not uniform. Such complexity is linked to the many factors that determine access conditions. These factors include, for instance, the biodata of a patient’s condition(s) (e.g., age and gender), the level of emergency, the patient’s legal status, and the patient’s economic circumstances.

An example of a lack of consistency of approach towards immigrants’ access to healthcare was displayed recently by the Gauteng Department of Health, under which the city of Tshwane falls. In 2008, the Department stated that (Gauteng Department of Health 2008:1):

no patient should be denied access to any healthcare service, including access to antiretrovirals, irrespective of whether they have a South African identification document or not.

In 2019, however, the same department instructed that all immigrants should be classified as foreign patients. This meant that they could obtain treatment only by paying, in full, the prescribed fees for foreign patients. The consequence was that most of them were suddenly excluded from primary healthcare services. The invoice in Figure 4.4 illustrates this new practice of charging pregnant Congolese women maternity fees. Such instructions were claimed to violate the body of laws governing immigrants' right to free healthcare services. Stevenson (2019:1) captured the essence of these rights as follows:

- a. Everyone (regardless of citizenship or status) is entitled to free primary healthcare services.*
- b. All pregnant and lactating women (regardless of citizenship or status) are entitled to free healthcare services, including both primary healthcare services and hospital-based care.*
- c. All children under the age of 6 years old (regardless of citizenship or status) are entitled to free healthcare services, including both primary healthcare services and hospital-based care.*
- d. Refugees, asylum seekers, and undocumented migrants from SADC states are entitled, when accessing hospitals, to be treated in the same way as South Africans and to be subjected to a means test...*
- e. Everyone (regardless of citizenship or status) is entitled to access comprehensive HIV and AIDS care, management, and treatment.*

testimonies, immigrants with asylum-seeker and refugee permits were no longer getting the free services in most of the public hospitals they had received before the Covid-19 lockdown. Several examples of being denied free access to basic healthcare in public hospitals were given in the following excerpts from informants:

If I go, the hospital, before the hospital was free, but now, they make us pay, they said you must pay, you must pay, now we pay, before it was free...but, it is a long time, I have been at the hospital, I just heard people saying they asked me for R40 000 for operation, they asked me that. (Informant 201018-160342)

They say also that hospital is free, the UNHCR paid for foreigners [refugees] but now, they are asking for money when you go to the hospital you feel uncomfortable. (Informant 201023-0938).

These days, don't even talk about hospital things. You need to pay...I will give my husband [as] an example who is so sick...now we bring him every month to get B12 injection, because of back...problem, they were giving him without a problem. But since last July this year, we need to pay R350 before getting him that injection. Since then, we are no longer going to the hospital, they are many cases, one lady also has her child who is sick...they refused to give medicines; she needs to pay R4 391 for her child. (Informant 201019-1323)

I forgot to mention the hospital; I brought a Congolese girl to the hospital for the maternity ward. But I was shocked, but the girl came out crying because when she arrived on the same day that was scheduled for her motherhood, she was told: you strangers, we no longer have free care for you. Not even for motherhood. So, they've been given the bill to pay.

Whereas when one lives here as a foreigner under the care of Home Affairs that is to say as a refugee, refugees once enjoyed free treatment here in the hospital, at the public hospital of course...they told her that there is no more free treatment, at the maternity...Yes, a Congolese woman who was told by black South African women, nurses that there are no free deliveries [of] babies at the South African clinics or hospitals anymore and they gave her the invoice, the quotation for her to know that if she wants a normal delivery, she has to pay R5 000 but if it is a Caesar section it has to go to R7 000. She came out with the receipt. (Informant 201021-1327).

The assumptions are that Congolese immigrants with asylum-seeker and refugee permits have free access to this kind of primary health service. Despite several provisions made in Section 4 (3) of the National Health Act, or the Refugees Act of 1998, or their legal status of being SADC

citizens, all Congolese were classified as foreign patients and were therefore charged the full amount for foreign patients (Gauteng Department of Health 2019). This exclusion was also in contravention of the provisions made in the Uniform Patient Fee Schedule.

The poor quality of services was also mentioned by one participant, who complained about the long waiting period involved before getting assistance from public hospitals. He mentioned that

the hospitals, we are assisted, but it takes a long time, you can arrive at 5 a.m. and we [they] will assist you at 3 p.m. (Informant 201020-0922)

This statement by informant 201020-0922 is aligned with previous findings on the quality of public healthcare in public hospitals and clinics. According to the South African Human Rights Commission (SAHRC) (2018), many reports on the public healthcare system indicated a poor quality of service, including ‘*serious shortages of emergency transport, long waiting times, and over-crowding, compromised cleanliness, out-dated technology, under-staffing and discriminatory attitudes towards vulnerable groups as a major concern*’ (South African Human Rights Commission 2018:2). The quality of healthcare was, therefore, a complex issue based on many factors linked to existing conditions. Since many citizens rely on public healthcare services, this also impacts access.

The question of access to public healthcare services for Congolese immigrants revealed a matter of great concern that is related to the conceptions that some have developed around the healthcare provided. This is expressed in a lack of confidence in the poor quality of the services. This was accompanied by fear of the public healthcare services, with one informant accusing them of being responsible for the early death of patients and the fear among Congolese immigrants to attend the public hospitals and clinics because of the rumours of taking their organs:

Because they are foreigners, moreover there are rumours circulating that when you are sick, they make your death easier to take your organs that they use for other things, I heard it from more than five people. I don't know the government may find that foreigners go less to the hospital to avoid an early death.
(Informant 201020-1213)

The rumours around such practices were not confirmed by any evidence. However, this research has interpreted them as an expression of the mistrust of Congolese immigrants concerning public healthcare that they were getting in public hospitals and clinics. While claims around safety and organ-trading practices were recorded several times during conversations with immigrants, such allegation was challenging to verify, and the informants couldn't provide evidence.

The interviews also showed that some Congolese immigrants were satisfied with the services they received from public hospitals. One informant shared his experiences by indicating that he had received the same treatment as South African citizens:

[at] the hospital, there is no difference (Informant 201019-1136)

The access to public healthcare for Congolese immigrants thus needs to be understood by considering many factors, including legal status, the quality of the services delivered in public hospitals, and the subjective circumstances of healthcare professionals. Alfaro-Velcamp (2017) reports on several challenges immigrants experience in accessing healthcare in South Africa. These findings are also in line with a previous study on the barriers refugees face in obtaining access to basic healthcare in Tshwane (Setheni 2017).

In summary, several testimonies from Congolese immigrants with asylum-seeker and refugee status indicated that their legal status had affected their access to primary care in Tshwane. Regarding their attendance at public hospitals, the findings revealed two main trends. The first group of informants provided testimonies on how their legal status triggered discriminatory attitudes from the healthcare body, while the second group reported their satisfaction with the system. Overall, however, informants were not satisfied with the quality of their healthcare. They also disliked the attitudes of healthcare professionals ‘*against*’ them.

4.6.3. Access to healthcare for immigrants with permanent residence permits or SA citizenship

This subsection reports on claims gathered from Congolese immigrants with permanent residence permits or naturalised South African citizens. One informant shared his experience thus:

I arrived at the hospital, at Garankuwa Hospital [the George Mukhari Hospital], and when I just gave my ID, first you see the moms there, they are witches, they see my ID, she say [says] heh, this Zimbabwean, they did not even look if I am from Zimbabwe or Congo, in ID, it is written Congolese, she says ahhwaniela [you are shitting], you gonna [are going to] die, you come all the way from Zimbabwe, you gonna die here. (Informant 201020-1614).

The lack of safety in attending public hospitals was expressed again by the same informant, who reported as follows, including the words of a doctor who had advised him not to remain in hospital overnights:

I gonna [am going to] discharge you, even it is midnight...you are going to leave and you are only going to come and collect the drugs...otherwise be hospitalised

here...your life is not safe, they can kill you. You see, like things, like things, that is to say, you face a lot of challenges (Informant 201020-1614).

The shocking quality of the treatment experienced by Congolese immigrants was attested to as follows by one informant the researcher engaged with:

Informant: Okay. I will emphasise that if this information will get to the government of South Africa, they have to review the policy of hospitals. Hospitals, the way, the hospital treat the patients there it is very, it is worse to us foreigners, it is worse. Very, very disappointed (Informant 201021-1327).

Researcher: Do you have any examples?

Informant: I have examples. If you go there, let's say when my wife gave birth lately...when you go there you are...they welcome you, you are in the queue. And then they don't assist you as such. Like they are assisting you. You see, if they spot something like it is getting now dangerous, or a life of a person is getting like at risk and then from there they can attend. They can assist. (Informant 201021-1327)

Naturally, dissatisfaction with the quality of the treatment received was a way of acknowledging that some Congolese immigrants at least had access to the healthcare system. However, the criticism was firmly related to quality, which is linked to safety. The same informant concluded thus:

Hospital service is very bad, very bad. I am not saying very bad but it is worse...worse...yeah you can go there and after having blames and all of that, you get out of there and you are nervous about what has happened there. So, it is very disappointing, very disappointing for hospital services. Very disappointed...That is, if I could really rate them if it's a lot, I could say 1 out of 10. (Informant 201021-1327).

While the description of the quality of treatment that Congolese immigrants received in public hospitals seemed to raise significant concerns, it is important to bear in mind the general context of the quality of the treatment in public hospitals since the literature has shown that such quality was linked to many factors. Nevertheless, the experiences described strongly suggested that access to public healthcare was a major concern within the Congolese immigrant community; and that more exploration was needed to understand the phenomena occurring.

Concerning hospital charges for services, one informant threw some light on the question of the influence of legal status when he said:

It depends...where I go there is no problem. The black receives me well. When you go to the hospital, those who have asylum pay for the consultation. Other countries pay more but SADC countries pay like South Africans. Those who are not working can find a police affidavit...When you go to the hospital many times, they ask for the police affidavit if you don't work. The hospital asks you to go get the affidavit. The hospital is not free... (Informant 201023-1441)

This information, found in the Patient Fee Schedule, seemed not to be known by many Congolese immigrants visiting the public hospitals. This raised the need to initiate awareness sessions among Congolese immigrants to inform them about the profile of their legal status and the rights linked to it. Concerning the right to the city and access to healthcare, Congolese immigrants as city dwellers made their claims based on their exclusion from basic healthcare services based on their legal status and socio-demographic grouping. In addition, they expressed their concerns and mistrust of the public healthcare services they could access because of the poor quality or personal behaviour of the healthcare professionals and personnel towards them. Bearing in mind that access to healthcare is a constitutional right and a universal human right, as expressed through the policies of the UHC, Congolese immigrants should be fully integrated into public healthcare without any discrimination based on their legal or socio-demographic status.

4.6.4. Summary of access to healthcare

The limitations on the eligibility of Congolese immigrants to access primary healthcare services as determined by the legal framework were at the core of many claims and struggles as shared by the participants. The legal status of Congolese immigrants as members of the SADC was the main criterion of eligibility in accessing these services. Although the legal framework made provisions for their free access to the services, findings from some of the experiences shared revealed the exclusion of Congolese immigrants from free primary care because of their country of origin. Such discrimination was justified by inconsistencies in the legislative framework. Concerning the philosophy of the right to the city, the claims and struggles immigrant Congolese city dwellers expressed around their access to healthcare through their everyday experiences were linked to many barriers. These included legal status, socio-demographic grouping, mistrust in the quality of public healthcare services and a lack of knowledge concerning their *de facto* rights.

Access to healthcare as part of the right to the city remains a site of observation. It is a service in which all inhabitants should be included, regardless of their legal status, socio-demographic

grouping or origins. Access to basic healthcare must be based merely on the principle of residence. Any discrimination or exclusivity violates urban citizenship practices advocated by the international and national legal framework and by the proponents of the right of the city as an ethos of engagement.

4.7. Accessing housing

This section covers the research findings concerning the conceived space and the access to housing in the lived space of Congolese immigrants living in Tshwane. As in previous sections, the results are linked to the claims and struggles of immigrants' right to the city as an associated dimension of urban citizenship practices.

4.7.1. *The conceived space of housing*

South Africa shares the vision of access to housing that is expressed in the conceptualisation of the eleventh goal (Sustainable Cities and Communities) of the UN Sustainable Development Goals (SDGs) (United Nations 2015) and Agenda 2063 for Africa (African Union 2013). At the international level, the universal call for access to housing is conceptualised as follows: '*By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums*' (United Nations 2015). Goal 11 underscores the necessity of adopting an inclusive approach that can be expressed and implemented through national, regional, and local policies on access to good quality, safe, and affordable housing for everyone. International guidelines on access to housing are provided in many UN documents, including those of UN-Habitat (2003–2010, 2015). In these documents, housing is defined repeatedly as one of the fundamental human rights (Universal Declaration of Human Rights 1948, International Covenant on Economic, Social, and Cultural Rights, United Nations 1966, 1990, 1991).

More recently, the New Urban Agenda (United Nations 2017) defines access to housing as a right to universal access to services available in cities. At the international level, therefore, access to sustainable and adequate housing is conceptualised as a universal right through the adoption of an inclusive approach that encourages national and local policies requiring access to services in cities to be open to everyone. Access to housing, in terms of Lefebvre's right to the city, is framed by Article XV of the World Charter for the Right to the City (2005). The Charter adopts an inclusive approach with respect to the right to housing and argues that it is necessary to urban citizenship. Although the Charter recognises the right to housing as a fundamental human right, Lefebvre conceptualised it as a moral claim and as a demand (Lefebvre 1996, 1968). At the continental level, access to housing policies recognise the need

for access to housing to be implemented at the regional, national and local levels (African Union Commission 2015, African Union 2016, United Nations 2020).

The main laws regulating housing in South Africa appears under the Bill of Rights in the Constitution of South Africa (1996). Section 26 of the Constitution stipulates that *'Everyone has the right to access adequate housing.'* Additionally, the Housing Act (No. 107 of 1997), as amended by the Housing Amendment Act (No. 4 of 2001), makes provision in Section 1 for this right to access to be applied to *'all citizens and permanent residents of the Republic'*. Based on the national legal framework on access to housing, such access is a fundamental right for citizens and permanent-residence holders. Although the Refugees Act of 1998 consequently adopted the non-encampment approach for the integration of refugees into South African society, the body of legislation does not make provision for the access to housing of temporary residents. This approach provides freedom of movement and allows any individual to choose the location of their settlement within the national space.

4.7.2. *Housing experiences*

Like any other group, Congolese immigrants need housing for many purposes. These include accommodation, premises for the conduct of business and housing as an investment. This research clearly shows that eligibility criteria for accessing housing for any use were based on the applicant's legal status and financial profile. Since their legal status did not allow them to be eligible for the housing services provided by the government through its housing programmes, the housing experiences of Congolese immigrants with asylum-seeker and refugee status reported on in this investigation referred mainly to the availability of housing in the private sector (consisting of estate agents' companies or house owners), which inevitably ended up as the main provider of housing to immigrants in Tshwane.

Several of the claims made and the struggles encountered by Congolese immigrants in terms of their experiences in trying to get access to housing for rent are reported on in the following interviewee responses:

For accommodation also, you need also ID, if you don't have ID you go to the agencies, they are going if the house is 5000, they will ask you for three months' deposits, plus one month, ehh rent, that is going to be four months, it is not that easy, that side it is not easy at all. We are suffering from that side
(Informant 201018-11426).

I mean, it like if you want to get the flat, it is not that easy, because they gonna [are going to] ask double deposit, they gonna ask bank statement, they gonna ask passport or ID (Informant 201018-160342)

We have so many complications...you have to have the ID, even for the right to rent, so the stories are complicated. (Informant 201022-1252)

To gain access to housing, Congolese immigrants needed various documents such as an ID, a bank statement reflecting their ability to pay, and a pay slip as proof of employment and a stable source of income. These documents were the tools needed to access housing, but these tools were often lacking. Daily experiences shared and described by Congolese immigrants referred to access to accommodation as problematic and challenging. So much so that access to housing can be summarised as a collective cry for the right to the city. This cry expresses the lack of an inclusive approach in urban policies in Tshwane. Two main factors contributed directly to exclusion from access to housing for some categories of immigrants. The first factor was the legal status of the Congolese immigrants' citizenship practices. Represented as non-citizens, Congolese immigrants without naturalisation or permanent residence are not covered by the legal framework in terms of access to adequate housing as provided by the Department of Human Settlements in South Africa. This exclusion from public housing has the consequence that the private sector remains the unique provider of access to housing for Congolese immigrants. At the level of administration, however, the private sector in providing housing needs to ascertain the legal status of potential customers signing a lease agreement. In the case of Congolese immigrants with asylum-seeker permits, a technical problem arose concerning the duration of their permit, which is designed for a renewable period of fewer than six months. This has presented a double technical challenge for the business reputation of companies involved in the housing industry. Since the asylum-seeker permit is a short-term permit, it represents a high risk for the housing business owing to the uncertainty of the client's legal residence in the city. This aspect may justify the exclusion of asylum seekers from access to rental housing as motivated by the fact that the private housing sector legally conducts its business by minimising the risk of liability by signing lease agreements with customers with an uncertain legal residence profile. Since the average Congolese immigrant in Tshwane is working in a low-paying job or self-employed, access to housing has been hard for them because they have been dealing with estate-agent-based companies that run a profitable business while at the same time being excluded from the public-housing services organised by the government.

According to Bengtsson (2001:257), access to housing in many countries around the world is managed by both the private and the public sectors. In that sense, housing is always provided through markets.

In South Africa, as has already been stated, it is also subject to an individual's legal status. Thus, in the case of Congolese immigrants in Tshwane, access to housing, while channelled through private agencies and companies, is also managed by the documents an immigrant must acquire and gather before trying to access most accommodation. Linked to access to adequate and affordable housing as a right to the city, the Congolese immigrants were again facing exclusion because of their legal status and socio-demographic grouping in South Africa. Such exclusion and restrictions in terms of conceptualising access to housing also affect immigrants in other countries. For instance, Álvarez & Urbina (2018) mentioned several laws concerning the restrictions linked to access to housing as experienced by immigrants in the United States.

For Congolese immigrants who are living in Tshwane, the question of accessibility is also closely linked to that of affordability. As has been seen, there are many reasons why the Congolese immigrants living in the city are economically vulnerable and therefore unable to afford most of the rents being asked for. Some informants pointed to such affordability concerns, which they linked to their general economic situation:

here we are paying rent, look at my wife, she got sick because of these problems, she got the operation in her head, too much stress, I was fired from work, how are you going to pay for rent? (Informant 201022-160711).

here in Pretoria, life is not easy, everything, here in Pretoria is very high, specially rent, rent is a big problem like herein Pretoria, the house is, rent is so expensive, eeemh, yeah everything very expensive (Informant 201018-11426).

There are many challenges, like accommodations are expensive (Informant 201020-151620).

Secondly...to pay rent, houses are very expensive, houses agencies are increasing...rent is increasing, and we are not working, electricity is expensive...let me give you an example, other people are getting a salary of R3 800, R4 000, R4 200, those kinds of salaries, for the electricity you pay R2 000 or R2 500, I don't know how you can live with a woman, with kids, you need to pay rent (Informant 201022-16071).

second is the rent issue. I can't pay my rent properly; maybe the job I find here doesn't allow me to pay the rent (Informant 201019-14447).

The means of living, the house, the rent is very difficult (Informant 201019-1223).

These examples make explicit the consequences of getting access to housing only through the markets. They show that the main obstacle to accessing adequate housing is its unaffordability because of the low incomes Congolese immigrants earn when employed. Although scholars such as Aalbers & Gibb (2014) have conceptualised access to housing as a right to the city, such access has not meant free access. Still, it has been justified by the financial profile of the customer in the market. In the case of Congolese immigrants with low and risky financial profiles, the probability of getting access to housing has been much smaller than for people able to fulfil the eligibility criteria established by the estate agent companies.

Property rental companies assess the suitability and ability to pay rent of prospective clients by using an established profile of applicants typically fitting their business model. The challenges Congolese immigrants have been facing in getting access to housing have resulted from their legal status as asylum seekers and refugees in the life of the city, which are not eligible for accommodation support of any kind. The repercussions of such policies have weighed heavily on those Congolese immigrants' restrictions to access housing because of a lack of support from the government. This was clearly expressed by one informant, who claimed:

The second [issue] is the accommodation...the majority of the Congolese in this country are refugees or asylum [seekers who]...stay in the country without any grant and any accommodation, so you got your paper from Home Affairs, and they are sending you to life...and there is no refugee camp in this country, like in Congo, like in other countries, there is no camp, so you are just like that, sleeping outside of Home Affairs, fighting for your papers once you collect it, and they send you on the street like that, you have to for the accommodation (Informant 201020-1452).

With regard to the accommodation of refugees, as previously discussed, South Africa as a host country adopted the non-encampment approach in the Refugees Act of 1998, which consisted of integrating refugees and asylum seekers into the country's towns and allowing them to live among all city-dwellers. The non-encampment approach did not envisage their segregation based on their legal status. However, the housing rights defined in the Housing Amendment Act (No. 4 of 2001) only apply to citizens and permanent residents. The legal status of refugees or asylum seekers does not provide them with any housing rights. Congolese refugees and asylum

seekers confirmed that there was no legal basis from which they might claim such rights. *De jure* citizenship is exclusive when it comes to housing, and the law does not provide any social protection in this matter. Consequently, the lived space of Congolese immigrants with asylum-seeker and refugee permits is vulnerable; they are marginalised and exposed to the private sector agencies and companies that provide them with access to housing based only on the terms and conditions they establish in the market. Such exclusion links to the concept of the right to the city and raises concerns about the likelihood of improved access to adequate housing for immigrants.

The impact of this vulnerability results in a fundamental precarity, the anxiety that this produces is summed up in the words of an immigrant women.

We are heading toward month-end, so all, we need to pay water, electricity, school fees for kids, everything we need to pay for it, once you don't pay, they can evict you and you will go and sleep with the kids outside. Good, can you imagine till now, you don't have money to pay for the accommodation, we have the family with you here, those stresses, those things we are facing in this town (Informant 201020-151620).

One participant compared his very different experiences of renting in South Africa (Tshwane) and in his country of origin by declaring:

In South Africa, if you don't have the money everything is blocked. With us, if you do not have money, you can explain to the landlord. Here no money, no nothing, the landlord does not need your explanation...If you live here it depends on the money...(Informant 201018-1136).

The unaffordability of housing, which was mentioned extensively in the interviews, constituted the main claim and struggles concerning access to the city. This can be justified by the fact that Congolese immigrants are left alone to deal with accommodation issues when dwelling in Tshwane. One informant spoke about the strategy of minimising the high cost of accommodation by sharing a flat, a room or even a balcony with other tenants to have a roof over one's head:

It is so expensive, we are sharing with other people, there is no choice (Informant 201019-1228).

Congolese immigrants' daily experiences of accommodation in Tshwane can be understood through their legal status's impact on their ability to afford and access housing. Refugees, asylum seekers and non-citizens are excluded from getting access to housing services. Their legal status

does not allow them to apply for the free housing services made available through the Housing Act of 1999 or the Refugees Act of 2002.

Although housing is a human right that is fundamental in the life of people (Donnelly, Finnerty & O'Connell 2020), accessing it presents crucial issues and many struggles in the urban context. The words of Rolnik (2014), who was writing about 'the right to housing and the right to the city in the contemporary urban world, indicated that housing was at the core of the urban struggles under the lens of the right to the city. They also apply in the context of this study:

'Housing is crucial for the creation of the sense of belonging to the city and for the very concept of place. It is no overstatement to say that to be deprived of the access to adequate housing is to be deprived of the very possibility to be part of and to enjoy the city life' (Rolnik 2014:295).

Access to housing in South Africa is a constitutional right. The government, through the Department of Human Settlements, addresses issues related to housing for South African citizens. Its programmes provide access to adequate and affordable housing based on citizens' socio-economic profile (Sobantu, Zulu and Maphosa 2019).

Various studies have indicated that several social movements and low-income communities are involved in the struggles to demand access to adequate and affordable housing (Scheba & Turok 2019, 2021, Osman 2017). According to Gerszler (2017), the housing sector in South Africa presents many challenges for much of South Africa's population. Osman (2017) indicates that South Africa needs to rethink its housing policies since a major crisis is linked to access to housing services. In line with access to adequate and affordable housing, Turok & Scheba (2019) support an inclusive approach grouping all actors to overcome the country's housing challenges.

4.7.3. Summary on access to housing as the right to the city in Tshwane

Access to adequate and affordable housing as the right to the city is supported by international organisations and policies and scholars of the ethos of engagement who advocate inclusive cities that welcome and support all the inhabitants merely because they inhabit a particular city.

Although access to adequate and affordable housing is conceived as a fundamental right in international discourses and specifically as one component of inclusive urban citizenship expressing the right to the city, the findings on the lived space of Congolese immigrants in Tshwane showed that the legal status and the financial profile of these immigrants had repercussions on their access to the housing services in the city. Access to housing was primarily regulated by the private sector, which used Congolese immigrants' legal status and financial profile as criteria for eligibility. Congolese immigrants made several claims on access and

affordability in respect of the daily frustrations of exclusion from housing. These contributions clearly expressed the immigrants' aspirations to get better access to housing as a right to the city.

4.8. Gender, Services and the Right to the City

Although men and women migrants experience the same issues with access to services, for women, this lack of access is intensified. The nexus between the gendered division of labour, voicelessness, and xenophobia means that women frequently bear the brunt of exclusion. If the home language of migrant women is different from that of the host country, migrant women often have poorer language skills, as they have less opportunity to interact with local people. Migrant women frequently work in the informal sector (Bonnet et al. 2019) increasing their vulnerability to economic shocks. Without the financial resources to access private health and education services, migrant women have no choice but to access an uncaring and hostile public health and education system. Women frequently shoulder the burden of childcare and care of the elderly and infirm, and this was evidenced in this research. Migrant women face problems when they approach public health institutions to help them with their pregnancy or with their children who may be ill. The women who participated in this study were also concerned about their children accessing public education. Finally, the women in this study also indicated deep-seated anxieties when it came to the precarious access of immigrants to housing. The rental market is limited and exploits Congolese migrants, and with limited financial resources, the fear of eviction is very real. The complex exclusions associated with poverty, gender, and xenophobia mean that migrant Congolese women in Tshwane are more vulnerable, participate less, and have fewer opportunities to appropriate spaces of the city.

4.9. Chapter summary

This chapter covered the dialectic influence between the production of the urban space and the right to the city through the performance of citizenship of Congolese immigrants in Tshwane. The pathway towards full citizenship in South Africa is conceived through the stratification of legal statuses allowing Congolese immigrants to climb its ladder until reaching the final rung. Each rung in the citizenship pathway represents a level of integration and participation in Tshwane and its benefits (rights and services). The legal status as granted by current immigration laws and regulations was found to have created a fragmentation of citizenship by establishing eligibility criteria of inclusion or exclusion in accessing services of the city. By scrutinizing the access to services as the right to the city, this study revealed the repercussions of the *de jure* citizenship profile on the lived space of Congolese immigrants' citizenship

practices in employment, education, healthcare, and housing. The daily experiences of Congolese immigrants –as *de facto* citizenship practices – showed that they were often marginalised regarding full access to services, based either on their legal statuses or socio-demographic grouping. Findings on access to services unveiled several restrictions or instances of exclusion that constituted a deep social wound in the existence of Congolese immigrants disconnected in whatever way(s) from the city of their residence.

Consequently, the claims and struggles of Congolese immigrants were formulated through the right to the city theory as an ethos of engagement calling for a transformation of their situation to enable them to fulfil their aspirations. As city dwellers, immigrants expressed a fundamental need to be connected to the life of the city via access to services that sustained and enhanced their existence as human beings. This investigation also advocated the necessity of an inclusive approach that could connect inhabitants to their city of residence. The next chapter (Chapter Five) portrays the spatial practices and the production of space in Tshwane under the themes of re-appropriation and participation.

CHAPTER FIVE: RE-APPROPRIATION AND PARTICIPATION

5.1. Introduction

Using the Lefebvrian triadic model demands the rigorous keeping together of the three moments in interpreting the production of urban space. The three different aspects of the spatial triad are frequently regarded as discrete but are, in effect, co-produced. Each element is embedded in the others. The interconnectedness of the components of the spatial triad is crucial in deciphering social practices and their consequences in the everyday life of the people in any given society. Lefebvre (1991:366) emphasises that it is '*fatal...to keep the moments and elements of social practice away from one another*'. In interpreting the unitary theory of the Lefebvrian triadic model, scholars underline that the relations between conceived-perceived-lived moments are never stable and exhibit historically defined qualities, attributes and interconnections (Merrifield 1993:524). Such interrelations between the moments of the triad are dialectic and historically dynamic (Lefebvre 1991). Lefebvre proposes that spatial practice, representations of space and representational spaces contribute in different ways to the production of space according to their qualities and attributes; the society or mode of production in question; and the historical period (Lefebvre 1991:46). This, among others of his statements, establishes that it is imperative to read the three moments of the triad as a whole in the process of urban space production.

In Chapter Four, the researcher used the Lefebvrian triadic model as an analytical tool to explore the interconnectedness between the representations of space and the representational space moments in the process of urban space production in the context of Congolese immigrants' citizenship performance in Tshwane. The analysis in that chapter covered the interactions between these two moments by considering the conceived space as manifested through the legal statuses (permits). Secondly, the lived space exploring Congolese immigrants' everyday experiences in accessing services in Tshwane. At the level of the representations of the space, it was argued, were several legal statuses applied through immigration laws (the legal body framework on immigration) to shape and control the performance of Congolese immigrants' citizenship in Tshwane. To this end, the researcher examined the interrelated elements of the conceived space and the lived space by engaging with the everyday lived experiences of the exclusion of Congolese immigrants from access to essential services in the city. From the reading it provided of the experiences of exclusion from, or restrictions on, access to services such as employment, education, healthcare and housing, the study reformulated a claim inspired by the philosophy of the right to the city – thus advocating an approach inclusive of all the city's inhabitants and grounded in urban citizenship practices.

In this chapter, the researcher explores the dialectical relationship between the three moments of the Lefebvrian triadic model in the production of the urban space by capturing Congolese immigrants' spatial practices as the third moment of the process. The researcher 'feeds' the model with Congolese immigrants' spatial practices as he observed them in everyday life in Tshwane. In Lefebvre's (2006) writings on the conceptualisation of the urban space, everyday life plays a vital role in making it possible for the researcher to understand the social conditions of people by observing their interactions within the networks they establish in the city (Beyes & Steyaert 2012; Elden 2004). Since spatial practices can be readily observed in the daily life of Tshwane's Congolese inhabitants, they can easily be analysed as variants to understand the nature and the quality of the group's citizenship.

Citizenship is conceptualised as a social and spatial activity involving continuous changes among human beings in their communities or polity (Secor 2004). This dynamic aspect is expressed through the ongoing renegotiation of citizenship practices that human beings project into the space of their everyday life as they challenge the existing spatial configurations established by the formal community or by polity organisations. Since human relationships are dynamic and influenced by the various political, economic, social and cultural events occurring in a given society at any point in time, such contestation results from the continual and mutual influence between the three elements of the triad on the production of the urban space.

Under this section, the researcher uses the lens of the Lefebvrian triadic model to present the findings of my research regarding the spatial practices to be gleaned in Congolese immigrants' production of the urban space at a specific moment in time in the city of Tshwane. Lefebvre (1991:33) refers to spatial practices as the '*production and reproduction, and the particular locations and spatial sets characteristic of each social formation*'. In his discussion of the Lefebvrian model of the production of urban space, Schmid (2012:50) illuminates the features of this space as follows:

Space has, first of all, a perceptible component that can be grasped with the five senses. It relates directly to the materiality of the elements that constitute space. The spatial practice combines these elements into a spatial order, an order of synchronicity. Urban space is therefore a place of material interaction and of physical encounter. This practical aspect of mediation, centrality, and difference can be seen as the superimposition and interlacing of networks of production and of communication channels, as a combination of social networks in everyday life, as places of encounter and exchange that are amenable to surprises and innovations. This means that urban space can be empirically observed. What is

happening in the streets? Who is present, who encounters whom? What resources are available, and who has access to them? Primarily, what is meant here is the physical presence of people in urban space.

Based on Schmid's (2012) interpretation, urban practice refers to tangible or material aspects of the spaces that can be observed in the everyday interactions of inhabitants within the city's networks. Therefore, the perceived space or spatial practices can be accessed by observing social-network-related activities that residents develop by encountering others, interacting with them, and organising their social life in the city. Within this study, the researcher attempts to understand the interrelationships emerging from the lived space and the perceived space of Congolese immigrants in the (re) production and the renegotiation (appropriation) of urban space in Tshwane. Such interrelationships relate to developing the emotional spaces of Congolese life via the inscription of Congolese social networks in Tshwane. Through their daily lives, Congolese immigrants reproduce the emotional spaces they have previously been familiar with. To achieve this, they transform the landscape of Tshwane by developing spatial practices connecting them economically, culturally and emotionally with the identity or values of their country of origin.

The contribution of spatial practices as the third dimension of Lefebvre's triadic model provided a framework within which to understand Congolese immigrants' citizenship practices through the observations of their everyday life; and of how they are influenced to develop their meanings by both conceived space and lived space in the production of urban space. Findings are organised and interpreted under the themes of re-appropriation and participation (as the right to the city) in the production of urban space by Congolese immigrants in Tshwane. The production of the urban spaces through re-appropriation and participation is expressed by the development of tactics in everyday practices, such as the creation of occupations for economic opportunities and the inscription of Congolese immigrants' socio-cultural activities in Tshwane. Therefore, the performance of citizenship and the sense of belonging these Congolese immigrants have developed socially and spatially can be deciphered through those tactics connecting them to their claims concerning the right to the city. Therefore, It can be deduced that the Congolese habitus inscription in their social networks are tactics that they have used in re-appropriating and producing urban spaces. This re-appropriation is expressed through the transformation of the landscape of Tshwane by Congolese immigrants' spatial practices.

5.2. Spatial practices as tactics in everyday life

In seeking to understand Congolese immigrants' production of urban spaces and to organise my findings on the exploration of the spatial practices Congolese immigrants have developed in their social networks through their daily life in Tshwane, use is made of Lefebvre's (2006), and De Certeau's (2014) works on spatial practices. The researcher thus borrows analytical constructs such as 'use', 'tactics', 're-appropriate', 're-organise' and 'participate' from Lefebvre (2006) and De Certeau (2014) in relation to everyday practices to unearth their meaning in the production or reproduction of Tshwane's urban spaces by Congolese immigrants. To understand the development of networks/social ties in human formations in the case of immigrants in any host country and as examined in previous studies (Cederberg 2012; Putnam 1993; Ryan 2011), the researcher analyses these immigrants' activities in Tshwane by considering their performance of citizenship and their migration experiences. The researcher reads their spatial practices as tactics that they have developed by creating several social networks in the city. The two key concepts of 'tactics' and 'creativity' are used in the understanding of everyday life to explain the spatial practices of Congolese immigrants via re-appropriation of the space and in parallel with the strategies controlling access to the formal organisation of the city (De Certeau 1984, 2004, 2009a, 2009b, 2014).

Spatial practices play an important role in attempts to understand the social (re) production of space, and are related to the creativity of individuals in a given context. For this investigation, the researcher interprets such creativity within the dynamic of the tactics developed from the lived space of Congolese immigrants by considering that spatial practices are developed from their everyday experiences of the urban struggles they develop. The development of tactics can be observed through spatial practices (Multani 2015), created by the city's inhabitants in the production of urban space through their interactions in daily activities. Schmid (2012:50) argues that

urban space also includes those who work there, visitors, street vendors, and diverse types of places. Shops, restaurants, meeting places, and venues for cultural and social exchange set the stage for urban life. These may be permanent facilities or ephemeral occasions – events or celebrations that create opportunities and chances for interaction.

Therefore, Congolese immigrants' spatial practices are understood as tactics carrying a message that can be deciphered through the observation of their everyday life in the city. Congolese spatial practices captured through this observation are extracted mainly from general trading

networks created in response to economic needs in Sunnyside. In addition, the researcher develops an account of the development of social networks from his observations while presenting the Congolese's cultural and political activities through their engagement and participation in meetings in Tshwane. He then interprets the results he obtained on Congolese immigrants' spatial practices by zooming in on the social networks they developed in Tshwane; and attempts to justify them through the concept of '*habitus*'.

One way in which Bourdieu (1990:17) defines '*habitus*' is as a '*system of dispositions to a certain practice that is an objective basis for regular modes of behaviour, and thus for the regularity of modes of practice.*' In other words, *habitus* is related to predictability. Bourdieu continues as follows:

and if practices can be predicted...this is because the effect of the habitus is that agents who are equipped with it will behave in a certain way in a certain circumstance.

During their settlement in the host countries, immigrants contribute to re-appropriating and producing urban spaces through their everyday practices. Based on the immigration legislation provisions of each host country, immigrants might face several restrictions on integrating with the city's formal organisations and resources (or opportunities). As a response to the marginalisation or exclusion introduced by immigration dispositions, immigrants can make use of their creativity as a mechanism for surviving in their host community – notably by developing several spatial practices through the reproduction of the *habitus* of the country of origin (in the form, for instance, of cultural values, socio-economic skills and social networks), which allows them to integrate formally or informally into the host community's organisations. This relates to the notion of immigrants' transnationalism. Scholars describe transnational immigrants as individuals who consider '*themselves as host-country residents and use their skills (knowledge of the country-of-origin language and customs and social capital back home) to improve their lives in the host country*' (Bradatan, Popan & Melton 2010:173). Therefore, the production of urban space by immigrants is a place to understand how they can interact with the fabric of the resident community by developing spatial practices connecting them with the country of origin.

Immigrants interact with the urban space by inscribing their spatial practices shaped by their *habitus*. Those spatial practices modify the existing configurations of the host community (country or city) in many ways; and constitute the gateway to escaping the consequences of the immigration law. Spatial practices are seen, therefore, as tactics that immigrants develop to change the dynamic of the activities of the city according to their *habitus*. The course of daily

activities (spatial practices), such as informal trading undertaken by immigrants, influences the urban space they reorganise and reshape to find long-term means to reside in the city. Such reorganisation can be seen as an effort to re-appropriate the urban space, and as a right to the city by immigrants developing spatial practices in their everyday lives. The spatial practices undertaken by immigrants contribute to the assigning of new meanings and uses, reshaping the urban space that they occupy and modifying it by creating social networks that can function in parallel with the formal organisation of the host community.

In the case of Congolese immigrants in Tshwane, therefore, spatial practices will be analysed as tactics Congolese immigrants pursue to reorganise – through ‘*transgression*’ or ‘*contestation*’ – the dominant order imposed by immigration laws and their control over Congolese immigrants’ citizenship practices. Spatial practices such as those observed in Tshwane will be viewed as dynamic efforts of contestation against the restrictions and limitations on citizenship performance; and as expressing creativity in overcoming the strategies of control imposed by immigration laws to control access to and uses of the urban space. Findings on spatial practices thus refer to urban tactics that Congolese immigrants have developed and (re) produced through the re-appropriation of, and participation in, the life of Tshwane.

Lefebvre's conceptualises the city as an ‘*oeuvre*’ in which all its inhabitants should participate – through all its networks – in re-appropriating the urban space by the fact of inhabiting it. This call is a cry that demands marginalised inhabitants in city networks be supported by the notion of inclusive urban citizenship, as theorised and advocated by many other scholars and by social movements engaging with the concept of the right to the city. The understanding of urban spaces as socially and spatially constructed, develops the narrative of the spatial practices that Congolese inhabitants produce and reproduce in Tshwane by considering their tactics as these emerge from social networks mainly in the economic and cultural sectors. To sum up, the core spaces of Congolese identity in Tshwane are examined through the lens of Congolese spatial practices.

5.3. The spatial production of Sunnyside

In 2003, Donaldson et al. wrote that the Sunnyside area had been under social and spatial transformation since the mid-1990s. The changes occurring socially and spatially in Sunnyside could be explained through the impacts of the international migration context. This study describes three core spaces inscribed with Congolese identity due to the social and spatial production of Sunnyside by Congolese immigrants. These three core spaces have been amalgamated from the various observations on the spatial practices of Congolese immigrants in

places such as the Sunnyfair complex, Barclay Square, the '243', the space of 'the Mall', residential spaces and street life.

Sunnyside has occupied an important place spatially and socially in creating spatial practices by Congolese immigrants. It is located in the central business district (CBD) in the southeastern part of Tshwane and is close to Arcadia, where many diplomatic missions are firmly established. Many Congolese immigrants' residences and businesses are located and operated there.

Congolese immigrants in the area perform many socio-economic activities and have created dense business networks there. These networks are premised on semi-formal and informal trade, including hairdressing, tailoring, informal remittance services, shops, restaurants, entertainment premises, churches, and residence services.

In referring to the notion of the reproduction of habitus as playing a key role in the alteration of the landscape of Tshwane, it needs to be repeated that the spatial practices of Congolese immigrants are reproduced in this area through habitus in several interactions with the life of the city. For Bourdieu (1990:87), *habitus* is

a kind of transforming machine that leads us to reproduce the social conditions of our production...in such a way that one cannot move simply and mechanically from knowledge of the conditions of production to knowledge of the products.

5.4. The Sunnyfair building

The Sunnyfair apartment building, which is located at 221 Robert Sobukwe Street, is one of over 100 blocks built in Sunnyside in the 1960s at the height of apartheid, to provide residential space for the white inhabitants of Sunnyside at the time (Donaldson, Jürgens & Bahr 2003). Conceived as a residential space, the Sunnyfair building has been transformed into a business place attracting many users (see Figure 5.1). Congolese immigrants are among the dominant users of this complex through the establishment and provision of several socioeconomic activities and services. The Sunnyfair building has been transformed into a multi-use complex that is a key site of Congolese life, serving Congolese economic and cultural needs. It is thus a core space in revealing the interconnectedness between spatial practices and the representational spaces of Congolese businesses.



Figure 5.1: The Sunnyfair building on Robert Sobukwe Street, Tshwane (Captured by the researcher, 10 November 2021)

The inscription of the everyday life of the Democratic Republic of the Congo (DRC) into the space of the Sunnyfair building is expressed particularly at the entrance to the building through the advertisements for different services displayed there (Figure 5.2). Some notices are in French and speak to the activities of everyday life in the cities and towns of the DRC.



Figure 5.2: Advertisements of Congolese businesses at the entrance to Sunnyfair (Captured by the researcher, 20 October 2020)

5.5. Remittances and freight companies around Sunnyside

During the days of his visit to the Sunnyfair building in Sunnyside in October 2020, the researcher observed three remittance agencies where Congolese immigrants were coming to collect money or to transfer money to the DRC or other countries. The business of remittances

is prominent at the Sunnyfair building and around Sunnyside. These businesses embed the DRC into the urban fabric of Tshwane, creating an interconnected space through remittances. As an informal system, remittance businesses in Sunnyfair are rooted in social networks circulating between Tshwane and Kinshasa, and Tshwane and other Congolese towns. Congolese remittance companies are assisting immigrants to send money back home to many cities in the DRC where, for instance, international banking companies have not established businesses. Congolese immigrants thus use Congolese remittance agencies to send money home directly to their hometowns of origin and support their relatives and friends without encountering complications or restrictions.

Compared with other international remittance companies, Congolese ones have few requirements for sending or receiving money. For instance, no proof of residence or legal document is requested for receiving money, while international companies always need such information. This is an instance of re-organisation, in this case, of a business model, which ensures that Congolese immigrants are not undergoing the same pressures or demands that they would face if using other international agencies. It is also an example of the creation of social networks to make daily life in Tshwane more tolerable.

Congolese freight companies send and receive various products or items in either direction. Several goods, including clothes, shoes, bags, furniture, home appliances, and electronic devices (smart television and computers), are sent to Congo. From Congo, these companies mainly export Congolese foods (like dry fish and beans), medicinal plants, clothing materials and beauty products to South Africa.

These freight companies have their sister companies in the DRC. They can collect items from RSA to send to DRC, and in return, their sister companies order items from the DRC and export them to RSA. The transactions are based on mutual trust between the senders and the service providers who connect with transport companies to ensure that the businesses run properly. Individuals can also act as agents who collect customer items and hand them to travellers, who will deliver them to their destination.

This practice, too, is based on social capital in the sense that the companies can deliver products or items directly to the senders' hometowns. Although there are several international freight companies in Tshwane, Congolese immigrants are seen using the Congolese freight companies to get access to these specialised and convenient services based on the mutual trust that develops between the parties.

Both the remittance and the freight companies make use of and, in part, create the Congolese immigrants' social networks in Tshwane. Their operations are conducted based mainly on the social capital they accumulate through the networks they use– and play a prominent role in developing – by operating from Tshwane. Similar practices can be found Congolese diasporic communities in Europe (Sumata & Cohen 2018). The application of social capital at this level has the impact of attracting Congolese immigrants to use those companies rather than other institutions such as banks or other international remittance companies. In other words, a kind of non-official partnership is produced that is based on social capital to sustain services; and that ties together Congolese agencies and their customers through a social capital contract based on transactions that take place daily. Thus, a new kind of social partnership has emerged that boosts and supports mutual trust and permits businesses to be profitable for both the provider and the customer in the community. In this practice, providers and customers resemble shareholders with mutual benefits. Compared to traditional banks, informal Congolese remittance services do not require multiple documents like proof of address, a certified bank statement and the legal status of the sender. However, in the case of receiving, the receiver does have to produce proof of their identity.

5.6. Hairdressing

Many Congolese hair salons exist in Tshwane, particularly around the Sunnyside area. In the Sunnyfair building is a Congolese hair salon where many Congolese individuals work with immigrants from other countries. The installation of this hair salon in the complex indicates the extent to which the space has been transformed, for economic purposes, from that initially conceived.

There are many other hair salons around Sunnyside where Congolese immigrants work either among themselves or alongside hairdressers and barbers of different nationalities. These salons are unisex, with females and males conducting the hairdressing business together. The course of the hairdressing activities contributes to the production of the urban space through the spatial practices of Congolese immigrants who interact with other users of the Sunnyfair building or other residents in their everyday life.

Some examples of working in hair salons were captured photographically as part of the fieldwork for this research study. Figure 5.3. shows male and female Congolese immigrants involved in these activities.



Figure 5.3: Male and female Congolese immigrants at two hair salons in Sunnyside (Captured by the researcher, 20 October 2020)

The interactions between the hairdressers and their customers contribute to establishing a dense social network that also involves selling many hair products other than those used during a particular hair treatment. This demonstrates that the urban space is socially built based on the diverse interactions in the salons. The social networks that Congolese immigrants make around these activities are manifested through the mixture of male and female hairdressers and clients and the use of various Congolese languages in the salon space.

The salons embody a social dimension and social meaning and gather the community around topics other than hairdressing. Mutual trust develops between the hairdressers or barbers working together. Costs are cut by renting a shop together or renting a working space based on the hairdresser's or barber's daily profit. These practices of renting space together as associates or charging/paying a daily rental tend to work based on the social capital established through verbal contracts. The observations of this researcher also revealed the impact of interpersonal bonding on social networks, in the sense that most of the hairdressers or barbers in these salons have their personal customers. No one is allowed to cut the hair of someone else's customer unless a mutual agreement is reached between those operating in the same salon. Customers also wait for their favourite hairdresser or barber even though other hairdressers and barbers were free in the same salon. Mutual trust is developed through these activities.

All these aspects demonstrate a social link between the hairdresser or barber and their customer, saying that everyday life in the salons constitutes a pivotal moment in people's lives. Through the routines of the interactions between hairdressers and customers around Sunnyside, Congolese salons become spaces serving as gathering points from which social networks

emerge and contribute to income generation. Here, customers find themselves in a space where they can practice Congolese habitus via the languages they speak and their hairstyles.

Based on these social ties between customers and barbers or hairdressers, most Congolese customers will not go to salons other than those run by Congolese. Congolese immigrants reorganise their lives by creating economic opportunities based on their belonging to Congo as a country of origin and a source of cultural values.

5.7. Traditional healing suppliers

Some of the Congolese shops in the Sunnyfair building are involved in trading traditional healing products commonly used in Congo, including dried roots and medicinal plants. The collective knowledge about the use of these indigenous plants is embodied in Congolese traditions and customs (culture). The practice of traditional healing based on medicinal plants protects users against having to request further explanations regarding medicine use in South Africa, for the main reason that they have been exposed to and have faith in its curative properties since the Congo, their country of origin. Figure 5.4 illustrates the trading of Congolese indigenous plants as a moment of traditional healing in Congolese social networks. It captures the trading of indigenous Congolese medicinal plants by those Congolese immigrants who already know about the curative capacity of such plants. This service is a sign of the creation of Congolese space as medicinal plants are culturally accepted in Congolese tradition and allows Congolese immigrants to reinforce their ties with their origins. Moreover, medicinal plants such as these are affordable for many Congolese immigrants who cannot afford to purchase medicines in pharmacies or are overcome by restrictions making it impossible for them to gain access to the public healthcare systems.



Figure 5.4: Indigenous medicinal plants sold at one of the Congolese shops in Sunnyfair (Captured by the researcher, 23 October 2020)

5.8. Churches in the Sunnyfair Building

Some churches have organised themselves within the Sunnyfair building (Figure 5.5), where their gatherings and other activities contribute to meeting the devotional needs of Congolese immigrants in Tshwane. Churchgoers have transformed some rooms into devotional environments where they gather for services.



Figure 5.5: Advertisement for a two-day church conference at the entrance to the Sunnyfair building, 221 Robert Sobukwe Street (Captured by the researcher, 20 October 2020)

Attending church becomes a moment of space production in the sense that rooms at the Sunnyfair complex are transformed for devotional purposes and allow the gathering of Congolese worshipers according to their affiliations. Such gatherings have contributed to the emergence of social networks that have transformed the landscape of areas where Congolese immigrant churches are operating. Such gatherings give new meaning to these rooms built for residential purposes. Churchgoers who attend the services of their respective churches create a social space where they encounter and interact with other Congolese immigrants sharing their beliefs. They are several Congolese churches around Tshwane that contribute to the development of a social space reproducing Congolese identity. This aspect will be discussed in more detail later in this chapter, in the section dealing with associational life.

5.9. Beauty products

Some of the Congolese shops in the Sunnyfair complex sell cosmetics consisting, in the main, of body lotions containing hydroquinone and made in the DRC for customers wanting to bleach their skin (see Figure 5.6). These products are found in other Congolese shops around Sunnyside as well. As bleaching products with hydroquinone are associated with negative health effects, their manufacture is under severe restriction in South Africa, and their sale is permitted only in pharmacies and under medical prescription, as recommended by the regulations summarised in a study on bleaching skin conducted by Seedat (2019). In Congolese shops, customers do not need a medical prescription to purchase lotions with hydroquinone. This practice is interpreted as a way of re-organising the space permitted for Congolese immigrants by resisting the official regulations that indicate, for instance, that customers (patients) need some form of professional authorisation to buy certain products. It is both difficult and costly to obtain a medical certificate to obtain products with hydroquinone in South Africa. This motivates an informal industry in the product since it is obtainable in DRC at an affordable price. Social networks between Tshwane and DRC sustain the practice of acquiring the products in DRC and having them delivered to South Africa.

The trading occurring within Congolese shops is a crucial moment observed as representative of the spatial practices of reproducing a Congolese space in Tshwane. The nature of the products involved in those activities creates a social network through which Congolese immigrants navigate the city to get the items they need. During those activities or transactions, the vendors and sellers engage in various conversations covering many topics. Most of the conversations are conducted in one of the four national languages of the DRC – Kikongo, Lingala, Swahili and

Tshiluba – or in French. (Only a few conversations were carried out in English). Congolese shops play a key role in centralising Congolese immigrants’ trading activities.



**Figure 5.6: Congolese shop selling cosmetics and items of foodstuff from Congo in Sunnyfair
(Captured by the researcher, 19 October 2020)**

5.10. Food shops

Sunnyfair complex reveals the further inscription of Congolese identity through the establishment of several food shops by Congolese small business owners within its premises. Originally intended for residential use, these shops have been transformed into economic opportunities. The trading of Congolese foodstuff is illustrated in Figure 5.7. Congolese food shops are also found in many streets throughout Sunnyside.

This is to help our brothers and sisters who eat the food from Congo. (Informant 201019-1223)



**Figure 5.7: Congolese foodstuff shop in the Sunnyfair building
(Captured by the researcher, 20 October 2020)**

Congolese immigrants are attached to foodstuff from the DRC. In this study, cultural attachment to Congolese foodstuff is read as a reproduction of Congolese habitus linked to food habits in Tshwane. During this study, informants confirmed that they often ate Congolese foodstuff during socialising and when with their families. Congolese immigrants reproduce the Congolese space by eating Congolese food and practising Congolese culinary habits and skills, where the relational dimension is becoming visible around a cultural network. One informant emphasised the fact that he is in the trading sector in Tshwane to support the Congolese cultural diet, and to keep Congolese immigrants connected to their origins:

When displayed in the shops, Congolese food items are often labelled using one of the Congolese national languages. The sale items include dried mushrooms (*'mayebo'* in Lingala) and dried caterpillar (*'mbizo'* in Lingala). (See Figure 5.8 for a close-up view of some products.)

The practices of transforming shops by stocking products Congolese people prefer show immigrants' ties to their diet habitus. The trading of Congolese items in shops is an expression of the development of spatial practices related to the re-appropriation of the space that is Tshwane. The transformation and the re-organisation of the urban spaces to accommodate Congolese gastronomic needs in Tshwane shows us that, unsurprisingly, the activities involved are also linked to developing Congolese identity within a foreign country. The spaces the vendors have created have special meaning for them, most of all because they are their means of defiantly generating an income in the face of a severe lack of formal opportunities facing

Congolese immigrants. Further, the food stores in the Sunnyfair building represent a place from which to reconnect with their country of origin through its cultures, foods, languages and values. Finally, they constitute a consistent Congolese representational space in Tshwane because various experiences are generated there daily, between Congolese vendors and customers.



**Figure 5.8: Labelling of Congolese items in Lingalaat, one of the Congolese foodstuff shops in Sunnyfair
(Captured by the researcher, 23 October 2020)**

As for tactics, Congolese people in Tshwane develop the habitus linked through their daily diet by reproducing Congolese menus. The following were typical statements made regarding the Congolese diet people favoured:

per week, I eat chicken twice; I eat pondu, ndakala, makayabu (Informant 201019-1136)

I cook cassava, cassava leaves, I cook fumbwa (wild Congolese spinach (gnetum africanum)), I cook ndakakala (small, dried fish), I cook a lot of Congolese food. I cook a lot of things from Congo...yeah, if I have a party in my house, and I invite Congolese, almost all of the time, I cook pap, I cook fumbwa, pondu (cassava leaves), I cook like carapau thomson (mackerel), and hard chicken because Congolese they like hard...They like hard chicken because they said that the hard

chicken is a chicken that grows normally, it is not like that one the braai pack, because they said, they make the braai pack chicken grow in one day, in a minute (Informant 201018-160342).

The statements above refer to many Congolese food items viewed by the researcher during visits to Congolese shops and attendance at Congolese parties and other gatherings, where cassava leaves and *fumbwa* were among the regular vegetables served. In the process of discussing their daily dietary habits, some informants clearly expressed a fear of, or a resistance to, eating South African foodstuff:

This is our food...The chickens here, they inject that, we are only afraid to eat that (Informant 201019-1223).

...because Congolese they like hard...chicken because they said that the hard chicken is a chicken that grows normally, it is not like that one the braai pack, because they said, they make the braai pack chicken grow in one day, in a minute (Informant 201018-160342)

The choice of vegetables favoured by informants was also influenced, in part, by the fear of eating vegetables produced locally. This anxiety was based on the assertion that South African farmers used chemicals in growing crops. In contrast, Congolese vegetables found in shops or restaurants had been grown without synthetic chemicals. The practice of resisting the consumption of local foodstuff shows that Congolese immigrants re-organise their diet by reproducing a Congolese space of food consumption they see as a healthy space.

The attachment to Congolese foodstuff thus expresses resistance to local foodstuff consumption and the desire to re-appropriate the space people inhabit. This is achieved by dispatching food along and among the immigrants' social networks; and by eating Congolese food and expressing their attachment to their cultural identity at any cost. This was expressed by a participant, who highlighted that

those Congolese cultures are very expensive here, we are just trying our best to get it, because it is very expensive. (Informant 201018-160342)

The foodstuff moving through these networks consists primarily of dried produce, which is easier to conserve than fresh produce requiring rapid transportation or storage through refrigeration. This dried foodstuff can be understood as a tactical way of cutting down the costs of obtaining Congolese food. All these spatial and economic practices allow Congolese immigrants in Gauteng to remain attached to their cultural diets.

Similar findings in a different context were provided by Yilmaz (2013), who described a similar attachment to food from the country of origin in Turkish restaurants operating in Germany and serving Turkish dishes daily.

To summarise: In the city of Tshwane in South Africa, Congolese immigrants have developed social networks through which they have re-appropriated and reorganised urban spaces related to local food consumption. Such activities have contributed to re-organising the urban spaces they inhabit. They implied that, along with the space of the city, Congolese immigrants have created, gathered and used the networks they have established. Spatial practices around their attachment to Congolese foodstuff indicate such influences on the lived space of Congolese immigrants, who have been involved socially or spatially in reproducing the Congolese diet habitus.

5.11. Social space for recreational purposes

Congolese immigrants produce social space for their entertainment. This social space includes ‘243’ and ‘*the Mall*’, two places where Congolese immigrants meet and interact with other city residents.

5.11.1. *The ‘243’*

At the Nanro Court building at 84 Troye Street, Sunnyside is a bar Congolese immigrants nicknamed the ‘243’ and use to socialise (Figure 5.9). The nickname ‘243’ refers to the international dialling code for the DRC. This is a lively space, with many benches in front of the bar for individuals to sit and socialise. Typically, topics of discussion cover politics, culture, music, and sports. The patrons interact in small groups and with the other bar users. Such interactions have produced a rich social space for recreational purposes. The bar is also called ‘*10-ième Rue*’ (10th Street) by a specific group of Congolese immigrants frequenting it. This refers to 10-ième Rue in Kinshasa, which is well known as a stronghold street for the political militants of the *Union pour la Démocratie et le Progrès Social* (Union for Democracy and Social Progress) (UDPS). This space thus also carries a socio-political meaning for some of the Congolese immigrants who socialise there.



Figure 5.9: The social meeting place known as ‘243’ or ‘10-ième Rue’ (Captured by the researcher, 20 October 2021)

Through the names they have given this bar and its adjoining spaces, Congolese immigrants connect, in their imagery, with the city most of them lived in before coming to South Africa. Typically, topics of discussion cover politics, culture, music and sports. Political talk among Congolese immigrants at ‘243’ often turns to assessments of the governance of the DRC by the regime presently installed there following the outcomes of the 2018 elections. Opinions are divided into two groups. Members of the first group support the regime based on the current president, Tshisekedi Tshilombo, whom they defend as someone who has a national belonging. This group justifies any action by the DRC government by insisting on national identity rather than the quality of performance or governance. Alongside this first group is a second group consisting of Congolese immigrants who criticise the current regime for bad governance, lack of service delivery among the population, the persistence of insecurity in the eastern part of the DRC and the corruption among officials in public institutions. This group displays deep dissatisfaction and disillusionment in response to the bad governance recorded in all sectors of life in the DRC after the installation of the representatives elected in 2018. For this group, not a single electoral promise has been kept in the DRC since that election. Its members’ main fear is that of the balkanisation of the DRC. The group is looking forward to the next elections to apply corrective measures by registering their voices at the polls.

To sum up: For these groups of Congolese immigrants – whether they fanatically support or acerbically criticise the current governance of the DRC by its public officials – gathering at the ‘243’ is closely allied to a reinforced sense of national identity.

5.11.2. ‘The Mall’

Congolese immigrants have nicknamed the area between Celliers Street and Robert Sobukwe Street in Sunnyside and its vicinity ‘*the Mall*’. In this context, Congolese immigrants are not referring to one of the massive formal malls to be found in Tshwane. The immigrants’ nickname for this area simply gives particular meaning to a space used for recreational purposes and discussions on various topics of interest to them.

Restaurants at ‘the Mall’

Some activities at ‘*the Mall*’ feature two Congolese restaurants and a tavern where people gather for entertainment. These three establishments specialise in serving foods from a Congolese menu (Figure 5.10).

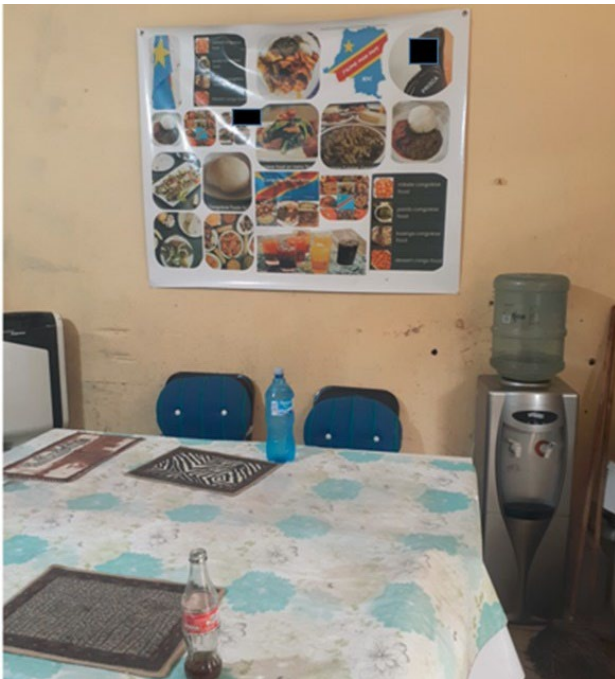


Figure 5.10: A Congolese restaurant displaying menus for Congolese food in Sunnyside (Captured by the researcher, 13 December 2021)

The eating establishments thus produce a social space attracting many Congolese immigrants. At the restaurant depicted in Figure 5.10, people stand outside while they are gathering and then sit in the restaurant. The restaurant depicted in Figure 5-10 has a television showing Congolese programmes.

At the same time, social life at *'the Mall'* is not limited to such establishments or the consumption of Congolese food sold. Congolese people often gather in small groups at *'the Mall'* based on their linguistic affinities, as perceived from their conversations. The researcher observed that the discussions of Congolese immigrants covered various topics linked directly to the DRC, including politics, religion and culture (music and sports).

As with *'243'*, the recreational activities occurring in and at *'the Mall'* are considered to be the expression of Congolese immigrants' desire to re-appropriate the Sunnyside space to meet their recreational needs. As explored by De Certeau in a different context (2021), being at a site of this kind and moving within it can be read as a spatial practice by immigrants aiming to re-appropriate the space of the city.

Like *'243'*, *'the Mall'* constitutes a representational space through which Congolese immigrants have produced new meaning and signification connecting them to their country of origin. In this space, they consume and share Congolese news and express their social identity by participating in activities related to the same cultural values. The spatial practices observed by the researcher during the fieldwork at the gatherings in this area, reveal the interconnectedness of the perceived space and the lived space – in the sense that the urban produced space has a meaning for Congolese immigrants and symbolises a place of Congolese identity.

Not all activities at *'the Mall'* are seen positively. One informant had the following to say:

Ahh, nothing works, nothing is good here. I will escort you somewhere; there you will see how jobless Congolese are sitting there. They don't know what to do, they are many there, you can go there...It is not far, you can go there...but people, just always go, sit there, they are not working, looking for trouble, asking for R2 or R10, picking [stealing] phones...they are creating insecurity in this area...why are they always there, if you ask the reason, why they are sitting there, why they call that place 'Mall'. Those kinds of questions, if you ask, they will tell a lot of information you are looking for, they are many Congolese. (Informant 201022160-16071)

5.11.3. *Summing up the importance of '243' and 'the Mall'*

A closer look at the two locations in Sunnyside revealed that Congolese immigrants have re-organised and re-appropriated these spaces for purposes of socialisation. The conceived space of the locations makes it clear that they were not initially planned for this purpose. These spaces were planned for residential purposes. Gathering at the two locations is a way for Congolese immigrants to interact with the city while creating networks for recreation and socialising with

people sharing the same national and ethnic identities. Both '243' and 'the Mall' have created and continue to create new meaning in the life of Congolese immigrants as inhabitants and users of the space that they reproduce by expressing Congolese identity in the Sunnyside area. Congolese immigrants' creation of meaning and a symbolic landscape in the area demonstrates the dynamics of spatial practices in altering a lived space.

5.12. Barclay Square: a centre of economic activity

Barclay Square (see figure 5.11) is located at 293 Rissik Street Sunnyside. It was built in the late 1960s (*Sunnyside News* 2001) and initially served the white population residing in Sunnyside. The first air-conditioned shopping centre in Tshwane, it was refurbished in 1996 and reopened in 1997. Barclay Square has several large shops providing services to the residents of Sunnyside. The shopping centre counts three shops owned by Congolese out of 62 shops. It has become a core site for Congolese migrants' survival through activities such as working as a security guard, washing cars, dressing hair, tailoring and dressmaking, serving in a clothing store, and operating an internet café. The centre's management employs many male Congolese immigrants for general work like loading or unloading delivery trucks. Many female Congolese work in hair salons.



**Figure 5.11: Barclay Square seen from the outside
(Captured by the researcher, 21 October 2021)**

Many jobless Congolese are also gathered at this location. They relax and carry out informal business there. Some create insecurity for other residents in the area.

5.12.1. *Car washing and car guarding*

As observed during the fieldwork, the parking garage is a key site for the production of the spatial practices of the Congolese informal economy. In the basement of the parking lot, a Congolese woman and others earn a daily livelihood by washing cars (Figure 5.12). This space was not initially planned for washing cars. The urban space was reproduced by changing the parking basement into the car wash facility. This car wash was not well equipped – workers were not wearing personal protective equipment, and there were few bottles of cleaning detergent, only some buckets for water and some cloths for drying the cars. Most of the customers were shoppers at ‘*the Mall*’. There were also several Congolese immigrants working as car guards.



**Figure 5.12: A female Congolese immigrant working at the informal car wash in the parking area at Barclay Square
(Captured by the researcher, 20 October 2021)**

5.12.2. *Internet café*

During the observation conducted at Barclay Square on Congolese immigrants' spatial practices, one Congolese internet café was identified among the shops. This internet café is open to all customers. Still, these include many Congolese immigrants who come to obtain services s reading news from the DRC. This constitutes a social space where Congolese immigrants gather

to communicate with their families and friend via the Internet. This space helps them to keep in touch with their country of origin and to meet other Congolese immigrants using the services.

5.12.3. Tailoring and dressmaking

Several other activities in which Congolese immigrants are involved involve tailoring, dressmaking, and trading in Congolese cloth and finished clothing. Figure 5.13 shows a shop owned by a Congolese woman, which is frequented mainly by customers who are Congolese immigrants.



Figure 5.13: Congolese shop at Barclay Square selling Congolese cloth and clothes in the Congolese style

(Captured by the researcher, 20 October 2020)

The selling of Congolese clothing materials in their shops by Congolese immigrants indicates a way of re-organising and re-appropriating the space because such materials cannot be found easily in the clothing shops in the other areas of the city. Congolese traders fill this gap by providing these materials to their customers. Congolese shops can also provide the customer with additional information on a tailor who could assist with the cutting and sewing. Such information is not available in the clothing shops in the formal sector in South Africa. This

implies that the practices around Congolese clothing materials are conducted within a social network organised between the vendor, the customer and the tailor.

The production of space at Barclay Square results from interactions among Congolese immigrants and other users coming to the centre for several services. Congolese immigrants reorganise the space of Barclay Square by creating economic opportunities assisting them to survive in the city. A similar appropriation and reorganisation of space can be observed in the hybrid residential/informal business spaces of the residences of Congolese immigrants in Sunnyside.

5.13. ‘Shops in the sky’: residential spaces as trading spaces

Congolese immigrants create and operate trading spaces and spaces for socialisation within their residences. This trading is described as ‘shops in the sky’ because it features business spaces improvised in residential spaces. Congolese residents in flats and houses, many of whom are women, develop trading opportunities where they are living. Spatial practices emerging through the establishment of trading networks within their homes include mainly the trading of Congolese foodstuff and sewing-related activities.

5.13.1. Foodstuff in residences

An activity this research revealed was the storage for the trading of Congolese foodstuff by Congolese immigrants in their homes. Figure 5.14 captures the foodstuff (dried fish, salty fish and palm oil) being sold to Congolese immigrants at the residence of one research participant. This shows a reproduction of diet habitus in relation to the trading of Congolese foodstuff. The activity takes place in residences, with customers coming to buy products in person or calling the vendor to deliver them. Dense business networks are thus operating at the domestic and domicile levels, based on the direct interaction between vendors and customers.



**Figure 5.14: Congolese dried fish and palm oil sold indoors at a Congolese immigrant's home in Tshwane West
(Captured by the researcher, 23 October 2020)**

5.13.2. Sewing workshops in residences

Many sewing workshops are installed in houses or flats. These workshops feature mainly sewing machines, sewing thread, an iron and an ironing board (Figure 5.15).



**Figure 5.15: Congolese immigrants' sewing workshops in two flat in Sunnyside
(Captured by the researcher, 18 October 2020)**

Within many Congolese immigrants' residences, therefore, are spaces created to run small businesses as a tactic to generate income from home. These are frequently women identified spaces during the day and the spatial practices of '*shops in the sky*' unveil the contribution of women in generating income. Activities such as trading in foodstuff or clothes-making in Congolese immigrants' residences are conducted mostly by Congolese women. The generation of income from the '*shops in the sky*' indicates that Congolese women are creative in producing extra sources of revenue to support their families. This reflects the dynamics of gender in the creation of revenue streams among Congolese immigrants. The involvement of Congolese female immigrants in these informal activities is linked primarily to the challenges immigrants face in accessing the formal labour market. The immigration regulations in South Africa present severe restrictions for non-citizens in terms of integrating into the formal labour market and push many of them to embrace informal activities (Theodore et al. 2018).

Congolese immigrants support their families through the spatial practices they develop in their residential '*shops in the sky*' and, naturally, in other residential premises, not '*in the sky*'. Such economic activities operate easily below the radar of municipal regulations and can be conducted within the social networks that inhabitants establish in the city. Operating from their domicile means that people can trade without incurring costs such as rentals or footing the bill for the additional costs that tend to accompany renting a space, such as municipal taxes and a separate and expensive supply of water and electricity. This is a form of re-appropriation or re-organisation of the urban space at the domicile level. The re-appropriation of the space is carried out by transforming the living space into a business space. These practices express people's creativity in overcoming the struggles they face in getting access to formal economic opportunities in Tshwane and unveil their re-organisation of the urban space to create a way of connecting with the city's opportunities. The spatial practices of Congolese immigrants are fundamentally linked to their lived space by generating new daily experiences of living in the city, ones in which their residences have the additional meaning as spaces for income generation. The spatial practices of Congolese immigrants are closely associated with informal activities. The lack of access to formal opportunities justifies that their residences are used and transformed to create economic opportunities. Residential spaces are thus occupied for multiple financial purposes. Such practices are linked to Congolese immigrants' social exclusion from access to formal opportunities in the city of Tshwane and have contributed to the reproduction of lived space through the social and spatial networks they have set up.

5.14. Residences as places of social interaction

Congolese immigrants use their residences to conduct various socially meaningful activities. These include parties, celebrations, and gatherings related to weddings and funerals. Gatherings in residences are based on the types of social networks Congolese immigrants create and belong to. These gatherings reinforce social bonds that are based on national and cultural identities.

5.15. Informal trade on the streets of Sunnyside

In this section, this researcher reports his findings on the spatial practices in the Sunnyside streets that Congolese immigrants develop as tactics to survive. They include trading foodstuff, the informal trading of beverages and eggs, and the mobile salon.

5.15.1. Selling Congolese food on the streets

Congolese immigrants use their creativity to reorganise and re-appropriate spaces on the streets of Sunnyside to create economic opportunities for themselves as vendors. Their creativity is expressed by selecting the selling spots they identify and work from. The services they provide are related, to a great extent, to the Congolese social networks that exist in Tshwane. The street vendors select spots where they can encounter and interact with Congolese and other consumers. Since Sunnyside is a pool of attraction for Congolese immigrants, vendors conduct careful observations along the streets to identify good selling points. This aspect of trading on the street is one aspect of Congolese creativity in reproducing spatial practices in Tshwane to create economic opportunities in parallel to the formal ones. Figure 5.16 shows an instance of one such spatial practice on the side of the road in Sunnyside, with its display of a braai stand with burning charcoal and cooking fish and, on the right, of the Congolese homemade bread called *kwanga*. The customers mainly targeted by this vendor, who (like many food sellers) is a woman, are Congolese immigrants who have grown up eating these foods. The vendor's enterprise thus reproduces the diet habitus of Congolese people living in the area. This supports the idea that the activity is run using the established social networks between customers and vendors. Congolese immigrants can be observed buying this food on the street as they move about the area seeking other services. This case of trading in Congolese foods and offering a menu not offered in formal restaurants presents a dual advantage: one for the vendor and the other for the consumer. For the vendor, the advantage is that her operations are run at a much lower expense than if she conducted them in a formal restaurant with the costs this would entail for rental, electricity and water, and so on. For the consumer, street food maintains a Congolese diet habitus at an affordable cost.



Figure 5.16: Selling of Congolese food on the street as a spatial practice, in this instance by an individual Congolese woman operating on Celliers Street, Sunnyside (Captured by the researcher, 20 October 2020)

5.15.2. *Trading in beverages*

The life street of Congolese immigrants also features informal trading in beverages (Figure 5.17). This practice indicates the transformation of the street for the creation of economic opportunities by Congolese immigrants. With unemployment levels as they are in South Africa; these vendors compete with the many street vendors of other nationalities who are involved in informal trading in Sunnyside.



Figure 5.17: Trading in soft drinks on the street by a female Congolese immigrant (Captured by the researcher, 22 October 2020)

5.15.3. *Selling eggs*

Congolese immigrants in Sunnyside are also involved in selling eggs on the streets. Figure 5.18 illustrates this practice related to the sale of uncooked eggs. From the point of view of diet habitus, eggs are a cheap source of protein and can be consumed daily, which means that they are easy products to trade and offer vendors a quick way to generate an income. Consumers walking or driving along the street can easily grab cooked or uncooked eggs for a quick, nutritious meal, avoiding long queues in large shops.



Figure 5.18: Selling eggs on Robert Sobukwe Street, Sunnyside (Captured by the researcher, 22 October 2020)

5.15.4. *Mobile hair salons*

Congolese immigrants also trade on the streets of Sunnyside by setting up mobile hair salons there. Figure 5.19 captures an example of such a mobile salon. The owner is a young Congolese immigrant whose workspace and equipment comprise a small piece of pavement, a battery, a convertor, several electrical plugs, two hair clippers, two plastic chairs, a piece of broken mirror and a few bottles of disinfectant.



**Figure 5.19: Mobile hair salon on Justice Mahomed Street, Sunnyside
(Captured by the researcher, 22 October 2020)**

This mobile salon is a place where Congolese people meet, and establish and strengthen Congolese social networks. The owner benefits from the social capital of such networks, whose members have been used to having their hair cut by a Congolese person; and who are also more comfortable expressing their wishes in one of the Congolese languages than they would be in other professional salons where only South African languages are spoken. A business such as this can be read as a way of re-organising the space in two ways to create economic opportunities. Firstly, this salon is on the street, a location not planned or sanctioned for conducting such business by the Municipality of Tshwane. Secondly, customers and their barber build social capital through their interactions. The social network built around this activity depends on the mutual trust between Congolese immigrants at the national and ethnic levels. These immigrants define their individual identity based on the groups they originate from, and all these groups define their members' key social duty as that of supporting one another in trying circumstances.

5.15.5. *Comments on informal trading by Congolese on the streets of Sunnyside*

From observations at the street layer, it is clear that Congolese immigrants' spatial practices have a social explanation – one that is linked to the generation of incomes as tactics. Running formal businesses such as restaurants, salons, shops, or workshops successfully presents several challenges. It requires, for instance, meeting a set of conditions, including much legal paperwork and having substantial financial means to support expenses and services. The reaction of the government to these activities, like demands for permits, was observed during the fieldwork. In many shops, licenses authorising trade were attached to the wall. Because most Congolese

immigrants cannot fulfil the requirements attendant on the formal way of conducting business in the city, they use their creativity to reorganise spaces of the streets to run their businesses at low cost. Beyond those spatial practices of trading small items on the street lies an explanation linked to the urban struggles of getting access to the formal labour market or to a decent job. The choice of getting involved in this informal and precarious trading activity is justified by the lack of opportunities to access formal sources of income through employment. The trading activities along the streets of Sunnyside thus constitute a tactical response to their economic situation by Congolese immigrants in the space of Tshwane.

In general, Congolese immigrants in South Africa experience limitations on or exclusion from access to formal economic opportunities through employment. These limitations or outright exclusion push them to create other income sources to meet their needs. Although they live in Tshwane, they do not enjoy the economic opportunities the city offers because of several restrictions linked to their legal status as immigrants. Trading on the street gives vendors the option of cutting down on the operational costs of a business. In addition, the issues in finding employment caused by the restrictions of existing immigration laws are overcome because the street vendor can operate without a work permit, even if illegally. According to Tshwane's by-laws and city regulations, street vendors registered with the municipality can use and manage some trading spots to perform these activities. However, the Congolese immigrants selling on the streets of the study area at the time this research was conducted were not registered to pursue such activities. These activities were undertaken informally and were not protected under by-law regulations. The street vendors faced raids and sometimes had their goods seized by metro police services and the local government authority working to keep the streets clean. A female informant indicated the reaction of the local government to these activities taking place in the shops or on the streets of Tshwane:

They are many things, we are not stable. According to my opinion, there are many things that I could not determine. Look, like Friday, people were selling on the streets, metro police confiscate all the products that they were selling on the streets.

Researcher: *Where was it?*

Informant: *In Pretoria, everywhere, they took everything, I sent money to get dried salt fish from sisters who are selling close to our house, they took everything... You see Rel and Ret at our corner, they took everything that I put to*

those who know that place...Yes, how are we going to survive? They asked for R 5000 as fine to take back our things.

Researcher: *So, you are saying they took your things that we were selling, and the police took them?*

Informant: *Hum, if you can see the street, many people did not sell today, because I left the other phone, my child is using it for his homeworks, I could show pictures, they went with truck full of things, they entered in the garage where we store things, they took everything, we need to pay R5 000 fine to take back our things. My dried fish came in a bucket, to buy them one by one, everything has gone...we need to raise money to go and take it back. Like, I was not there, since I was not there, how are we going to go there? We need to raise even R 1000 to go and to take back our stuff, R 5 000 is too much money.*

The excerpt above summarises the challenges immigrants face in informal trading activities. As transgressors of the street space, the street vendors were exposed to being caught or chased away by Tshwane's metro police. On the other hand, their customers will move on to other street vendors to continue benefiting from these activities in terms of both time and money saved.

The informal activities undertaken by Congolese immigrants in the streets of Tshwane (in Sunnyside) are in line with those in the study conducted by Northcote (2015) on immigrants in Cape Town, which shows that trading on the street is one of the tactics in the informal sector that allows immigrants there to survive in the city despite the barriers they face in gaining access to formal employment. Trading on the streets by Congolese immigrants is therefore understood as a tactical re-appropriation of the space of the city at street level, seizing it as a locus for the development of economic activities. This translates into a form of resistance against exclusion from formal opportunities. This is similarly described by Crush, Chikanda, and Skinner (2015) who establish a link between the xenophobia attitudes that the immigrants faced in Cape Town and tactic through the development of informal activities regarding trading.

These activities are Congolese creating economic opportunities that are being developed in parallel with the formal ones conceived through the formal organisation of the city. The spatial practices they entail are a way of re-appropriating the city's space by developing parallel social networks and revealing a deep social dimension in the causes of such practices. Congolese spatial practices, as observed during the fieldwork in trading activities in shops, streets and residences, can be interpreted in line with the restrictions imposed by immigration laws and labour structures in accessing formal opportunities. By generating daily experiences of living in

the city, these spatial practices are fundamentally tied to the lived space. The streets then have additional meaning, as they are not only a place to walk or move by other means but are also turned into a place of income generation and encounters between those who trade and those who buy goods and services from them. This supports the idea of trading on the streets as a set of spatial practices altering the primordial role of the street as a walking space.

These trading practices develop social networks throughout which Congolese languages resonate and dominate. These languages are key to attracting customers through their cultural identities. Applying the Lefebvrian triad reveals that trading on the streets is linked to the daily experiences influenced by the restrictions on access to economic opportunities. In developing new uses of street space for commercial purposes, these spatial practices generate lived space moments and express a way of contesting the conceived space as shaped by Tshwane by-laws on street trading. Sometimes, vendors occupy street spaces not planned for trading (Masonganye 2010, Ligthelm & Van Wyk 2004).

Trading on the streets has contributed to transforming the landscape of the streets of Tshwane. It has produced new urban uses for and appropriations of the existing space by Congolese immigrants. It demonstrates that activities have taken place spatially and that social networks have been built among Congolese immigrants to overcome the restrictions imposed by the Municipality of Tshwane in relation to the organisation of street space in that city.

5.16. Discussion of Congolese spatial practices in parts of Sunnyside, Tshwane

Shops, hair salons, residences, restaurants, gathering places, economic activities on the street and churches show that Congolese spatial practices are developed through social networks to resist the marginalisation from and restrictions on access to formal economic opportunities and participation in Tshwane. The creation and implementation of these places, activities and networks as tangible places and practices in Tshwane produce Congolese lived spaces dominated by the reproduction of Congolese habitus. Congolese immigrants reorganise and re-appropriate several spaces through these spatial practices by giving them new uses.

The inscription of Congolese habitus through activities and social networks encountered in informal trading in the city is the key feature of the settlement of Congolese transnational immigrant attitudes in Tshwane. One of the most salient aspects of the manifestation of the implementation of Congolese habitus in the creation of the space in Tshwane was that it had been grounded in the development of social capital through the construction of networks among Congolese immigrants. Social capital is defined as *'features of social organization, such as*

networks, norms, and trust, that facilitate coordination and cooperation for mutual benefit (Putnam 1993:167). Putnam conceptualises the social capital through the forms of bonding and bridging in a community. According to Putnam (2000:22), bonding is ‘*inward-looking*’, and ‘*tends to reinforce exclusive identities and homogenous groups*’. In the case of Congolese immigrants, bonding – through the creation of networks that they created in Tshwane via economic activities – is the more prevalent form of social capital that the researcher observed during the study. The spatial practices were therefore observable through the interactions Congolese immigrants conducted in the city by using their habitus, such as languages and cultural values, to reorganise and re-appropriate the spaces of Tshwane to accommodate their needs. Distinctively, the collaboration between Congolese immigrants through their networks allows them to survive and overcome the negative consequences they face owing to restrictions in employment and other formal economic opportunities. Previous studies (Cederberg 2012; Gong, Xu & Wang 2021; Ryan 2011) demonstrate that the development of social ties among immigrants plays an important role in helping them to survive in their host country by providing them with the necessary means of earning a livelihood and by keeping them connected to their origins. These insights are in line with the findings of a study conducted by Kipgen and Panda (2019: 342), which claimed that:

The migrants have formed ethnic clusters, which have turned out to be a survival strategy in a new social milieu. The social networks not only have helped migrants to deal with challenges and constraints in an alien environment but also instilled a sense of confidence in them to overcome psychological stress and isolation.

Multani (2015:63) argues that in cases where ‘*the political and economic strategies deny access to the required space, tactics creep into the system to create a resistance that tries to acquire the denied space*’. Exclusion from, or restriction on, access to formal economic opportunities due to immigration laws leads Congolese immigrants to develop tactics such as those previously mentioned; and has consequently contributed to transforming or altering the urban spaces in Tshwane based on immigrants’ basic needs. In the absence of formal economic opportunities, embracing the informal sector remains an alternative way for Congolese immigrants to connect with economic opportunities in the city; and shows that spatial practices such as these carry the aspirations of Congolese to integrate into the economic prospects of the city. Congolese immigrants’ spatial practices express the transformations that have occurred and continue to occur in the city regarding their aspirations and ambitions. Moreover, their spatial practices attest to an alteration of the formal use of the space, an alteration anchored by the creativity of developing economic opportunities through social networks using Congolese habitus. The

creativity shown in the immigrants' development of economic and psychological survival tactics and their resistance to marginalisation is not limited to that of Congolese immigrants in Tshwane. It is also witnessed and recorded in studies on many other host countries. Yilmaz, who conducted a survey of Turkish immigrants in Germany, came to the following conclusion (Yilmaz 2013:72):

Each community produces their way of doing things at home, or habitus is produced and reproduced at home. Likewise, the Turkish way of living is produced and reproduced, and this enhances the emphasis on being different from the majority. Turkish supermarkets and restaurants contribute to this hidden way of creating tactics and resistance.

Spatial practices in Sunnyside demonstrate the extent of alteration of the conceived space through the fact that Congolese immigrants have created a new landscape that has transformed the use of certain spaces in Tshwane. The repurposing of urban spaces in Sunnyside and other city areas by Congolese immigrants reveals the changes in the formal and informal use of spaces. Such changes are expressed by creating new uses and meanings for these spaces, which carry Congolese identity inscription in Tshwane. Urban spaces are produced through the interrelations between the three moments of the triad discussed earlier in this study (the conceived space, the lived space and the perceived space) and are transformed to meet Congolese's social, mental and physical needs in Tshwane.

To overcome economic challenges, the development by Congolese immigrants of social networks through the social mechanism of bonding is a factor crucial to integrating into the life of Tshwane – and to surviving hardship. In the case of creating economic opportunity, developing social trust between Congolese immigrants is fundamental to supporting the tactics observed through their spatial practices. Social trust is manifested in the interactions developed between customers and vendors or providers of services. In the transactions that make up these activities, Congolese immigrants are moving about the core spaces (shops, residences, etc.) to meet their needs for Congolese food, clothing or other services. The general trading shows the spatial practices under discussion by offering a spatial configuration of Tshwane that traces the mobility of Congolese immigrants. This is in line with what Schatzki (2015:2) previously ascertained, which was that:

The bodily movements that occur when people perform the doings and sayings that compose a practice, together with the material entities that form arrangements bundled with that practice, form an objective spatial configuration.

The spatial practices of general trading, as described in the analysis presented in this chapter, motivate the mobility of vendors and customers in Tshwane. The interconnectedness of the three aspects of the triadic model in the production of space by Congolese immigrants in Tshwane is demonstrated by the fact that the creation of urban spaces is a function of the privileges and attributions of the legal status granted by immigration law concerning integration into, and enjoyment of, the formal organisation of the city. Such interconnectedness is expressed within the social networks established between the vendors and their customers. It justifies the interactions happening between Congolese immigrants in residences, on the streets, and within a variety of shopping circuits in Sunnyside. It has contributed to the repurposing of urban spaces to create and exercise economic activities. These socio-economic networks also impact the transformation of urban spaces by creating new spaces with new uses and signification for Congolese immigrants. This creativity is inspired mainly by the lack of formal economic opportunities available to Congolese immigrants and by several barriers to access to employment. As indicated in several studies (Okyere 2018, Crush *et al.* 2015, Marivate 2014). The exclusion from the formal sector made migrants develop tactics for creativity and entrepreneurship in the informal sector and precarious economic activities.

Congolese spatial practices developed in parallel with the formal economic opportunities of Tshwane rely on their creativity to overcome the challenges linked to running a formal business or getting access to the economic opportunities of Tshwane. Those challenges include, for instance, the legal conditions for opening a formal business and the operational costs of offering the services related to that business. The aspect of creativity is demonstrated through the transformation and generation of urban spaces featuring a dominance of Congolese items on the market. Through their general trading activities, Congolese immigrants develop tactics enabling them to facilitate economic opportunities for themselves in the city. These tactics and the activities linked to them are conducted spatially and have transformed the use of urban spaces within Tshwane and created dense social networks in the city by providing Congolese items and services in homogenous urban spaces with a dominance of Congolese immigrants. Those created spaces have new uses and signification for Congolese immigrants. Congolese immigrants therefore reorganise and re-appropriate urban spaces by creating shops and other trading spaces where general trading activities are dominated by Congolese items and act as a social connector. This is realised through the exploitation of social capital. Bonding as an aspect of social capital plays a key role in connecting Congolese immigrants in Tshwane around general trading. Vendors and customers build strong social networks to interact successfully and meaningfully within the city by connecting through the production of habitus, as supported by

Bourdieu (1990). These social networks operate in parallel with those of other traders, who have less impact on trading in Congolese items or providing Congolese services. Such bonding is justified by the trust that Congolese immigrants build by re-organising activities allowing them to create a social network in which they offer services that other shops, for instance, would not think of or be capable of offering.

Through the spatial practices and activities of trading and interacting around social ties and issues, Congolese immigrants reproduce a space similar to their country of origin and express their transnational identity. The spaces they create in Tshwane reflect the spatial practices of their country of origin.

5.16.1. *Employment creation by Congolese immigrants in Tshwane*

Investigation of Congolese spatial practices was undertaken through the observations of salient Congolese spatial occupations in Sunnyside. Access to the labour market by immigrants is among the pull factors in migration discourses (Dutta 2021; International Organization for Migration 2019). This section examines Congolese immigrants' spatial occupations to decipher the interconnectedness of and interrelations among the three elements of the triad in the production of urban space. Since spatial practices are constituted by the doings and the sayings (Schatzki 2015:1) of the inhabitants in a community, this study considers these aspects both by capturing the narrative of the everyday spatial occupations of Congolese immigrants in Tshwane and by reporting on the claims of a group of informants on their interactions with the life of the city. In relation to the latter, this is what four different informants had to say:

In South Africa...Congolese do security jobs, car guards in malls and shopping centres. Women are in the beauty salon. Some not, many are professors, some are in the health industry as doctors and nurses in clinics, in South Africa we create jobs. (Informant 201022-1607)

you know, there are many Congolese, you know, they work most as security, carwash jobs (laughing), you see they suffer here, very difficult. (Informant 201022-16071)

As a foreigner one has no right to work. Foreigner means security jobs, waitress, means maid. (Informant 201020-12130)

Many foreigners have their hair salon; some are selling some groceries to survive. We don't have opportunities to get a job according to our qualifications that is why we create jobs. (Informant 201021-1118)

Congolese immigrants are involved in spatial practices mainly through the informal sector and the development of activities such as car washing, hair salon work, trading in groceries and other services, and security guard services. These practices do not require people practising them to meet the many conditions imposed by the immigration laws controlling access to the formal economy of the city. Congolese immigrants, therefore, have developed these activities to create economic opportunities that overcome the restrictions of the representations of space in accessing formal employment in the city. Consequently, they have re-organised and re-appropriated existing urban spaces to create informal economic opportunities in Tshwane. This is supported by the study conducted by Crush et al. (2015), which discussed the tactics immigrants developed in Cape Town to overcome challenges linked to integration in the labour market during their settlement. Owing to their limited access to formal employment, Congolese immigrants have developed general trading as the main tactic to access economic opportunities in Tshwane. The informal economic sector is easily targeted by immigrants who use their creativity to undertake trading activities in parallel with the formal organisation of business in the city. In many cases, trading in this way is an easier way of generating an income than undertaking formal employment, which is regulated by several legal dispositions and made difficult for immigrants by onerous bureaucratic complications.

5.16.2. Reproduction of Congolese transnational identities

The development of transnational identities by immigrants in their host country is one way of observing citizenship performance through space production. Under this section (in the next paragraphs), the study looks at how Congolese immigrants build their transnational identities through the lives of the associations they create, through the cultural attachment of Congolese immigrants to aspects such as modes of communication and Congolese clothing, and through the patriotic feelings that Congolese immigrants continue to express in Tshwane. The social networks they create to support one another based on the construction of their transnational identities represent the tactics they employ to survive in Tshwane.

5.16.3. Construction of Congolese transnational identities

Speaking in terms of the Lefebvrian model of the production of the space of the city, Congolese immigrants' spatial practices, as observed in Tshwane, reproduce transnational identities through the ties that they develop with DRC, their country of origin. This refers to their use of language, food and culture, and attachment to political expressions of Congolese identity. These ties transcend the local reality of Tshwane by connecting Congolese to their country of origin and belonging.

The ties Congolese immigrants develop with the Congo they have partly left behind, and the South African city where they reside can be regarded as ambivalent. This ambivalence is identifiable among the views Congolese informants expressed during the interviews conducted for this research. The following excerpts from one of the interviews give some idea of this ambivalence as it relates to belonging and identity:

Informant 201019-093319: *It is another good question. With Congo, as I said, we want to belong in Congo, actually, our identity is Congolese, but here...at the same moment we find ourself as you have been, ehh, stuck between in the middle of something that where you don't know where you belong. South Africa does not want you, Congo doesn't give you a proper identification, so you are stuck in the middle of nowhere, so that is how I felt, although I am a Congolese citizen, but yet, I am feeling unsecured because there is not a proper documentation that, that classify me as a Congolese.*

Researcher: *So, you mean, you find...you are not in Congo; you are not in South Africa. You are just in the middle...like margarine between slices of bread.*

Informant 201019-093319: *Exactly, in two loaf [loaves], yeah, in South Africa, in the middle...Identity! Yes, there is a huge crisis coming to identity.*

This excerpt describes the challenges Congolese immigrants encounter in attempting to create their identity and belonging in Tshwane, owing to the restrictions of immigration laws. Legal status is crucial to establishing both access to services and the feeling of belonging to the national system. Congolese immigrants use their ties with their country of origin by connecting with the DRC to overcome the challenges linked to their integration into Tshwane. The transnational ties they develop with Congo contribute to their re-production of a business and a cultural environment dominated by the use of Congolese products or practices that emerge in their social networks and are fundamentally supported by the development of strong social capital among them. The establishment of the transnational identity through the creation or re-organisation of Tshwane space via their social and cultural habits contributes to the transformation of the landscape of Tshwane. The belonging to Congo plays an important role in reproducing a similar environment to their places of origin. The spatial practices of Congolese immigrants reveal the formation of transnational identities expressed in many sectors of life. This translates to their way of adapting to Tshwane by modifying its spaces to accommodate their needs. Spatial practices that Congolese immigrants develop demonstrate that they renegotiate the urban spaces of Tshwane to express their transnational identities. They socially and spatially reorganise the space in Tshwane by, for instance, populating their shops with

Congolese products and setting up churches with their religious practices and affiliations. Congolese immigrants exploit transnational ties in the sense that they are connected to Congo through its values, cultures and practices on the one hand, and, on the other hand, are attached to Tshwane in the spaces that they re-negotiate by changing that city's landscape. The analysis of spatial practices that Congolese immigrants develop in Tshwane meets the conceptualisation of the transnational identity, as developed by Vertovec (2001, 2002). A study previously conducted by Ehrkamp (2005) on Turkish immigrants in Germany similarly demonstrated how immigrants' transnational ties and practices visibly transform their current place of residence through transnational consumption, mass media, and the establishment of communal places such as mosques and teahouses (Ehrkamp 2005:346).

Similarly, the development of the transnational attachments of Congolese immigrants through their transactions and activities contributes to their transformation and re-production of the urban space. These transformations are observed in the social and cultural landscapes of Tshwane, where Congolese immigrants establish the practices of their country of origin as tactics of mutual informal assistance while inhabiting the city. This is in line with the general features of diasporas as reported in some writings, for example, that of Cohen (2008), which refers to '*(a) strong retention of group ties sustained over an extended period with respect to language, religion, endogamy and cultural norms; (b) a myth of and connection to a homeland; (c) significant levels of social exclusion in the destination societies*' (Cohen 2008, cited by Laguinday 2020:4). In the case of transnational ties, scholars illustrate how migrants develop transnational social protection based on informal mutual assistance to overcome inequalities in their host communities (Faist, Bilecen, Barglowksi & Sienkiewicz 2015). These common features of transnational identity in this study are contextualised by the development of associational lives and attachment to Congolese cultural and political identities by Congolese immigrants in their spatial practices in Tshwane.

5.16.4. Associational lives of Congolese immigrants

The organisation of cultural activities is a key aspect in understanding the space production by Congolese immigrants within their community. The first trend isolated by the research findings refers to participants who express their profound disappointment with the poor quality of associational lives among Congolese people living in Tshwane. Key moments of this disappointment were expressed by informants who could not easily identify or name the Congolese associations in Pretoria. This is the case for informant 201018-160342, who simply said: '*No, I don't know any.*'

Another informant stressed the lack of associational lives that might bring unity among the Congolese immigrants in Tshwane:

Community is not united; in all cases, Congolese community is the last which is lacking in unity among all the communities which are in this town. Everything is bad, so, there is no unity, there is no unity, so nothing good in our community.
(Informant 201020-1516)

Such lack of unity among Congolese immigrants was also supported by the claims made by informant 201023-1414, who said that ‘*We do not have any associations, apart from the Bacongo, who have an association.*’ This *Bacongo* association is based on ethnic affiliation, and its members are originally from the old province named *Bas Congo* in the southwestern part of the DRC. Members who belong to this association share Kikongo as a common language. They are organised as a social and cultural entity to support each other during funerals or other events such as weddings. They gather and contribute financially monthly to run their organisation. Congolese immigrants in Tshwane do not have strong or formal organisational lives unifying them around a common ideal as Congolese nationals. The few Congolese organisations found in Tshwane are mostly culturally or ethnically orientated and are not working towards integrating Congolese immigrants at the level of national identity. When this research was conducted, the Covid-19 restrictions made it impossible to observe and assess those claims in practice.

Congolese immigrants in Tshwane organise some collective actions within the city of Tshwane. This is the experience shared by Informant 201019-1136, who confirmed that:

Oftentimes, I participate when there is something I do, but when I have the baby it stops me.

In the case of this informant, her experiences confirm her participation in associational life, but she is limited by familial responsibilities relating to taking care of the children. This aspect also highlights an important aspect of gendered Congolese life in the city. Women might have less access to associational life in the city because of their family responsibilities.

Funerals occurring within the Congolese immigrant community also point to moments of mutual social support of the members who are gathering on such occasions. For instance, one informant specified his way of participating in funerals by stating:

Yes and no. Yes, I do financially when there is the funeral, I do contribute. No, I don't, especially when Congolese gather in our embassy to support politicians.
(Informant 202021-1118)

According to another informant speaking on the matter of social cohesion among Congolese in Tshwane, Congolese immigrants in Tshwane gather for discussions on several occasions related to Congolese national concerns:

It is the Congolese community that is here in Sunnyside, it is a body that is in Sunnyside. When we meet there, we talk about our country and see what we can do in this country so that we can get into our country. (Informant 201023-1242)

This informant mentioned the political discussions they regularly have with other Congolese living in Tshwane. This does not refer to any particular situation. The discussions on various political situations in Congo depict Congolese immigrants' attachment to their country of origin and their desire to return there.

The experiences described above indicate how Congolese immigrants built social cohesion by establishing a Congolese social network where they share their common cultural identity. They create new social spaces where Congolese gather to express their national identity. In the following section, the researcher discusses further cultural activities as spatial practices associated with the lived space of Congolese immigrants in Tshwane by examining the churches they have organised there.

5.16.5. *The associational life of churches*

The presence of Congolese churches as spatial practices in Tshwane contributes to creating the associational life of Congolese immigrants and provides church members with social security. Through their activities, these churches have transformed the landscape of Tshwane by developing a social network through which Congolese immigrants interact socially and protect one another against the struggles of urban life. The criteria for belonging to those churches are rooted in national identity and ethnicity, expressed partly by using Congolese languages during church services. Because of being a minority in the city, Congolese immigrants need to reinforce their social security by belonging to associational groups in which social identity through nationality or ethnicity plays an essential role in gaining mutual support in the face of the hostilities that might occur in the city.

Attending Congolese churches indicates one aspect of spatial practices that Congolese immigrants have developed in Tshwane. Figure 5.20 illustrates a particular group of Congolese attending a Congolese church. Informants for this study indicated that they attended the Congolese churches they organised for their community. Congolese immigrants who organise services conducted in Congolese languages mentioned the production of the space as a relational one. Some of them confirmed such attendance practices by attesting that:

Like we are going to Congolese church...we use Congolese languages.
(Informant 201018-160342)

It is a Congolese Church, not a South African Church. (Informant 201023-1414)
by the way, I pray in a Congolese Church. (Informant 201019-150957)

We preach in French; we have an interpreter in [to] English. (Informant 201019-150957)

Congolese churches around Tshwane offer services that feature mainly Congolese languages and serve as a gathering structure for Congolese immigrants who express themselves by praying in their languages in the social networks they created through church activities. Regarding social networking, some Congolese immigrants remain attached to their religious practices; such practices permit them to produce a Congolese space where several interactions are happening. The first is that of a social phenomenon on expressing a sense of identification with Congolese spiritual values. The second is that of expressing one's social identity by dressing in Congolese attire. This spatial practice reveals the cultural attachment of Congolese immigrants to their clothing habitus. The gathering in the church mentioned above demonstrated the reproduction of a social network in which the Congolese habitus could be noted through the clothing people wore. The third is that this spatial practice influences the lived space of Congolese immigrants by creating a landscape in which they gather based on their devotional practices, convictions and the cultural identity they express through their clothing and the languages they use during the services.



**Figure 5.20: Attending church services in Johannes Ramokhoase Street
(Captured by the researcher, 14 March 2021)**

Regarding social networking, some Congolese immigrants remain attached to their religious practices; through such practices, they re-appropriate various spaces in Tshwane by giving them new uses and meaning. This reappropriation (through Congolese religious practices) reveals aspects of re-organisation and renegotiation of Tshwane spaces through the emergence of Congolese social networks in those spaces. Moreover, it expresses yet another form of resistance to Congolese immigrants' perceptions of their overall situation in Tshwane.

This additional aspect of the study demonstrates yet again that Congolese immigrants produce space socially and spatially. The transformation of space into a symbolic landscape by creating new spaces for devotion by Congolese immigrants is therefore interpreted as a way of re-appropriation of the space of the city. This is in line with the conclusions of Merrifield (1993: 526), who speaks of an '*impregnation with symbols and imagery*' that have '*an explicit and insidious impact in spatial practices of everyday life*' and who adds:

To this end, for Lefebvre, the symbolic landscape is fecund with myths and legends, and hence remains a formidable means of appropriating space.

Referring to the reproduction of urban spaces as spatial practices by religious groups, a study conducted by Wafer (2016) in Hillbrow in Johannesburg demonstrates the impact that religious activities have in the transformation of the landscape of the city and indicates that public spaces in this part of the city are '*saturated with the material signs of religion and spirituality*' (Wafer 2016:117). He indicates that public spaces like old offices, synagogues and shops are re-organised or re-appropriated by religious groups for their devotional activities and to accommodate their spiritual needs. These religious groups operate by developing a social network in which the criteria for belonging relate to national and ethnic identities. They provide social security for their members, who have created an associational life precisely to overcome urban challenges. This is also the case in a study conducted by Winkler (2008), which supports the notion that '*faith groups structured around national identity and language are closest to Hillbrow's foreign nationals and asylum-seekers, as the state provides little if any, support to either of these groups*' (Winkler 2008:2112). Residents of the city, in this case, embrace religious affiliations as an alternative to fulfil the vacuum created by the lack of social security from the nation-state (Winkler 2008).

The findings of previous studies conducted on the proliferation of religious groups in South African cities show that these spatial practices are among the survival tactics to integrate the society (Watson & Frassinelli 2013). The proliferation of churches in urban settings in the context of South Africa is linked to its historical heritage. According to Wafer (2016:118–119),

The presence of a diversity of church and religious groups in the contemporary post-apartheid city is understood variously as the decline (and/or possible re-emergence) of civil-society activism; increasing anxiety and insecurity associated with transience, precarity, and migration; and the decline of state institutions as the organising principle of the everyday life of the city.

Landau (2009) underlines the importance of religion among several immigrant groups in shaping their associational life as a tactical response with less political engagement. His study supports the view that the religious groups in Johannesburg, through belonging to the social networks, should be described as tactics for overcoming immigrants' challenges. Belonging to religious affiliations fills a gap by offering a shield of social security in the face of the hardship of urban struggles. A tactical response to living in the city, the religious groups give shape to a form of belonging for immigrants in the city. They are seen '*as spaces of albeit circumscribed associational or civic life*' (Wafer 2016:120). Wafer (2016:120), commenting on Landau's works on the role of religious affiliations in the city of Johannesburg, supports the notion that religious groups '*allow a form of belonging without investing in the broader political and social life of South Africa, maintaining (potentially lucrative) links with other places and other networks beyond the city, or at least ethnic minorities and immigrant communities within the city*'. This highlights that the practice of religion in the city contributes to the reproduction of the urban spaces socially and spatially. As such, religious affiliations result in the transformation of the city's landscape through the development of social networks that can be based on national or ethnic aspects of belonging.

5.16.6. *Dress as a cultural attachment to Congolese identity*

Congolese immigrants also share their daily experiences by expressing their cultural identity through Congolese clothing. One informant said

If it is a traditional wedding, they are wearing African attires from Congo, but if it is like a wedding, I can say church wedding, white wedding, they are wearing normal.

(Informant 201018-160342)

The attachment to cultural attire is linked to the expression of identity (Özdil 2021). This form of dress among the Congolese in Tshwane clearly distinguishes its bearers as belonging to a particular cultural identity. That is to say, the spatial practices observed in this research section are connected to the representational aspect of Congolese immigrants' spaces. Wearing Congolese dress or attire is a strong message identifying a person as a Congolese among the

residents of Tshwane. It plays a vital role in the reproduction of space in the relational dimension. Congolese dress could be interpreted as a code for gathering people with a Congolese cultural profile and could thereby also work as an evident and proud sign of outsider status. This attachment to Congolese dress can be read as tactics expressing a form of resistance (Yilmaz 2013) that Congolese immigrants have developed by reproducing the ways of dressing that align with their customs. Such use implies, as well, that Congolese immigrants have reproduced the habitus of their clothing and revealed their way of attesting to their cultural identities. The landscape created by these observations on Congolese dress has supported the Congolese network created socially and spatially in Tshwane. This demonstrates the interconnectedness between the lived space and the perceived space in the field of dress and attire that Congolese immigrants have developed in Tshwane to express their cultural identity and where they belong.

5.16.7. *Attachment to Congolese languages*

During the study, it became clear that communication among Congolese immigrants in Tshwane is used as an indicator of, and a tool for, expressing notions of belonging and cultural identity. Cultural practices among the Congolese immigrants also revealed that they speak using Congolese languages when they gather together or conduct business. The use of Congolese languages among Congolese immigrants, as observed within the social networks, is based on their creativity in trading, developing their church, or even in everyday conversation. This constitutes the communication habitus through which they gather and re-organise their spaces. Congolese languages play the role of gathering Congolese people and moments to reproduce a linguistic habitus.

Furthermore, once the researcher was identified as Congolese, conversations often shifted spontaneously to French, Lingala or Kikongo, which are Congolese languages that the researcher has mastered. Several eloquent examples are observed among Congolese immigrants listening to Congolese news or Congolese music in their working environments, for instance, hair salons. The use of Congolese languages in their network indicates a sense of belonging in the Congolese space reproduced, based on the interactions between individuals of the same cultural or ethnic background. This refers to the relational dimension of the space in a sense that language as the expression of identity is used to gather together people who can understand one or more particular languages. More precisely, some examples reported earlier in this study were the labels in Congolese languages for Congolese products and the use of Congolese languages in churches or other Congolese gatherings. These cases are referred to as tactics in communication, which are understood as the re-appropriation and participation of Congolese

immigrants in Tshwane in parallel to the official languages of the host city. Congolese immigrants as citizens contribute to developing a social network in spatial practices linked to communication in the margin of the languages initially spoken in the city. De Certeau's (1984) observation, which was developed in a different but similar context (that of colonial rule in parts of South America), is instructive in the context of this research too:

For instance, the ambiguity that subverted from within the Spanish colonizers' 'success' in imposing their own culture on the indigenous Indians is well known. Submissive, and even consenting to their subjection, the Indians nevertheless often made of the rituals, representations, and laws imposed on them something quite different from what their conquerors had in mind; they subverted them not by rejecting or altering them, but by using them concerning ends and references foreign to the system they had no choice but to accept. They were other within the very colonization that outwardly assimilated them; their use of the dominant social order deflected its power, which they lacked the means to challenge; they escaped it without leaving it. The strength of their difference lay in procedures of 'consumption.' To a lesser degree, a similar ambiguity creeps into our societies through the use made by the 'common people' of the culture disseminated and imposed by the 'elites' producing the language. (De Certeau 1984: 117)

The main idea of using Congolese languages in the context of Tshwane is therefore justified by understanding its importance in the relational dimension of the space as a container of social interactions made by the sense of belonging and as a place where their identities are expressed. Congolese immigrants reproduce communication habitus through their social networks by speaking their home languages. This plays a regulatory role in strengthening the feeling of belonging to the same origin and thus facilitates the exercise of many activities by Congolese immigrants in Tshwane.

From this researcher's observations in the field, Congolese immigrants remain much attached to events in Congo. This was explicitly observed during the fieldwork in Congolese shops and salons, which make extensive use of Congolese radio and television channels such as Radio *Télévision Nationale Congolaise* (RTNC – National Congolese Radio Television) or other media, keeping them in touch with news from the DRC. Congolese immigrants are attached to the Congo via communication and other items connecting them to their country of origin. Such attachment is illustrated in Figure 5.21, showing Congolese immigrants wearing or displaying Congolese flags in their homes.



**Figure 5.21: Congolese immigrants with Congolese flags
(Captured by the researcher, 22 October 2020)**

These tactics are similar to those in Yilmaz's (2013) findings, which showed that the media Turks had developed in Germany were considered new forms of resistance in the city where they were living. Congolese immigrants have managed their spaces similarly by communicating in Congolese languages among themselves.

5.16.8. *Social networks*

Congolese immigrants transform the landscape of Tshwane in their everyday lives by creating signs and symbols through the habitus in their social networks. They are involved in the production of representational space passively in re-organising and re-negotiating the urban spaces with new uses to meet their needs. The observations of spatial practices assist, therefore, in revealing the urban spaces produced in Congolese social networks and spatial configurations. These social networks are interpreted as expressions of Congolese creativity in resisting formal exclusion from access to the city's economic opportunities. The analysis of spatial practices assists in uprooting the invisible barriers of citizenship performance. It reveals the level of re-appropriation and re-organisation of the urban spaces and the participation of Congolese immigrants in creating their economic, cultural and social networks in Tshwane.

Perceived space and lived space overlap in the social and spatial transformation that Congolese immigrants have introduced in the area. Congolese immigrants' spatial practices carry through the development of social and economic networks in their everyday life in Tshwane. These networks, seen as spatial practices, contribute to the re-organisation and re-appropriation of the urban spaces (De Certeau 2014, Lefebvre 2006) in Tshwane, occurring in parallel with that city's formal organisation. Congolese immigrants' social networks offer a continuum from which to observe the re-organization of the urban spaces of Tshwane by Congolese inhabitants' intent on developing economic opportunities permitting them to meet their needs and live a

meaningful life in the city. Through their everyday experiences, Congolese immigrants create their meanings around using space by re-organising spaces to provide economic opportunities in the city and exploiting their social networks to run their businesses. This refers to the mutual influence between the moments of the Lefebvrian triad in the urban production of space. The interconnectedness of the three moments is attested to in this perspective. On the one hand, the representations of the space via the legal statuses have excluded or restricted Congolese immigrants from accessing and integrating into the city's economic opportunities; such exclusion or restriction is felt in the everyday experiences of Congolese immigrants.

On the other hand, developing a set of businesses has shown the dynamic of spatial practices that have contributed to the re-organization of the uses of the space by giving them new meaning and signification. This dialectical relationship creates a new meaning of the city by reproducing a Congolese landscape in the same spaces of Tshwane. Suppose immigration laws as a conceived space restricted Congolese immigrants' access to formal economic opportunities. In that case, the formation and development of socio-economic networks create means to overcome these restrictions by opening new possibilities and opportunities.

The network formations observed in the streets, shops, residences and churches during this research explained the economic circuits and opportunities that Congolese immigrants have created in Tshwane to encounter and commercialise Congolese items and be able to socialise. They are signifiers of the Congolese representation of spaces created as parallel tools to generate incomes in the face of a formal exclusion that threatens both economic survival and identity. These tactics add up to bringing Congolese immigrants together to overcome the hardships of the limitations to their integration in the life of the city and to build a social shield to resist the urban struggles of Tshwane. The development of the tactics within the Congolese networks attests to the fact that the space is socially produced to create economic opportunities and to transform Congolese immigrants' lived space experiences. By reproducing Congolese social space, social ties among Congolese immigrants play the role of what can be called '*social corridors of safety*'.

Congolese immigrants' spatial practices are tangible or observable in the social networks in which they encounter one another and interact in Tshwane. The creation of these networks becomes a source of transformation of Congolese lived spaces, with new experiences visible in people's everyday life, and are manifested socially and spatially in people's practices. Therefore, the interconnectedness of spatial practices with the lived space moments in the production of urban spaces by Congolese immigrants in Tshwane is proven. These networks

operate as tactics in reorganising and re-appropriating urban spaces aimed at reproducing economic opportunities in Tshwane and counteracting the formal restrictions and exclusions planned at the representations of the space by immigration laws.

In the next section, the researcher discusses the participation in marches organised in the city to assess the political engagement of Congolese immigrants as one aspect of citizenship performance related to the right to the city.

5.16.9. Political engagement in the city

The history of outbreaks against immigrants in South Africa has manifested for over a decade. According to Misago, Landau & Monson (2009), at least seventy immigrants were murdered during the violent xenophobic attacks in 2008. 2015 seven immigrants were murdered, although the official figure for these deaths remains inconclusive (Nicolson 2015). Congolese immigrants organised marches to express their voices in response to these xenophobic attacks. By sharing the same national values of belonging to Congo, Congolese immigrants in Tshwane organised themselves through the staging of marches to defend their national identity in case they felt threatened by certain events. The murders incensed the Congolese immigrant community. Considering themselves marginalised and victimised, Congolese inhabitants decided collectively to undertake marches to show their dissatisfaction. Demonstrations of this kind are often organised to end in front of the Congolese Embassy, located at 791 Frances Baard Street, Arcadia, Tshwane.

Participants engaged on the matter in the course of the research had the following to say:

I participated twice, on the occasion of xenophobia and that of Kabila. We were secured by the South African police. (Informant 201019-1136)

I have already participated once. One day someone was killed, and the Congolese were angry. Here, I participate in an association [called] 'Women Let's All Be United'. It was our leader who asked us to participate. Even though we are foreigners we have our rights, we cannot be killed. (Informant 201019-1136)

That is why you see people crying about xenophobia. South Africans [are] treating his fellow black badly especially if you are a foreigner. (Informant 201020-151620)

no, xenophobia is hatred. You know xenophobia by definition is hatred against other nationals. So, what they do here is notorious...The entire continent of Africa, xenophobia only exists here in South Africa. (Informant 201021-1327)

*I saw the video...but I saw my people also they die even people of other country;
I saw how they were dying. (Informant 201023-09338)*

One person described their reaction to these and other violent events in greater detail in the following way:

I am not a citizen. I am not a South African citizen, [I participate in marches] as Congolese, a Congolese who is responsible, because we have several organisations as well, we are trying to gather ourselves, to fight for our right here...Yeah, you know the combatants in Congo...We have been fighting for our country here against the regime in Congo, but, with our intelligence, we try to organise ourselves, we put in place that organisation, which is NCCD [National Congolese Community for Development]. (Informant 201020-1452)

These words suggest that at least some Congolese immigrants in Tshwane feel they are facing social strife in South Africa and the DRC. The National Congolese Community for Development (NCCD), which was started by informant 201020-1452 (quoted directly above), is a social organisation whose Congolese members work to develop the DRC. These members are connected to their country of origin through several social initiatives they wish to promote or implement. The NCCD thus points to the transnational identity of Congolese living in South Africa but still have ties with the DRC. It has been involved in organising marches in Tshwane for issues occurring in the DRC.

Error! Reference source not found. shows an informant wearing his NCCD T-shirt.



**Figure 5.22: Congolese immigrant NCCD T-shirt
(Captured by the researcher, 23 October 2020)**

The marches previously mentioned, as organised by the NCCD, were a series of political demonstrations held in Tshwane against Kabila's regime from 2016 to 2018, a period of political

turmoil in reply to the delay in holding elections in the DRC. Those demonstrations, too, took place in front of the Congolese Embassy. Congolese immigrants' political awareness and participation in marches related to the politics of the DRC can be seen as one way Congolese immigrants have of expressing their voice in relation to political issues. The following informant supported the political view among Congolese immigrants that the fate of the DRC is in the hands of politicians playing with the fate of the country:

all people are following [developments in the DRC] because people know that his [their] fate is played from there. So his fate, people realise that politicians are playing with it, his future is a joking matter in the hand of politicians, they will be aware to know those things. That is why you see that all Congolese became politicians. (Informant 201020-151620)

The participation in marches by Congolese immigrants shows one aspect of the right to the city as an ethos of engagement (Frediani *et al.* 2020). This constitutes a step in expressing the claims and the struggles linked to urban citizenship practices. Through their demonstrations, Congolese immigrants have developed a form of resistance against the official set-up, excluding them from expressing their concerns (De Certeau 2009a, 2009b). Such engagement is essential to political transformation and expresses one aspect of the right to the city. As a collective approach to expressing concerns on urban issues, participation in marches is a way of claiming certain rights in accessing the life of the city (Purcell 2014). The political life of Congolese immigrants is organised through associations like the NCCD and the use of social media groups.

Activities developed by Congolese immigrants in the urban spaces of Tshwane express their aspirations to connect with the life of the city. The emergence of social networks was established through the interactions the Congolese built in their spatial practices.

5.16.10. Political participation without Citizenship

Political participation is a vital component of citizenship. Although such participation is one of the most important dimensions of the right to the city, South Africa presents a different conceptualisation of citizenship when referring to the political participation of non-citizens. The Constitution of South Africa (1996) and other bodies of legislation at the national, provincial and local levels do not make provision for non-citizens to engage with any political matter arising in the city or the nation. Migrants, '*...including refugees and asylum seekers, cannot actively participate in formal political or electoral processes, even those that directly affect their lives and livelihoods unless they acquire South African citizenship and thereby gain a different legal status*' (Mpeiwa & Antara 2018:17). This represents a tremendous obstacle to the

active engagement of immigrants in any political activity in South Africa. There were very low levels of political participation in the local government of Tshwane, which was unsurprising as such participation was not stipulated in the Constitution, nor in local laws and policies. This means that migrants are excluded from any kind of active political participation related to the management of the city. There are few, if any, opportunities for political expression in the conceived spaces of Tshwane. Thus, without access to aggregate democracy through voting, nor the deliberative democracy of public participation processes, the political expression of migrants is limited to only a narrow channel for communicating the concerns of their daily struggles. Such exclusions were similarly demonstrated by Arrighi and Bauböck (2017), who talk of the challenges of including non-citizens in electoral systems. Under these circumstances, non-citizens cannot participate in politics at any level of public office organisation in South Africa nor make a political contribution to society. The consequence of this exclusion from political practices leads to their political marginalisation and alienation. Moreover, these limitations do not allow Congolese migrants to participate in the political transformation that could lead to more inclusive policies on immigration in South Africa.

While those with more temporary permits are completely excluded from urban governance, the voices of Congolese migrants with permanent residence permits are also not heard since there are no formal channels to express themselves or participate actively in the country's politics. There is, however, potential for non-citizens with permanent residence permits to become part of active public participation processes and to contribute to all kinds of efforts to pursue and promote human dignity and positively influence the lives of many citizens. These lost opportunities call for careful analysis to find possible ways to enhance the public participation, at the local level, of non-citizens. This research supports the view that non-citizens with permanent residence permits could make significant contributions to the city's political life. On this basis, the study questions the hegemonic and exclusionary conceptualisation of nation-state citizenship. It advocates for an urban policy, at the local level, that encourages public participation for all the city's inhabitants needs to be developed. The body of literature mentions several examples where migrants have become politically connected and exercise their full citizenship rights through public participation. There are also instances in France where migrants have participated in aggregative democracy, casting their vote in the electoral processes (Pons & Liegey 2019; Dinesen & Andersen 2022). In the Lefebvrian call for the right to the city, political participation is the major tool for the transformation of a society (or a city), because such participation provides the opportunity for all inhabitants to express their concerns and to influence the decisions of the policymakers (authorities) concerning the use of the city's

space. The major concern in this study is that Congolese migrants are not entitled to vote locally or participate legally in any active political event capable of influencing their life as citizens. This study, therefore, claims that migrants with a permanent residence permit who have chosen South Africa as their second home should, for example, be permitted to vote for their councillors and mayors in the cities of their residence precisely because these officials have the power to implement urban policies that may affect their lives positively or negatively. Furthermore, all immigrants should have opportunities to express their position in public participation processes which are safe spaces. Isin (2013:43) supports that *‘to be a citizen is to make claims to justice: to call already defined orders, practices, and statuses into question’*. Based on this statement, it is necessary to question the exclusion of migrants from political participation, despite their obvious contribution to the city.

Since the city (as a local government) implements its policies in alignment with those of national and provincial governments, any attempt to implement urban policies needs to be in accordance with national and provincial strategies. This challenges the harmonisation of urban policies with the constraints presented by national legislation. The latter stipulates, in practice, that local governments (cities) are not legally empowered to permit migrants to participate in the public management of the city, even those with permanent residence. Since cities in South Africa do not have the prerogative of determining or granting membership (legal status) to those living in them, the urban citizenship model is a long way off from becoming a reality in the life of non-citizen citizens. Suppose the space for providing in the politics of local government opens up. In that case, Congolese migrants may be able to develop civic platforms or public associations to campaign for matters that directly affect their everyday lives in the city. These civic rights are, after all, guaranteed by South Africa’s Bill of Rights and international agreements.

5.16.11. Belonging here and there

The empirical evidence of this chapter aligns with the study’s objective on the perceived space that Congolese migrants build in their everyday life, as tactics to create their belonging in the city through their use of social capital networks and the fabric of the city. Migrants express such belonging through their struggles in their host countries or cities (Anthias 2020).

Spatial practices such as those of general trading create informal economic opportunities for Congolese migrants and function as tactics that allow them to connect with many city life sectors. Belonging to the city can be expressed through how migrants develop everyday activities by re-organising and re-appropriating the urban spaces surrounding them. According to Anthias (2013), a sense of immigrant belonging is expressed through common socio-cultural,

ethnic or linguistic means, or values defining their political identities. Migrants, as members of diasporan communities, construct their identities and their sense of belonging by negotiating their citizenship across borders between their host country and their country of origin (Bauböck 2018). This happens by creating a space of social networks with origins in both countries. Migrants' interactions can be observed through the spatial practices they develop. These practices take shape through various encounters and interactions; and through the transformation of urban landscapes, which develop new uses and meanings.

The creation of social networks among migrants is associated with the conceptualisation of '*transnational social spaces*' that express '*the various forms of resources or capital of spatially mobile and immobile persons, on the one hand, and the regulations imposed by nation-states and various other opportunities and constraints, on the other*' (Faist 1998:217). The development of transnational ties or cross-border connections by migrants in the host country expresses how they create their identities and sense of belonging (Yeoh & Collins 2022). Congolese migrants inhabiting Tshwane use this sense of belonging as the main tactic in their spatial practices to overcome the challenges imposed by the immigration laws and other exclusive policies in terms of inhabiting and accessing the city and enjoying its services. The observations made regarding the migrants' general trading in the informal sector, associational life, cultural activities (such as the organisation of Congolese churches) and the use of Congolese languages constitute the core of Congolese space. Their spatial practices build and express their identity and their sense of belonging. The transnational identities that immigrants develop within their social capital networks produce new urban spaces. They reorganise the urban space by providing new uses for streets (in the form of informal trading sites); using certain buildings as places of worship or trade; giving their places of residence a second function as '*shops in the sky*'; and developing public spaces as gathering places with new meanings specific to Congolese migrants. This leads to the production of the space that supports their lives. DeCerteau (1984:98) links spatial practices to '*a process of reorganisation and redistribution*'. The ways in which Congolese immigrants reorganise space reflects their need and aspirations to participate in the life of the city from which they feel disconnected. It a means to integrating into the city's life to meet their needs, overcome urban struggles, contribute and belong. In this respect, Secor (2004:365) powerfully states that

a critical element of urban citizenship struggles—that is, contests over identity, belonging, and rights to the city—is the assertion of the right to become a producer of the city, of urban space, and of citizenship itself.

The inscription of Congolese habitus on Tshwane demonstrates the major tactics used in producing new urban spaces in the city, which come about through dense social networks and activities. Since tactical intent is used in any organisation of space

...it gains validity about time and space to bring about change in the foundational structures of power and, hence, effects a radical transformation. If the strategic model constructs the political, economic and scientific rationality, the tactic seizes opportunities, manipulates events and turns them into opportunities.
(Multani 2015:62, citing De Certeau)

Congolese migrants' activities (in general and informal trading and cultural associations) and social networks thus represent the creation of opportunities through the re-appropriation of urban spaces. The re-appropriation of urban spaces by Congolese migrants is demonstrated through establishing social networks in Tshwane. Congolese migrants exploit their national socio-cultural values to create tactics related to their identities and help them in the informal sector by creating economic opportunities. These tactics express a way of searching for recognition and belonging in the community. They develop, fundamentally, from the daily struggles and precarious conditions that migrants face as citadins; and occur as a *modus vivendi* to compensate for the lack of social protection provided through the city's formal organisation. This was clearly indicated by the Congolese associations and networks that provide migrants with support in overcoming the urban struggles they face.

These networks operate in the production of spaces where migrants strengthen their interactions to survive in the host community. The production of the space by Congolese migrants is fundamentally driven by the emergence of social capital through the development of networks allowing them to use the fabric of the city to create opportunities and economic integration through the trading of Congolese items and the social networks dominated by Congolese habitus. The social capital that Congolese migrants develop in Tshwane becomes vital in establishing their belonging in the city and contributes to securing their daily lives. Akkaymak (2016:2624) similarly demonstrates the development of social capital as a tactic among migrants by indicating how *'post-migration social networks, their labour market location, cultural capital, and habitus played the major role in shaping the nature of networks developed in the host country'*. Theodore, Blaauw, Pretorius and Schenck (2018) describe the development of social networks as tactics used among Zimbabweans settling in Tshwane and demonstrate how these networks support their lives. This is similar to the findings of this study in demonstrating the major role of social capital for Congolese migrants residing in Tshwane. Social capital running through migrant networks remains a fundamental way of surviving in South Africa

(Hlatshwayo & Wotela 2018). Therefore, Wotela and Letsiri (2015) argue that social capital networks are the key factor perpetuating immigration: their cumulative causation effect creates a corridor of safety and social protection for migrants, ensuring their settlement in the host country. The social capital networks create a membership sphere, building a sense of belonging in a space where migrants gather for self-organisation and self-management and interact through social, cultural, economic or political activities. Through these social capital networks, migrants strengthen their resilience, build their social life and promote social cohesion. From this perspective, social capital networks are linked to the reproduction of identities that provide a shield for migrants settling in the host community. Here, they acquire the information, knowledge and tactics they need to produce new spaces with new uses. Through social capital networks, migrants share common values and interests based on mutual trust, cooperating to impact and benefit the community.

These informal economic opportunities run within the social networks that migrants create and are perceived in their spatial practices. Findings on the spatial practices of Congolese migrants in Tshwane reveal that the production of space was dominantly in the informal sectors. Crush (2011:16) has recorded, for instance, that

...growth in irregular labour migration has been accompanied by growing informalisation of migrant labour employment. Before the 1990s, most labour migrants were employed in the formal sector. Since 1990, labour migrants have begun to work in the unregulated informal economy...

The informality of Congolese spatial practices in Tshwane remains a spatial process that is supported by Congolese migrants' social interactions within the city. According to Roy (2009:8), such informality is '*defined by a territorial logic of deregulation*' and refers to '*a series of transactions that connect different economies and spaces*' (Roy 2005:148). In this study, informal activities are developed based on the 'trans activities' that migrants undertake in Tshwane and Congo.

Through the spatial practices seen in the informal sectors, the process of spatial transformation may result in citadins '*deteriorating*' the intentions of initial urban planning by allocating their own uses of the spaces of the city, meaning that these uses may not be appropriate in terms of public safety or public order in the city. It also needs to be noted that using social networks to create informal economic opportunities is linked to a sense of entrepreneurship or creative skills. This creativity in generating incomes can be perceived, for example, in how the Congolese women in this study selected different items to trade in informal settings such as street food

stalls or '*shops in the sky*'. Social capital is thus a central element of successfully supporting migrants' entrepreneurship (Urban, Murimbika & Mhangami 2022) and is also key to Congolese migrants' sense of belonging to a community.

In summary, the spatial practices developed by Congolese migrants can be related to the tactics of transforming urban spaces in response to exclusion from formal opportunities in the city. Such exclusion has led the Congolese migrants to use their creativity and entrepreneurship skills to modify urban spaces, to accommodate the needs they could not meet in the formal organisation of the city.

It is additionally important to refer to the influence of associational life in the social and cultural interactions and encounters among Congolese migrants in the production of space in Tshwane. As demonstrated in the fieldwork, the associational life provides the substratum for the development of the public participation that is manifested through spatial practices. Congolese migrants with the legal status of '*non-citizens*' might usefully explore, more deeply, the fact that they are fully resident in Tshwane and the voice this may give them. There is a precedent for this, as seen in several marches in Tshwane Congolese migrants participated in expressing their concerns about certain events happening locally or back in their country of origin. These organised marches, in which Congolese migrants gathered in front of their Embassy or at the Union Buildings, are covered in Mpeiwa & Antara (2018). They are a form of resistance to the official restrictions that the immigration laws and regulations place upon Congolese migrants through the legal status of their citizenship.

The spatial practices examined during this study remain the expression of urban struggles occasioned by urban policies' restrictions on migrants' integration into or access to formal economic opportunities. The need for the socio-economic incorporation of migrants into Tshwane is expressed in the research of Theodore, Pretorius, Blaauw & Schenck (2017). The argument put forward by Isin (2013:19), that '*citizenship is enacted through not only legal but also cultural, social, economic and symbolic rights, responsibilities and identifications*', is pivotal to building a sense of belonging within a community. This sense of belonging is also expressed through socio-cultural activities and religious practices. Congolese churches in Tshwane, for instance, are involved in creating a sense of belonging to a community weekly or even daily. The findings of Jacob (2019) illustrate the creation of the sense of belonging Congolese migrants have built through their social networks in Johannesburg and Cape Town, which makes it possible for them to find relief from the weight of the urban uncertainties and the precarious existence they face owing to their non-citizen status.

The development of social networks in discourses negotiating migrants' citizenship is revealed in various ways, including, according to Schiller (2018:201):

rich descriptive literature on transnational families, hometown association, transnational politics and long-distance nationalism, status, multiple types of organizations, gender, remittance economies, religions, social security, and diasporic identities.

Depending on the context of each host country, tactics that migrants developed within their social networks, therefore, cover a wide spectrum of spatial practices moving through a variety of economic, political and cultural activities. This is similar to Caarls, Bilgili & Fransen (2021) results on the development of transnational social networks of DRC migrants in Europe. Interpreted as a form of re-appropriation of urban space, these Congolese spatial practices produce and reproduce a dense social network in Tshwane, within which a flow of transactions and movements occurs through the development of transnational identities. Congolese migrants in this study re-appropriated the city through self-organisation and self-management, with public participation making the community more resilient. Concerning the core message of the philosophy of the right to the city, the spatial practices of Congolese migrants express their daily urban struggles and their claims of, and aspirations toward, belonging in the city's formal organisation. Mutual social trust grounds these migrants' sense of belonging to a community, to the point where Congolese migrants in Tshwane have developed a self-managed community with strong transnational identities as has been observed in the different social networks bearing the inscription of Congolese habitus. Through the spatial practices they develop in everyday life, Congolese migrants express their claim to both their urban struggles and aspirations by formulating a narrative inspired by the types of urban citizenship activities that encourage all Congolese residents to explore their right to the city. The spatial practices observed in this study – particularly in the trading networks – express the gaps in citizenship performance experienced by Congolese migrants. From this point of view, these gaps may be viewed as a foundation for developing an ethos of engagement and rethinking citizenship performance for Congolese migrants at the local level. Ultimately Congolese migrants, through their associational life, might constitute a civil society capable of engaging with South African authorities and institutions to discuss immigration status, promoting their claims on inclusive urban policies and human dignity.

Such initiatives must address the Congolese community's lack of legal support in terms of their urban membership and economic integration. The Congolese migrant networks that have

emerged in Tshwane could be used as a base from which to educate Congolese migrants about their rights and to empower them collectively with sufficient information to help them engage with local government regarding inclusive policies promoting their participation in urban governance. In this context of low participation, Congolese migrants have found ways to negotiate urban citizenship as a practice in Tshwane. The next section explores the empirical findings related to this theme.

5.16.12. *Negotiating urban belonging*

The Constitution of the Republic of South Africa (1996) empowers local government to initiate legal dispositions promoting rights linked to access to services and to public participation for the inhabitants of cities. First, local government has the constitutional prerogative to manage urban space in the following way: it can reformulate inclusive urban policies for migrants by shaping their membership to allow them to claim full access to the city's services. The local government manages migrants through the conceived and lived spaces of the Tshwane. Suppose local city government is enabled to practice the prerogative of managing the daily lives of migrants, many of which are exclusionary. In that case, it also has the prerogative of designing more inclusive policies and practices. This potentially ensures a more democratic and symbiotic relationship between the urban government and Congolese migrants in the conceived and lived spaces of the city.

Second, South African cities are part of an international system of citizenship. Bauböck (2020:3) explains that citizenship as nationality

is no longer just a domestic privilege but a status in the international system. It is still particularistic in the sense of linking individuals to specific states but at the same time universal in the sense of aiming to categorise all of humanity.

Viewing cities in terms of this international system of citizenship is guided by the philosophical underpinning of the 2030 Sustainable Development Goals. Implementing such initiatives at the scale of city management could also meet calls for the implementation of inclusive cities made by the international legal framework. These calls advocate equal access to opportunities based on non-discriminatory urban citizenship practices. The exclusion of migrants in providing services is well documented in this thesis. They are also documented in several other instances. White, Blaauw and Rispel (2020) document the exclusion of migrants from free basic healthcare. Ramjathann and Keogh (2017) document the exclusion of migrants from free basic education. The recognition of Congolese migrants in Tshwane as members of the city based on their status as residents means that through access to several services, their right to participate

in the life of the city is clearly signalled. Gebhardt (2016), for example, covers a case where inclusive urban policies for migrants living in Barcelona have been implemented to provide them with access to services such as healthcare. This practice ensures the local integration of citizens as inhabitants of the city into the network of the city based on their residence.

Bauböck (2020:1) is categorical about what he sees as the enormous advantages of this approach:

Yes, cities should play a greater role in addressing global problems, such as the climate crisis or international refugee protection, where sovereign states have failed dismally precisely because their sovereignty hampers cooperative solutions...Yes, cities should determine who their citizens are independent of how states do this.

To re-think citizenship practices along the inclusive approach of urban citizenship, Bauböck (2020:84) argues that ‘*a conception of local citizenship that includes all residents and aims at equal access to public services and public goods is a powerful discursive tool in the fight against...policies of marginalization*’.

It is also worth noting that the notion of urban citizenship is by no means new: inclusive citizenship was practised previously. For example, a study by Prak (2018) covers practices in cities in Europe and other parts of the world from 1000 to 1789. Here they point out that the status of inhabitants was regulated and managed through the principle of residence. Stahl (2020) also mentions historical antecedents when he comments on the attractive qualities of the urban citizenship model as an application of local citizenship. The model, Stahl (2020: 74) argues that it,

appears to be far more inclusive and egalitarian than national citizenship. It offers the benefits of citizenship to all residents, irrespective of blood or accident of birthplace, and thus recalls the role medieval cities played as sanctuaries from the oppressive feudal societies outside their walls. It is tempting to see local citizenship as an antidote to the reactionary nationalism championed by today’s populist demagogues. (Stahl 2020:74)

The epistemological and ontological foundations of the claim to urban citizenship practices for Congolese migrants are grounded in the notion of ‘*civic equality*’ (Giugni & Grasso 2021:2). Civic equality does not cancel out the prerogatives of nation-state citizenship. Rather, it is a call to include all inhabitants and connect them to the place where their daily existence is lived (Bauböck 2020). Although the residence-based model of citizenship advocates social protection

and access to rights for all the inhabitants of the city, in practice, several limitations remain because the different legal statuses of migrant profiles do not allow for full integration into the life of the city through the local electoral system or public participation (Koning 2021). Civic equality needs to be applied mainly in the case of undocumented migrants facing absolute restriction in access to services (Hajer & Bröer 2020; Sidhu & Rossi-Sackey 2022; Swerts & Oosterlynck 2021). While the principles of civic equality serve as universal guidelines, these limitations need to be addressed locally, according to the specific context of each city. Many cases where this approach has been implemented are from wealthier cities in the north. Cities of the south may not have the resources to fulfil this call for all inhabitants practically. This means that calls for the right to the city need to be accompanied by thorough research tailoring the approach for each city based on the prevailing conditions.

The urban citizenship approach is a non-utopian call for inclusiveness. It offers a possible solution to marginalisation thanks to the long-standing engagement of inhabitants, grassroots movements and international organisations campaigning for inclusive cities by promoting human dignity and moral claims on the right to the city. Broadhead (2020) examines the practices undertaken at the local government level (six cities Bristol, Cardiff, Glasgow, Liverpool, Peterborough and London) in framing integration policies for newcomer asylum seekers) through reception centres and resettlement centres through inclusive frames that bring social change in the life of the residents and migrants. As policymakers in cities, local authorities act innovatively to implement integration programmes to fill the gap that the national government creates through immigration status and access to opportunities in the cities. His findings demonstrate that local government can contribute to building inclusive cities through its leadership and implementing urban policies that sustain the right to the city for immigrants. Tsavdaroglou and Kaika (2022) use the Lefebvrian framework to analyse the production of urban spaces by refugees living in Athens, particularly in the Exarcheia squats area. They examine the claims linked to the right to the city for refugees in the production of collective spaces, in the occupation of abandoned buildings and practices to access opportunities in the city through their interactions by engaging with the country's official policies and contesting city branding policies. This study describes the right-to-the-city tension between the investors and refugees participating in the production of urban spaces through '*self-organised housing practices*' (Tsavdaroglou & Kaika 2022:1143).

The body of literature indicates several cases of immigrant activism in claiming social justice through the creation of local solidarity movements (Squire 2018; Agustín & Jørgensen 2019).

Similarly, Cxaglar and Schiller (2018) give the case of the public participation of refugees in local solidarity movements. These local solidarities are created as a social channel of encounters and interactions of residents to fight against marginalisation and discrimination that affect local residents and immigrants. The public participation of immigrants is observed ‘*sanctuary cities*’ (Darling & Bauder 2019) or ‘*welcoming cities*’ (Watson 2019).

Gabrielli, Gsir and Zapata-Barrero (2017) argue for ‘*non-conventional and extra-parliamentary forms of migrants’ political participation, such as protests, demonstrations, sit-ins, political strikes, hunger strikes, civil disobedience and boycotts. Immigrants’ civic participation – in terms of their involvement in informal politics such as pressure groups and NGOs, and in organising lobbying activities – should be considered in the same framework*’ (Gabrielli *et al.* 2017:88). This is similar to the conceptualisation of civic engagement as previously mentioned by Ekman and Amná (2009: 291):

[c]ivic engagement refers to activities by ordinary citizens that are intended to influence circumstances in society that are of relevance to others, outside their own family and circle of close friends.

Under the lens of the framework of this study, civic participation concerns the inclusion of immigrants in the civic institutions of the receiving country and how foreign citizens become an accepted part of society in civic terms. Local policies at the city level could support this civic participation needs. These studies underscore the added benefit of this right-to-the-city approach in the broader social change that this approach brought in many sectors of their daily life.

The everyday experiences and spatial practices of Congolese migrants evoke claims linked to discrimination and express aspirations for civic equity that can be pursued through urban social justice practices that promote public participation and integration in many sectors of life. This kind of urban social justice can be achieved by promoting the recognition of each city inhabitant’s identity or urban membership, thereby allowing equal access to opportunities within the city.

According to Young (1990:47) ‘*social justice requires not the melting away of group differences, but institutions that promote the reproduction of and respect for group differences without oppression*’. Her argument can be spatialised through replanning conceived spaces through inclusive urban policies that contribute to social change. This provides an inclusive urban citizenship approach at the city level that can recognise the diversity encountered in everyday life through the interactions of individuals with different identities. Young (1990:227) supports the diversity of citizen identities in the city by proposing the following:

Different groups dwell in the city alongside one another, of necessity interacting in city spaces. If city politics is to be democratic and not dominated by the point of view of one group, it must be a politics that takes account of and provides voice for the different groups that dwell together in the city without forming a community.

The life of the city comes about through the encounters and interactions of individuals with different identities and legal statuses. This diversity sustains the idea of the promotion of social justice for all citizens in the production of space. Promoting social justice within cities was previously theorised through the notion of daily immigration struggles (Sandercock 1998), which advocates for inclusive urban policies fighting against marginalisation. Sandercock's works are important for claiming an urban agenda that focuses on planning that recognises the cultural identities of all inhabitants, including those with diverse immigrant statuses. Sandercock (1998:21) asks of marginalised citizens: 'To what communities do they belong? Who speaks for them? Who plans for them?' From the daily struggles that were recorded from the Congolese immigrants' experiences and observations, Sandercock's interrogation remains fundamental to initiate a dialogue with the immigration authorities and local government for an urban citizenship model that responds to the aspirations of building inclusive cities that will enhance their level of belonging, their integration and social participation.

Migrants' social participation in the life of the city may contribute to boosting economic opportunities and cultural diversity in the city, but this equity needs to be substantive (Lobo, Bonnerjee, Wilson, Fincher, Iveson, Leitner & Preston 2022). For example, Salin, Fagerlund, Palukka and Laaksonen (2022) describe practices supporting the integration and social participation of migrant women in Finland by providing them with training and socio-economic opportunities to enhance their quality of life. As previously mentioned, aspects related to the re-appropriation of the space of Tshwane represent Congolese migrants' expression of their aspirations of integration into the life of the city. This is in line with the conceptualisation of the philosophy of 'the right of the city', with theorists such as Marcuse (2009, 2012) demanding 'something more' in terms of social change against any exclusion or marginalisation. This claim fundamentally refers to the urban citizenship model that emphasises the integration of all citizens in the city of their residence. For Marcuse (2009), this means moving beyond 'justice planning' to 'commons planning'. He indicates that:

The common represents a whole system of property rights and production relations, not simply equality of use. It suggests a model of the desired city, which

should not be a city with only distributional equity, but one that supports the full development of human capabilities for all (Marcuse 2009:1).

Marcuse then indicates the necessity of inclusive policies at all levels (local, regional and international). While many examples of urban equity planning have emerged from cities located in the north, a key exemplar from the south is the City Statute (Federal Law Number 10.257) (Rolnik & Saule 2001) that has been implemented in Brazil (Fernandes 2007, 2010). The statute could be viewed, in the words of Maricato (2010:7), as ‘a “universal utopia”: [with] control over urban land ownership and encouragement of the democratic management of cities to guarantee the right to the city and housing for everyone’. Although there are key challenges to the statute’s implementation, and although critics argue that in the international system, the city and the principle of a local organisation are not recognised legal determiners of citizenship, the statute acknowledges the major role of the city in building everyday experiences to promote a better quality of life for all inhabitants and is considered good practice. The statute has been implemented in several cities around the world (Hayduk, Hackett & Tamashiro 2017; International Federation of the Red Cross and Red Crescent Societies 2016; Wiśniewska 2021).

In a similar vein, the International Federation of the Red Cross and Red Crescent Societies (2016) lists fifty-nine ‘*tried-and-tested in-service-provision practices*’ and thirteen ‘*smart operational enablers*’ to help various types of organisations to ‘*ensure that they have the right human, technical and financial capability to identify and address migrants’ needs*. These include:

- Migrant education information centres. This practice will assist immigrants with the relevant informant to build their resilience capacity with relevant training;
- Protection monitoring schemes as initiated in Kenya. This practice can enhance the safety of immigrants.
- Early integration program in Finland, this practice could be implemented in Tshwane to assist immigrants with relevant information and means to be integrated in the society for civic participation.
- Pathways to Employment in New Zealand and Migrant Worker Resource Centres in Asia-Pacific could inspire the local government to extend job opportunities to immigrants.

Smart operational enablers implemented by some National Societies (International Federation of Red Cross and Red Crescent Societies 2016) can also inspire the local authorities and adapt them to the context of Tshwane:

- Psychosocial Training and Support for Volunteers (Sweden) and Ready2Help Initiative (Netherlands) can assist in building the human capacity of immigrants.

In terms of the long-term integration of migrants, Podgórska-Rykała and Sroka (2021:13) argue that:

Long-term migrants should be able to take part in the public sphere also through social participation. There are countries and communities which already have some experience in this field and have managed to overcome the barriers of participation or create effective approaches.

Similarly, Schmid, Piccoli and Arrighi (2019) give examples from around the world of states that allow migrants as non-citizens to cast their vote locally or nationally, depending on the national legal framework. They refer to Spain and Bolivia where electoral laws allow non-citizens with permanent residence status to participate in local elections. In Denmark, such participation is based on the length of the residence in the country, while in Chile they participate in all elections and New Zealand, there is a one-year requirement of legal residence.

5.17. Chapter summary

This chapter was devoted to identifying and understanding Congolese immigrants' spatial practices under the theme of re-appropriation and participation. These two aspects were interpreted in terms of the renegotiation and reorganisation of the performance of citizenship by Congolese immigrants in Tshwane through the production of urban spaces dominated by the inscription of Congolese habitus through the observations made regarding spatial practices. Findings have additionally been interpreted through the lens of conceptualising the city as an 'oeuvre'. This has captured the production of urban spaces created socially and spatially from the 'cry and aspirations' of Congolese immigrants wishing and striving to manifest their performance of citizenship by integrating into the life of Tshwane through the development of tactics.

From the observations conducted on the development of Congolese immigrants' spatial practices in Tshwane throughout different layers of the city, this research reveals the inscription of everyday DRC life into the space of Tshwane. This inscription is perceived through general trading practices, cultural activities and the re-appropriation of urban spaces. Dense Congolese social networks emerged in the city in the Sunnyside area. The interactions of Congolese immigrants within such networks are key moments leading to their mobility, encounters, and development of new uses and meaning for urban spaces in Tshwane. The development of social

networks expressed their sense of belonging in the city. It emerged as tactics that Congolese immigrants used to re-organise, re-appropriate, and participate in producing urban spaces. Congolese immigrants transformed the city's landscape in some areas by reproducing their habitus through several practices. Bonding as a form of social capital emerges among Congolese immigrants who develop a market with a dominance of trading in Congolese items and other services within Congolese networks. In the economic sector, for instance, these tactics are specifically created and practised within Congolese social networks to resist and to overcome the social exclusion established by the immigration laws or the traditional conceptualisation of citizenship practices in Tshwane. The tactics identified in this thesis are manifestly perceived as creating new spaces with new uses and meanings. The creativity of Congolese immigrants triggers the spatial practices as tactics as citizens to produce or reproduce the urban spaces through a transformation of the city's landscape. Congolese immigrants' tactics to re-appropriate and to participate in the city show their emergence in parallel networks to those planned for immigrants by the formal organisation of the city. Through these spatial activities, Congolese immigrants reproduce a community based on social networks that is self-reliant and auto-managed through many everyday practices. These networks function socially and spatially as a shield to overcome the gap and limitations of integrating into and benefiting from the formal sectors of the economy of Tshwane. The spatial practices demonstrate the informality of the production of the space by Congolese immigrants by creating precarious economic opportunities. The construction of transnational identities through the ties such as general trading and cultural practices emerging in social networks contribute to expressing the re-appropriation and self-reorganisation of urban spaces in Tshwane by Congolese immigrants. This constitutes the connecting knot between the spatial practices of the Lefebvrian model on the production of urban spaces and the development of transnational identities as a tactic to integrate into the city's life.

Findings, as described throughout this chapter, were used to formulate claims on the '*cry and aspirations*' of Congolese immigrants to be included in the urban practices of Tshwane. This call was based on the philosophy of the right to the city, which advocates including all inhabitants in their city of residence networks. As inhabitants of Tshwane, Congolese immigrants aspire to appear in the networks of the city and not only in the social networks that they have developed within the context or circumstances of their marginalisation. The call to engagement for the transformation of Congolese immigrants' marginalisation in Tshwane hints at a possible world, one imagined and advocated by the proponents of the urban citizenship model.

CHAPTER SIX: DISCUSSION AND RECOMMENDATIONS

6.1. Introduction

This study aimed to explore the ways in which Congolese immigrants living in Tshwane negotiate everyday life through an application of Lefebvre's triadic understanding of the production of space. The first objective of this research was an exploration of the legal immigration framework and how this framework is articulated in the conceived spaces of the city. This question is related to whether and to what extent immigrants have access to public services, accommodation and employment. The second research pathway was related to how Congolese immigrants coped with systemic exclusion. Related to this question is the question of how the community built associational life and a sense of belonging and how these were articulated into the perceived and lived spaces of the city of Tshwane. The third question that this thesis answered is how Tshwane could be more inclusive through a right to the city approach to urban governance.

Citizenship is linked to the production of space, and the Lefebvrian perspective was used to capture the dynamic of social interactions and encounters in this production process. Applying the Lefebvrian triad to the production of urban spaces and the theory of the right to the city assisted the researcher in understanding Congolese migrants' experiences in negotiating their citizenship as *citadins* in Tshwane. Scholars explore the right to the city as a salient dimension of the conceptualisation and practice of urban citizenship (Bauböck 2020; Cattacin & Gamba 2021; De Graauw 2021; Frediani 2020; Giband 2021; Holston 2021; Omata 2020). The core message of these scholars is the right to the city promotes human dignity through the formulation of inclusive urban policies.

The narrative of the right to the city is a '*revolutionary conception of citizenship*' (Merrifield 2017:23). It theorises the power relationship that exists between formal organisations and institutions that plan and conceive the use of the city on the one hand; and the adjustments the inhabitants make to these intended uses on the other hand. Formal organisations and institutions manage the use of the city through legal understandings of citizenship as governed by immigration. However, this approach to urban governance has raised significant concerns regarding social justice, including its impact on the membership of a particular space, the eligibility of migrants to access services and resources in that space, and their public participation in the city of their residence. In most cases, Congolese migrants face urban struggles in their everyday lives and, in response, collectively negotiate the limitations imposed

by institutional understandings of citizenship through their own production of space in the life of the city they inhabit. This reality has received increasing attention from scholars of urban citizenship, as articulated particularly by Schmid (2012:52), who argues that

Struggles for the city themselves are constitutive elements of such urban experiences. They facilitate concrete processes of appropriation and the recognition that urban spaces can be used in different ways than were previously envisaged.

The city represents a tangible locus of struggles where identities and a sense of belonging are produced, contested, and negotiated through encounters and social interactions between citizens and institutions. Therefore, in the context of this study, the city is a space where citizenship is conceived theoretically through a body of legislation and urban planning regulations on the one hand and, on the other hand, the city is created pragmatically through the experiences generated by its inhabitants in the process of fulfilling their needs and aspirations.

This research has sought to map the three aspects of Lefebvre's (1991) triadic understanding of space to three key components of urban citizenship, membership, rights (services and duties) and participation (Belami 2008; Shacahr *et al.* 2017). In the research, the everyday lives of Congolese migrants in Tshwane are explored by arriving at an understanding of their citizenship in terms of civic equality or rather '*equality tout court*', to use the words of Giugni and Grasso (2021:2). The idea of citizenship as a function of urban residence means that policies need to be more inclusive, and the implementation of these policies needs to include all inhabitants of the city. Furthermore, this model of urban citizenship addresses social injustice resulting from exclusive policies at the national level. It advocates civic equality among inhabitants locally, at the level of the city. Van Niekerk, Hendriks and Duyvendak (2009:16) argue that '*cities are shaped by people, but people are also shaped by cities*'.

In this research this concept was explored by analysing the interconnectedness of *conceived space*, as expressed through the immigration laws controlling the citizenship of Congolese migrants. The daily experiences of migrants' daily lives in the city are examined through an exploration of their access to services (see Chapter Four). *Perceived space* includes the tactics that migrants inscribe by reorganising and re-appropriating Tshwane socially and spatially (see Chapter Five). The research findings demonstrate the urban struggles linked to the precarious membership of Congolese migrants in the city. These struggles revolve around restricted political belonging, limited access to services, and exclusion from broader public participation. The space for Congolese migrants is produced through tactics intended to ensure a fuller

integration into the city's life. These tactics were observed in the development, dominantly, of social capital networks through the creation of informal economic opportunities (general trading and remittance services) using transnational identities and the inscription of Congolese habitus (diet, dress, language, cultural associational life, and national attachment) in Tshwane.

6.2. The Immigration Legal Framework, Representations of Space and Spatial Practice

The current body of immigration laws and regulations restricts access to the services available to legal citizens. This limited access is reflected in the conceived spaces of the city. The consequence of this restricted access means that Congolese migrants have a precarious status in terms of their citizenship and their engagement with the city. The legal framework of stratified citizenship relates to different strata of inclusion at the national and local scales. According to Balibar (2015:75), these *'are not impersonal processes; they are relationships of force exercised by institutions and power apparatuses over individual and collective subjects'*. The social stratification of migrants is the expression of the level of political belonging in the nation-state. It is moulded through national immigration laws by categorizing migrants under various legal statuses such as *'undocumented, temporary, permanent and citizen'* (Ellerman 2020:2470). Citizenship through the stratification of legal status, therefore, creates the *'boundaries of belonging'* and *'is about demarcating who "we" are, who is part of "us", and who is not'* (Bonjour & Block 2016:779). According to Dhamoon (2011), social stratification is observed through the marginalisation of and discrimination against migrants and the creation of dynamic interactions resulting from individual and institutional factors. The legal status migrant law introduces translates to *'a multiplicity of relationally configured social and economic dynamics'* (Meissner 2018:291). For instance, according to Owen (2020:2587), *'Transnational social stratification in terms of income is primarily not a function of "national class position" but of "state of residence".'*

Legal status fundamentally influences public participation in the city is life. Scholars have previously indicated this link by observing the lived and the perceived space of migrants and pointed out the very often precarious and uncertain living conditions characterising migrants' membership in a national community. In the context of the Global North, Goldring, Bernstein & Bernhard (2009: 245) call attention to fundamental challenges and existential anxieties affecting the daily lives of migrants in Canada.

Citizenship and rights associated with legal immigration status are becoming increasingly precarious and conditional on requirements that are often difficult

to meet or maintain...The concept of precarious status reflects insecurities associated with policies designed to...curb the overall number of permanent migrants on the part of states of immigration, and the tendency to make citizens increasingly individually responsible for their existence.

Legal status is also associated with the level of recognition as a member or a non-member of society, shaping a migrant's participation in public life. Ellerman (2020:2463), writes that legal status fundamentally determines whether migrants belong in the broader community, since

the 'politics of belonging' remains shaped by the intersection of multiple axes of inclusion and exclusion that are (re)produced by immigration and citizenship policy...whereas legal precarity has long been associated with undocumented and temporary immigration status, over the past two decades precarity has penetrated all immigration status, including those that have long been understood as secure.

In South Africa, the social stratification created through legal status fuels core debates on precarious citizenship by raising the crucial problem of reconciling '*the attitudes, language, and practices of the post-1994 state around immigration and migration with its discourses around the Constitution, democracy, human rights, diversity and inclusivity*' (Peberdy 2019:162). This disjunction between post-apartheid immigration policy and the practices of everyday life is expressed in the debates on migrant membership and terms of its repercussions on the promotion of human dignity and social justice in South Africa. The country's immigration policy remains controversial in 2022 in terms of reconciling its conceptualisation in official documents with the everyday experiences of exclusion or discrimination shared by migrants, who feel only too keenly that they are not full members of the city, cannot participate in its public life and cannot enjoy its benefits and services. This '*institutionalisation of precarious immigration status*' is played out in the representations and spatial practice of the city.

In this study, the different legal statuses accorded through different types of permits (asylum, work, and permanent residence permits) for non-citizens mapped onto differential access to the city and its governance. The naturalised citizen is the only citizenship status that grants full membership of the city and even then, Congolese migrants face xenophobic exclusion. The legal stratification of these different membership modes characterises the production of the space built through daily experiences and social interactions with other city users. The distinction between citizens and non-citizens (in various types of permits in the Constitution (1996), the Immigration Act (2003), the Refugee Act (1998), and the Refugees Regulations (Department of

Home Affairs 2019) is a key determinant that embodies the stratification of legal status or the membership in RSA. Legal status, through the types of permits, is a mandatory categorisation that determines the identity of its holder by defining the membership and its privileges in the nation (community or city). At this point, the vulgarisation of the stratification or the fragmentation of the legal status through different permits for non-citizens is often lacking. It has led to the issues of the recognition of identities at different levels within society. For instance, the lack of recognition of asylum seekers or refugee permits by some institutions or individuals, as shared by informants, is indicative that their membership status is facing challenges linked to their belonging in society. This lack of recognition of different legal statuses or membership among migrants is related to restrictions to acquiring and enjoying full citizenship status. Through the fragmentation of legal status, the promotion of dignity is threatened by eroding the membership attributes, which can affect the citizenship path of non-citizens. The legal status through the legal framework establishes the discriminatory regulations in creating marginalised membership for individuals who are not full citizens. One of the key challenges to acquiring South African citizenship is the duration of the journey to obtain citizenship documentation. In this regard, Masumbe (2015) and Schockaert *et al.* (2020) show that the acquisition of South African national citizenship for Congolese migrants is beset with obstacles (for example, the slow bureaucracy procedures and delays in applications outcomes) and takes a long time – up to 15 years in the case of asylum-seekers. In most cases, this duration can be exceeded because of bureaucratic complications (Schockaert *et al.* 2020).

South Africa is lacking in its approach and failing in its responsibilities to conceive inclusive policies built on the right to the city for non-citizen citizens regarding their membership or legal status as a key driver of belonging in society and access to services. Peberdy (2019:167) explains that the *‘exclusionary immigration policies of the post-1994 state suggest that the benefits of South African citizenship are for those citizens who “are here”, as opposed to non-citizens who are also “here” or want to be “here”’*. The membership status of Congolese migrants is a key factor determining their integration and participation in the life of the city. The classification of individuals as citizens and non-citizens indicates the extent to which migrants are included in, or excluded from, the prerogatives of citizenship.

Besides being bound by its Constitution, which embraces democracy, human rights, diversity and inclusivity, South Africa is secured by various international agreements or treaties. The Sustainable Development Goals (SDGs) of the United Nations 2030 Agenda for Sustainable Development (United Nations 2017) project *‘a world of universal respect for human rights and*

human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity; and equal opportunity permitting the full realization of human potential and contributing to shared prosperity' (paragraph 8). The immigration legislation that constitutes the conceived space of Congolese migrants in the study, however, does not promote this shared vision of human dignity and social justice. Neither does the precarious membership of migrants in Tshwane adhere to the New Urban Agenda adopted at the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito (Ecuador) in October 2016. However, Agenda 2030 and the Africa Agenda remain aspirational as they lack practical commitment from local, regional and international institutions to come together and execute them.

The New Urban Agenda supports the promotion of human rights through its vision of '*cities and human settlements where all persons can enjoy equal rights and opportunities, as well as their fundamental freedoms, guided by the purposes and principles of the Charter of the United Nations, including full respect for international law*' (paragraph 12). In Africa, the promotion of human dignity is also expressed in the African Union Commission (AUC) Agenda 2063 vision of '*not leaving anyone behind*' on the road to development (African Union Commission 2015). The task of developing Agenda 2063 was entrusted to the AUC, which worked with the NEPAD Planning and Coordinating Agency (NPCA), the African Development Bank (AfDB) and the United Nations Economic Commission for Africa (UNECA). The aspiration of this agenda is the promotion of human dignity through inclusive urban policies to ensure equal access to services and participation in the life of the city. These international, continental, and national documents constitute the common framework for a differently conceived citizen space among countries. These frameworks acknowledge migrants as core contributors to the economy and life of the city and call for their full membership in the city. It is important to rethink the membership of Congolese migrants in Tshwane through the common framework portrayed in the New Urban Agenda, Agenda 2030, and Agenda 2063, as a way of overcoming migrants' precarious membership of the city, and their restricted '*belonging*' in it.

Restricted access to services in the city

Despite the impetus to include migrants in the city's life, in the city's lived space, migrant access to services is regulated and determined by the type of permit (legal status) that a migrant uses in the host country. Experiences shared by Congolese migrants regarding employment, education, healthcare and housing showed that the research participants are excluded from, or have restricted access to, these services.

Referring to access to labour markets, Congolese migrants reported that they lacked the legal protection that would have made it possible for them to enjoy employment benefits. They also did not have access to unemployment benefits. This was highlighted in the case of asylum-seekers and refugee permit holders, who experienced restrictions in terms of the labour market or other economic opportunities in the city. Challenges in obtaining access to economic opportunities or to the labour market were indicated by migrants with other types of permits too. Several irregularities were mentioned such as a legal labour protection and to abuses perpetrated by employers. These claims on the employment of asylum-seekers or refugees demonstrated that some private employers in the labour market do not, in some cases, follow the national and international regulations promoting employment equity and social protection for workers. Furthermore, this exclusion from the formal urban economy meant that Congolese migrants existed in the more unstable informal economy of the city. These findings align with scholars commenting on the European context, which also explores the marginalisation and exclusion of migrants with asylum-seeker identities from the employment sector (Federico & Baglioni 2021).

The findings regarding discrimination within, or restricted access to, free primary healthcare services demonstrated the clash between international and constitutional aspirations. Locally, legal dispositions exclude Congolese migrants from free primary healthcare services, and this does not confer with the legal frameworks underpinning the vision of universal healthcare coverage (UHC) advocated by the World Health Organisation (WHO 2019). This leads to a situation where Congolese migrants cannot access decent healthcare since many Congolese migrants face financial struggles and cannot afford private care. Informants regarding education also made claims of discrimination or restricted access based on legal status. In the main, these referred to cases where migrant parents faced financial hardship and could not cover their children's education costs. Congolese migrants were also excluded from the benefits of social assistance through subsidies. Such discrimination does not support the aspirations and the promotion of education as a fundamental universal right in the national and international legal frameworks. The lack of access to education may also slow down the attainment of SDGs in the context of Congolese migrants, who experience limitations in acquiring key competencies or skills capable of contributing to the enhancement of the quality of their everyday life.

Respondents also referred to challenges linked to housing. The key issues raised concerning access to housing services were related to the tough financial conditions imposed by operators who offer housing to asylum-seekers or refugees. Congolese asylum-seekers and refugees are frequently unable to enter into lease agreements because their status is deemed temporary. Many

private housing sector operators are unconvinced that tenants will honour their lease agreements migrant. This means that available accommodation is costed at a premium rate. Unable to afford the higher asking price, many adopted the tactic of sharing accommodation with others. At the time of writing, there was still no national housing policy or programme that provides decent accommodation to those who hold permanent resident permits (non-citizens) through the national programmes. Goal 11 of the UN 2030 Agenda aspires to inclusive, safe and resilient cities. To achieve this goal, many more efforts are needed from local governments to improve such access for migrants through urban policies that promote inclusive cities for all citizens.

Claims to access these four essential services of the city are at the crossroads of the proponents of the right to the city discourses from diverse epistemological and philosophical perspectives. The exclusion (or partial inclusion) of Congolese migrants from access services such as employment, education, healthcare and housing is a violation of human dignity through the denial of several basic universal rights in promoting civic equity in terms of economic opportunities and social protection. In line with Peberdy (2019:167), the researcher argues that

failure to protect the rights of non-citizens and undocumented migrants runs counter to the assertions that South Africa is a nation-building a culture of human rights. The exclusion of non-citizens from at least some of these rights suggests their exclusion from the nation.

South Africa is a signatory of several international treaties and agreements regarding migrants and human settlements (UNESCO 2000, United Nations 1948, 1951, 2016, 2017, 2019, WHO 2019), however, refugees ‘*generally experience terrible transfer conditions, with the risk of survival [sic] and after they arrive at their “new home” they encounter many difficulties, besides the financial ones, such as language barrier and cultural adaptation.*’ (Açıklım, Bombardelli & Chianese 2021:1).

To initiate inclusive urban policies in accordance with South Africa’s commitment to pursuing the 2030 SDGs, local, regional and national government needs to open a dialogue with the Congolese community in South Africa. Congolese migrants are members of the SADC regional space, and this affiliation could also be used as a platform to initiate an exchange between the DRC and South Africa to improve the lived urban experiences of Congolese migrants in South Africa.

Gender as a double exclusion

Women immigrants face multiple axes of exclusion from the city and bear the brunt of many of the exclusions from public services. This occurs for various reasons. First, unequal gender relations mean that women are frequently expected to take on most or all of the unpaid labour of childcare and care for the elderly and infirm. Second, many women migrants join their male partners and may not have the same access to associational life as men. Third, in public participation processes, women are not able to attend due to care commitments or their voices may not be heard in these processes due to pre-existing cultural norms concerning the involvement of women.

These dynamics are well documented in the international literatures of women immigrants. For example, in a study on the integration challenges facing female refugees Albrecht et al. (2021:43) demonstrate “that female refugees are confronted with dual discrimination in the labor market of being female and having an asylum status that impedes permanent integration into the labor market and prevents female refugees from having a job that matches their skills and knowledge”. Female immigrants can also experience deskilling due to the challenges of entering the formal labour market in the host country and a recognition of previous experiences acquired in their countries of origin (Røysum 2018). Similarly, the World Economic Forum (2020), in a study covering the period between 2006 and 2020, found a gender disparity gap of 57.8% in accessing the formal labour market.

Education is a key driver that allows acquiring skills and knowledge to access the labour market. The educational profile and the lack of documented work experience of female migrants from the countries of origin may also result in higher unemployment amongst women immigrants (Albrecht et al., 2021). Albrecht et al. (2021:41) describe refugee women as “particularly poorly educated”. This is supported by the study conducted by Degler, Liebig, and Senner (2017) who argue that female refugees face challenges in the integration in the labour market because of low levels of education, and a lack of professional work experience. Low levels of education constitute a persistent obstacle to the integration of women in the labour market (OECD 2019). These factors pushed them out of formal employment opportunities and forced them to embrace informal jobs.

The findings of this study show that these dynamics are present in the Congolese immigrant community of Tshwane. There is a lack of participation in the formal labour market. This is the result of limited access to formal employment in the city. Many of the immigrant women were involved in informal survivalist economic activities. This was expressed through the spatial

practices of informality: general trading in streets, and informal work in households and in shops. The participant observations during the fieldwork, Congolese immigrant women are influenced their cultural backgrounds (social norms). The habitus of their daily practices and do limit their participation in the labour market. The exclusion from access to decent work for Congolese women through policies and practices in Tshwane is not in line with Goal 5 of the SDGs to promote gender equity and empowerment of women and girls (United Nations 2017). This calls for the implementation of urban policies that promote gender equity.

Dahlberg and Björkert (2023) analyse the vulnerability of refugee women living in Gauteng through their daily experiences of xenophobia in institutions such as Home Affairs (in issuing permits), ill treatment in public hospitals from nurses to access healthcare. South African police continually questioned them about citizenship (their legal status of residence in the country). These findings were very similar to the experiences reported by immigrant women in this study. The lack of inclusive policies in public offices has resulted in a lack of social integration for immigrant women. This discrimination and exclusion have had a number of detrimental psychological, physical, and financial effects. The gender gap in accessing public resources that exacerbate inequality makes immigrant far more vulnerable in South African cities, and Dahlberg and Björkert (2023) campaign for more inclusive policies to protect refugees' women.

Access to education for Congolese immigrants is of great concern since several challenges such as poor education background, and lack of professional skills exacerbate the gender gap between women and men. The experiences given in chapter four of this investigation by Congolese immigrant women to access education underline their exclusion in developing their skills and, therefore, make them more vulnerable and less competitive than immigrant men in the society. The barriers for women to access education can include the lack of financial support, low education background, and household care work.

Informal education opportunities, such as the acquisition of language from the host country, are also limited. Lack of communication skills is another challenge that can contribute to gender issues in host countries. Speaking the language of host countries eases the integrations of immigrants (Ager and Strang, 2008). Since the routines of their daily lives can mean less exposure to the language of their host country, communication barriers can become a barrier that reinforces the isolation of immigrant women. This can be countered by implementing inclusive urban policies and practices that encourage social integration. Germany offers a practical example of how to tackle gender disparity by targeting women of migrants through the organisation of programmes that help them integrate their host community (BAMF 2020). Similarly, Spain addresses the

issue of gender disparity through the SARA programme at the Institute for Women in its department for gender equality. This programme helps educate female refugees through training, language courses, integration of the labour market, and the development of entrepreneurial skills (Instituto de la Mujer 2018; 2020). T

In this study, the lack of participation in public life that was observed can be understood in terms of gender gaps based on documentation, low levels of education, lack of work experience from the country of origin, and the level of their communication skills. To address this, it is necessary to establish and implement programmes that educate immigrant women to promote gender equity in accessing the services of the city. This is an important move that all inhabitants of the city, officials, and non-officials need to undertake through inclusive policies.

6.3. Tshwane as an Inclusive City

Citizenship and migration in South Africa raise locally and internationally thorny questions in everyday life, as recorded at the core of debates between policymakers, politicians, immigration officials, scholars, migrants, and South African citizens. Such discussions can be summarised by the legal status of a migrant in South Africa and by the ways in which citizenship is socially negotiated locally, nationally, and internationally in the production of space through everyday experiences. The recommendations of this study are rooted epistemologically. They are inspired ontologically by the philosophy of the right to the city in understanding Congolese migrants' claims and social interactions as they build their sense of belonging under the urban citizenship model currently in force in Tshwane.

In South Africa, there is a need for inclusive urban policies demonstrating the commitment of (local) government to promote human dignity as promoted in the New Urban Agenda, the 2030 SDGs and Africa Agenda 2063 in relation to migrants' access to employment, education, healthcare, and housing. This refers to policies yet to be framed to harmonise what are seen as dichotomous visions in building citizenship locally and globally. A challenge arises from an assumed dichotomy between the efforts of globalisation to pursue inclusive urban policies on one side and the conceptualisation of migrant legislation promoting a local vision consisting of exclusive policies dominated by discrimination carried through the legal status. Concerning employment, an inclusive urban policy would promote practices fighting discrimination in the workplace and creating social protection for all employees through labour benefits such as those of the Unemployment Insurance Fund. Migrants need to engage in dialogue with local government on social protection regarding labour-market employment and its benefits. This necessary dialogue would also cover other crucial issues. For example, the local urban policy

must be enforced to ensure that access to education, recognised as a universal right, is not hampered by individual gatekeepers who apply their own discriminatory measures. Inclusive urban policies on healthcare that promote the WHO's vision of UHC are also required to support the 2030 SDG mission, while inclusive urban housing policies are needed to promote the human dignity of migrants.

Urban citizenship viewed as practice translates into a call for reformulating Congolese migrants' citizenship as conceptualised by immigration laws at the local level of Tshwane. At this stage, Tshwane could initiate an urban residency identity process for migrants that provides the right to access services and to participate publicly in the life of the city. Its local government could, at this point, initiate programmes aiming to strengthen the social integration and public participation of migrants. Such programmes of integration would translate into a recognition of different migrant groups as users who interact in the everyday life of the city. An engagement in the right to the city for Congolese migrants as citizens in Tshwane would therefore aim to formulate a plea for social integration and public participation based on inclusive urban policies as supported by the vision of the 2030 SDGs. Such engagement needs to be coordinated by those Congolese migrants' civic organisations or social movements that are interested in the transformation of their members' daily quality of life by undertaking initiatives to express their urban struggles and to discuss their right to the city with Tshwane's local government officials and urban policymakers.

Although the development of transnational identities is perceivable in the spatial practices of Congolese individuals in Tshwane, a collective initiative is lacking when it comes to launching common formal claims relating to the struggles Congolese migrants are experiencing through their marginalisation from, or restricted integration into, the urban setting. This research, therefore, argues for the necessity of creating formal associations of Congolese migrants that are willing to engage with Tshwane's institutions to formulate claims of urban membership at the local government level. Those associations could also act as conduits to represent the issues of those considered to be illegal migrants. There is a lack of collective action by Congolese migrants. As a result, they have limited forums to engage with Tshwane's policymakers about their membership, rights and participation in the city. Since citizenship practices imply a process of social negotiation, there is a need to implement effective and collective actions inspired by the philosophy of the right to the city. Awareness of national and international legal provisions is vital to migrants' ability to voice their claims of their right to the city.

Moreover, Congolese migrants' collective actions and initiatives leading to negotiation regarding their citizenship status can be bolstered by the DRC membership of what is the legal framework of the Southern African Development Community (SADC) and by international or bilateral agreements supporting migrants' citizenship (Amadi 2022). The International Labour Organisation (ILO 2021), for instance, has supported the SADC's migration plan policy framework and its Labour Migration Action Plan (2020–2025), both of which could be used as tools for Congolese migrants in Tshwane to initiate claims for integration into the formal labour market of the city. This could pave the way to narrowing the gap created between (a) exclusive immigration policies and their consequences and (b) access to the labour market; and offers potential inclusive policies capable of strengthening access to formal employment (Amadi 2022; DHA 2017).

A substantive programme of citizenship conceptualisation and practices is needed to equip Congolese migrants with relevant information on their legal status, rights, and participation in the city's life. Since the legal path to full citizenship status is challenging in terms of its duration, the legal status of being non-citizen could be seen as an opportunity for Congolese migrants to develop more creative and competitive behaviours through continuing education organised by themselves, to acquire relevant skills that will assist them in integrating into the city. This raises a stronger call to the local government to support Congolese migrants by establishing inclusive urban policies that promote social and economic participation in the life of the city. This refers to the change of attitudes and the political discourse that encourage local and official people to refrain from xenophobia and practice social values of inclusion. This could then empower the Congolese migrant community to develop useful and competitive types of expertise in the life of the city. This, naturally, means mobilising for a collective engagement of the Congolese migrant community.

The inclusive urban citizenship envisaged for Congolese migrants in the networks of Tshwane is supported internationally by the vision of urban citizenship developed in the New Urban Agenda, the SDGs and the Africa agenda. At the level of city management, such inclusion of Congolese migrants in the city' networks could therefore be viewed as a positive development that allows Tshwane to achieve the implementation of aspects of local and global human rights initiatives. The integration of Congolese migrants into Tshwane is expected to produce two key results. First, at the local level (the city), reforming urban policies through adopting Agenda 2030 and Agenda 2063 will showcase South Africa's regard and commitment to the international agreements to which it is a signatory. South Africa needs an urban citizenship

model that reflects membership, equal access to services, and civic participation through the lens of inclusive urban policies. Second, the implementation of inclusive urban policies will contribute to the fight against exclusion or discrimination, the expectation being that these policies will improve the quality of life of Congolese migrants.

Although at the theoretical level the necessity of this outcome is supported by national, regional and international agreements already in place, building residents' '*belonging*' remains a call that will be materialised only through the collective efforts of Congolese migrants, other local citizens, and urban policymakers. Reconciling South Africa's current conceptualisation of citizenship with the more inclusive practices proposed by researchers and activists locally, nationally and internationally may well take a good deal of time, even if, in theory, there is nothing to prevent an inclusive conceptualisation of '*belonging with benefits*' from being elaborated at the local level in line with international aspirations for sustainable development. Nevertheless, the challenges that ensuring a more inclusive city mustn't be seen as insurmountable. One of the priorities in building a right to the city for Congolese migrants is to build on the well-developed social networks that Congolese migrants have developed and use these as advocacy channels. One of the tactics that Congolese migrants may want to use is to build an inventory of the types of contributions they bring to the city of Tshwane. Another tactic could be quantifying these contributions, particularly those in Congolese businesses' micro, small and medium economies. Social equity can also be built through the long-term strategy of recognising and organising Congolese migrants' entrepreneurship. This could also form the basis of education and integration programmes in the city.

Such programmes to uplift migrants can be conceived around social and civic education workshops, community meetings on urban challenges and opportunities, and technical and professional skills training opportunities that influence migrants' everyday practices and enhance their social integration and public participation in many city life sectors. This multisectoral approach needs to include academics and broader local and international advocacy groups and suggest a research agenda to aid the government in making these strategic interventions. These programmes will render the aspirations for inclusive cities much more pragmatic. This research suggests, therefore, possible ways in which Congolese migrants can become meaningfully connected to the city in which they reside through relevant participation.

A '*possible world*' of changing Congolese life in Tshwane can thus happen by reforming that city's urban space practices and production. In this regard, according to Schmid (2012:59), Lefebvre's vision consists of

exploring possible pathways toward an urban world where unity no longer positions itself in opposition to difference, where the homogenous no longer battles the heterogeneous, and where assembly, encounter, and interaction replace - though not without conflicts - the struggle of individual urban elements that have been turned into antinomies by segregation. Such an urban space would constitute the social basis for a transformation in everyday life that is open to manifold possibilities – for a radically different world.

This ‘possible world’ for Congolese migrants can be initiated by collectively negotiating citizenship practices other than those presently tying them down within Tshwane’s formal organisation. Congolese migrants will need to undertake this journey of collective action as the emanation of their possible world in terms of the three moments shaping and influencing their daily lives in the production of urban space. The social capital networks that have been emerging in Tshwane around associational life, general trading practices, linguistic and other cultural values, religious practices and dietary habits will provide a platform from which the call for the transformation of the status of Congolese migrants in Tshwane can be more widely shared.

6.4. Conclusion

Cities are, globally and locally, hubs of opportunity; and provide public services of all kinds. They are *de facto* attractive to individuals and will remain pivotal in future generations’ desire to meet their needs and achieve their aspirations through their everyday practices. In the case of migrants, these needs and aspirations always fall under the conceptualisation of ‘*citizenship*’, which creates and controls individuals’ membership in the city, their rights (access to services) within the city, and their public participation in the life of the city. This investigation has relayed the aspirations and the urban struggles contained in the narrative of everyday social life and their patterns among Congolese migrants in Tshwane. The objectives set comprised the description of the conceived space as a body of legislation regulating Congolese immigration status; and of the lived space, from which were gathered migrants’ everyday experiences in accessing services linked to the labour market, education, healthcare and housing. Observations were additionally conducted during fieldwork to describe the public participation of Congolese migrants in the production of space. The narrative was constructed by organising the findings following a thematic analysis approach. It was discussed referring to the body of literature on the urban citizenship model as developed by the leading scholars dealing with the topic and various approaches.

Referring to the overarching Lefebvrian theoretical framework, and in particular its triadic model on the production of space, findings showed, first and foremost, that immigration laws and regulations constitute the conceived space that shapes the citizenship path of Congolese migrants remain the key influencing their right to the city. As endorsed by official authorities and institutions, these immigration laws and other legal frameworks embody the strategy that creates and controls migrants' membership status in South African cities. The key finding on their conceived space revealed the precarity of non-citizens' membership resulting from the stratified legal status profiles of Congolese migrants.

The second dimension of the production of citizenship is related to access to rights (services) as a dimension of citizenship activity. This is linked to the representational space (the lived space), and the research captured Congolese migrants' claims regarding their everyday experiences while attempting to access services such as employment, education, healthcare and housing in Tshwane. The research findings revealed migrant claims concerning a lack of economic opportunities, weak social integration, and poor protection. These were primarily seen as the repercussions of precarious city membership as dictated by immigration laws and regulations for non-citizens.

Findings showed that migrants' everyday spatial practices as the third moment of the production of space were dominated by the development of informal activities in many sectors. Spatial practices referring to creating economic opportunities emerged informally and are regarded as survival tactics inscribed in urban spaces.

Congolese migrants' citizenship and urban sense of belonging are negotiated socially through their everyday practices. This negotiation is observed mainly in developing tactics that beat the formal unemployment challenges through the creation of informal economic opportunities; and in their associational life, which is characterised by their socio-cultural integration in social capital networks based on mutual trust. Entrepreneurship in creating informal economic opportunities through general trading has been identified as a significant survival tactic to overcome the lack of formal opportunities in the city.

The emergence of migrant social capital networks and spatial practices can create more economic opportunities in a city that recognises the cultural diversity of its inhabitants and the contributions that stem from it. The social networks of migrants can be utilised by local government, business entrepreneurs and grassroots movements to promote inclusive urban policies and human dignity and to strengthen an urban sense of belonging through integration and public participation. These tactics in the production of space can be read as an achievement

by Congolese migrants in creating their urban belonging through the inscription of their habitus (diet, clothing, languages, cultural associational life, and national attachment) in Tshwane; and in developing transnational identities allowing for informal economic integration. These findings can be applied to other migrant or marginalised groups of citizens facing the same urban struggles around their legal status and access to services. They develop tactics to integrate into the city by challenging exclusive urban policies.

The social networks and survival tactics observed during the study do not constitute a powerful tool that engages with the local and national authorities to address the everyday urban challenges created by immigration laws and their implementation on the integration of immigrants in the city. They are not operating to query and challenge the local and national legal framework and urban policies that affect their citizenship and urban sense of belonging through everyday practices. Social networks can serve as a starting point of engaging with local and national authorities as decision-makers or policymakers of different institutions on dialoguing on inclusive urban policies that enhance their citizenship practices through civic participation and integration. Such engagement will pave the way for the right to the city for immigrants. Social networks can be considered the first step in gathering Congolese immigrants as collective users and dwellers in a city with diversity, and they could be a channel that influences social change in engaging with the local authorities to implement. However, these survival tactics and social networks have demonstrated a weak link to influence any law or urban policies that affect their lives or can demand smart practices of their civic engagement in the city.

In the world today, issues of citizenship and immigration arise locally and globally, fuelling a debate that links the promotion of human dignity to the solution of urban problems through the implementation of inclusive policies designed on the urban citizenship model. This rhetoric echoes the aspirations of the 2030 SDGs and Agenda 2063 to promote human dignity. Regarding this overall orientation, it may be said that this research's findings could influence local government to encourage the urban citizenship model in the context of South Africa.

By engaging migrants to understand their everyday experiences, local governments could become informed about the living conditions of migrants. It could initiate social change in tackling the discrimination or marginalisation created by the nation-state conceptualisation of citizenship. Local government could then embark on harmonising this notion of citizenship with those of inclusive city membership, equal access to services, and the participation of all city inhabitants. This is in line with the aspirations of the 2030 SDGs and Agenda 2063. A call to local government to embrace the vision of these two global initiatives is to be found in creating

socioeconomic programmes supported by inclusive urban policies promoting human dignity and human rights for all inhabitants.

Since South Africa as a nation has embraced the building of a culture of human rights after the end of apartheid, implementing the urban citizenship model as applied in many cities around the world can inspire its commitment to follow good practices that promote human dignity. Therefore, this study establishes the necessity of negotiating a social change for migrants or other marginalised users by advocating the claims of inclusive urban policies that locally and globally meet the aspirations of the SDGs to promote social justice practices and human dignity for all citizens. Within this approach, cities can develop socioeconomic programmes that strengthen the integration and public participation of all citizens based on the principle of residence. Therefore, researchers could use the findings of this investigation to deepen the notion of *'the right of the city'* in the South African context by developing socio-economic integration programmes for migrants and other marginalised groups. This is of special importance in a country that champions democratic values, the promotion of individual human rights, and the recognition of individuals who fight segregation or discrimination based on race or ethnic group.

This study extends the literature on the right to the city, which is referred to as *'a moral claim, founded on fundamental principles of justice'* (Marcuse 2012:35). Since the city is created in part through social interactions and encounters, it constitutes a tangible place from which to examine the possibility of social justice within different concepts of citizenship, and within practices in the production of space by migrants and other users. The findings can serve as a framework— for national and local government, grassroots movements, human rights activists, and urban policymakers – within which to investigate, in-depth, the issues raised by citizenship practices and migration in line with the global vision of inclusive cities.

This study can, at the very least, serve as a point of departure for a much greater understanding of the benefits of inclusive urban policies as aspirations expressed globally in the philosophy of the right to the city and of the drawbacks for migrants and their host country of not following such an approach. Do we all have the same prerogatives as humans in the city? This is a global aspiration yet to be accepted and achieved!

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APPENDICES A–G

APPENDIX A: OPEN-ENDED INTERVIEW

Interview
<p>Biographical information:</p> <p>Age:</p> <p>Gender:</p> <p>Religion:</p> <p>Education Level:</p> <p>Employment status:</p> <p>Year since living in Tshwane:</p>
<p>Objective 1: To capture perceptions of Congolese immigrants living in Tshwane on their understanding of citizenship and sense of belonging</p>
<ul style="list-style-type: none">▪ Can you tell me how do you identify yourself?▪ What is your legal status in SA?▪ According to you who can be called a citizen?▪ How do you practise your legal, social, civic and cultural rights as a Congolese?▪ How do you practise your citizenship in SA?▪ In which country do you feel to belong fully and how do you express the sense of belonging in that country?▪ How emotionally are you attached to Congolese political life, events, social situation?▪ How emotionally are you attached to Tshwane political life, events, social situation?▪ How do you describe your membership and political, civic rights in SA?▪ What do you expect from DRC as your country while you are living in Tshwane?▪ How emotionally are you attached to Tshwane’ s life (South Africa nation-state)?▪ Tell me about your daily life in Tshwane?▪ Can you give me reasons which make you think that you have ‘ ‘the right to have rights” and where?▪ Tell me how do you feel accepted in Tshwane?▪ Tell me how do you feel secure in Tshwane at your house, on the street, at work and when gathering with other people (Congolese and others)?▪ Tell me how do you feel “at home” in Tshwane?

- Tell your experience of participating in civic associations such as cultural associations, religious organizations, trade unions and women's organizations in the city?
- How do you appropriate the space in Tshwane?
- How do the associational lives of Congolese immigrants interact with everyday life in the city of Tshwane?
- Tell me how to take part in the decisions that influence the life of the city?
- Tell me how do you transform yourself as an individual and as a group and the city?
- How would the city look like?
- Tell me about your experience as a full member of your political community?
- Can you tell me what DRC do for you as an immigrant in SA?
- Can you tell me how are you participating politically in the life of Congolese immigrants in Tshwane?
- Can you tell me how you will like to participate politically and civically in the life of Tshwane?
- Can you tell me about your civic participation in SA?
- Can you tell me about your political participation in SA?
- Can you tell me about your civic participation in both countries DRC and South Africa?
- Tell me about your life satisfaction in Tshwane?
- Tell me about how you identify yourself in Tshwane?
- Tell me how do you feel about being part of citizens in your daily life experience?
- Can you think about the experience when you participated as a citizen in the city?
- Can you tell me about a time when you felt excluded in the life of the city?
- Tell me how do you express your voice to be heard in Tshwane?
- Can you describe the daily challenges of living in Tshwane?
- Can you tell me the importance of you living in Tshwane than in another city in South Africa, like Johannesburg?
- Can think about an event where you have been asked about your identities?
- What are the expressions are you using to identify yourself as a Tshwane inhabitant?
- What makes you feel that you belong to the city?
- What makes you feel that you don't belong in the city?

Objective 2: To examine how Congolese immigrants express their rights to the city of Tshwane

- Tell me about your rights by living in the city of Tshwane?
- What are the crying and demands from immigrants on the city and in the city?
- How do you transform yourselves in the daily life within the city?
- How do you interact with the urban life in the city?
- How do you that Congolese immigrants can become conscious by participation in the struggle of building urban space? What Congolese are doing to change themselves to integrate with the city?
- Tell me how do you participate and appropriate the space in the city?
- Do you think that it is a utopia for you to have the right to the city?
- How do build the urban or bring the urban revolution in Tshwane?
- What are your daily interactions with other city users, interconnections, networks in the city?
- Can you tell me about your initiatives for autogestion as marginalised people in the city?
- In your daily experience, what do you think about your rights to living in the city?
- What do you enjoy the most in Tshwane?
- Can you share some experiences when you felt excluded from rights to the city?
- Think about you participating in the city marches for poor services delivery, how did you feel about it?
- How do you contribute daily to urban activities?
- How did you contact the police officers in case you fell victim to something wrong?
- Can you think about on experience of safety concerns when you were seating in public spaces, parks, roads, malls, restaurants?
- Can you tell me how services delivery differ in other areas where we don' t have many immigrants?
- Have you ever experienced discrimination in the rights to the city because of your origins?
- Tell me more about you protesting against any law or political event that you find unfair or violating your rights?
- Tell me how do you build your urban citizenship and about your political identity in the city?

Objective 3: To analyse the relationship between a sense of belonging and how different lengths of residence affect how immigrants construct a sense of citizenship and sense of belonging.

- Since you came to Tshwane, how have things changed over the years?
- Can you tell me about the duration of your residence in Tshwane?
- Tell me about your feeling when you hear about bad news about Congo like war, Ebola?
- Comparing your experience in Congo and Tshwane, explain among the two countries or cities which keep you happy as a citizen?
- Considering that you reside in Tshwane, what are the things that make you think about your city of origin?
- What are the ways you remain in touch with DRC on daily basis? For calling them, sending money, eating Congolese food, wearing Congolese attires?
- Can you describe Congolese gatherings that you attend often since you are in Tshwane?
- Can you tell me about some marches did you attend for DRC problems, like election results, passport price?
- How do you connect with other Congolese immigrants in Tshwane?

Objective 4: To analyse how Congolese immigrants deal with determinants such as social disorganization, social identity, social integration and labour integration in Tshwane.

- What are the difficulties you encounter when living in Tshwane?
- How do you organise as a Congolese identity?
- Can you think of an experience when you felt marginalised based on your origins?
- Tell me your experience of getting into the labour market, finding a job based on your qualification?
- Have you ever experienced fears when working in the streets of Tshwane?
- Tell me about your experience of getting on public transports?
- Can you please name urban identifiers that make you belong in Tshwane?
- Tell me about your experience of social cohesion, social capital, well-being, social inclusion/exclusion in Tshwane?
- Can you make an open comment on the matter discussed above?

Thank you for your participation.

APPENDIX B: PARTICIPANT INFORMATION SHEET

PARTICIPANT INFORMATION SHEET

Ethics clearance reference number: 2020/CAES_HREC/015

Research permission reference number:

<date>

Title: “Citizenship and urban sense of belonging: A case study of Congolese immigrants in Tshwane (Pretoria)”

Dear Prospective Participant

Student research project (<delete this heading>)

My name is Joel Maseki, and I am doing research with Dr Teresa Dirsuweit, a senior lecturer in the Department of Geography towards a PhD at the University of South Africa. We have funding from <insert name of Funding Body if applicable> for <insert why you have funding>. We are inviting you to participate in a study entitled “Citizenship and urban sense of belonging: A case study of Congolese immigrants in Tshwane (Pretoria)”.

WHAT IS THE PURPOSE OF THE STUDY?

This study is expected to collect important information contributing in the understanding of the contemporary formations of citizenship among Congolese immigrants living in Tshwane. It will explore issues linked into the lived experiences of Congolese immigrants on their right to city and it will inform a knowledge gap concerning the perceptions of urban social space production.

WHY AM I BEING INVITED TO PARTICIPATE?

Living in Tshwane as Congolese immigrants might provide you with many experiences in connection into the formation of contemporary citizenship identities and the exercising of your rights to transform yourselves by using the city opportunities such as education, health and work. As inhabitant of Tshwane, you have the right to shape the urban community’s future and to participate in the production of urban space by your social relations and the lived experience.

From my involvement in the Congolese immigrant community as an activist and opinion leader, I have on several occasions discussed with the participants several challenges that immigrants are going through by living in Tshwane. Your selection as participant in this study is motivated by your social background as an immigrant which is believed certainly to have something special to share from your lived experiences and will contribute to a better understanding of your identities in the life of the city.

Describe how [*from whom?*] you obtained the participants' contact details and why you chose this particular person/group of participants [*the Protection of Personal Information Act, No. 4 of 2013, necessitates the disclosure of how access was gained to the personal information of prospective participants*]. Indicate the approximate number of participants [*this is useful information to assist the participant to make an informed choice whether to participate in the proposed study – potential breaches of confidentiality increase with a small sample size*].

WHAT IS THE NATURE OF MY PARTICIPATION IN THIS STUDY?

The study involves an unstructured interview which will use a voice recorder. The researcher will also use participant observation in several Congolese immigrant activities and will take some pictures where it will be necessary. Questions like “Can you describe your daily experience as a Congolese immigrant living in Tshwane?” or “Can you describe what makes you feel at home in Tshwane or what makes you miss your home the most and how often?” The interview will be covered for a maximum of 2 hours.

CAN I WITHDRAW FROM THIS STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE?

Participating in this study is voluntary and you are under no obligation to consent to participation. As such, you will exercise your freedom in participating in the study. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent form. Since the study is grounded on your consent, therefore interview will be conducted by using it as a main reference. You are totally free to withdraw at any time and without giving a reason.

WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?

Your participation in the study offers you the opportunity to consider your opinion and experience in the immigration field. It can help many Congolese immigrants who are in the same situation as you are.

ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?

This research will strictly include legal immigrants as participants. The participation into the study does not present any negative legal consequences; however, the investigation may present safety risk by making the community of Congolese immigrants vulnerable to xenophobic violence. Xenophobic attacks might occur when immigrants are gathering in the city, it is important that the researcher considers the location carefully before conducting the study with

the participants. The researcher will not encourage immigrants gathering in certain areas of the town known by historical experience as unsafe for such activities. The researcher will also inform the participants to avoid any kind of behaviour which can provoke or cause xenophobic attack during the study. The researcher will not disclose names or the names of places where he will engage with the participants. No interview will be conducted when there are marches and violent protests occurring in Tshwane. The researcher will inform the competent authorities (police and the university) in case he suspects any individuals or group of people who intend to attack the participants. The researcher will ensure that precautionary measures are taken to not unveil the interviewee's real identity in any communication with public.

WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?

The researcher has the ethical obligation of protecting the identity and the data collected from the informants. The researcher will ensure that precautionary measures are taken to not unveil the interviewee's real identity in any communication with public. The researcher will also build a strategy of treating information of participants anonymously and will be aware that in any case the interviewees might be identified and traced by any service or individuals. The researcher will keep in mind the rule of thumb based on respecting the rights and the dignity of the participants. The researcher will therefore show more professionalism and will treat interviewees with dignity and respect. Data will be kept safely and will be used anonymously. Any third party who will be working with data for translation, transcription, coding or validation or verification by Research Ethics Review Ethics will be abide to the project by *signing a confidentiality agreement*. Data collected during this research may be re-use for other eventuality by respecting the anonymity clause. The outcomes of this study will be presented during conferences and will be used for the academic thesis. Findings will be published in scientific journals by respecting the participants' anonymity.

HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?

The safety of the data will be guaranteed by keeping the diary of interviews or photographs for a period of 5 years in locked cupboard/filing cabinet at the department of Geography and data will be used for this research and scientific papers. Each interview response will be duplicated under a soft copy (Photocopies of hard copies responses will be made and will be scanned and saved on USB).

Hard copies of this research will be stored by the researcher for a period of five years in a locked cupboard/filing cabinet at the department of Geography for future research or academic purposes; electronic information will be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable.

WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY?

This study does not offer any payment or incentives to the participants.

HAS THE STUDY RECEIVED ETHICS APPROVAL?

This study has received written approval from the Research Ethics Review Committee of the College of Agriculture and Environmental Sciences, Unisa. A copy of the approval letter can be obtained from the researcher if you so wish.

HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?

If you would like to be informed of the final research findings, please contact Joel Maseki on <0843606757> or email address 66233801@mylife.unisa.ac.za. The findings are accessible for <5 years>. *Please do not use home telephone numbers. Departmental and/or mobile phone numbers are acceptable.*

Should you require any further information or want to contact the researcher about any aspect of this study, please contact Joel Maseki, including email, 66233801@mylife.unisa.ac.za internal phone number and fax number.

Should you have concerns about the way in which the research has been conducted, you may contact Dr Teresa Dirsuweit, email address: dirsutc@unisa.ac.za, phone number: 0114712752 and fax number>. Contact the research ethics chairperson of the CAES General Ethics Review Committee, Prof EL Kempen on 011-471-2241 or kempeel@unisa.ac.za if you have any ethical concerns.

Thank you for taking time to read this information sheet and for participating in this study.

Thankyou.

Signature>

<Joel Boloko Maseki>

APPENDIX C: CONSENT TO PARTICIPATE IN THE STUDY

Consent to participate in the study

I, _____ (participant name), confirm that the person asking my consent to take part in this research has told me about the nature, procedure, potential benefits and anticipated inconvenience of participation.

I have read (or had explained to me) and understood the study as explained in the information sheet.

I have had sufficient opportunity to ask questions and am prepared to participate in the study.

I understand that my participation is voluntary and that I am free to withdraw at any time without penalty (if applicable).

I am aware that the findings of this study will be processed into a research report, journal publications and/or conference proceedings, but that my participation will be kept confidential unless otherwise specified.

I agree to the recording of the interview.

I have received a signed copy of the informed consent agreement.

Participant Name & Surname (please print)

Participant Signature.....Date.....

Researcher's Name & Surname...Joel Maseki.....(please print)

Researcher's signature.....Date.....

**APPENDIX D: LIST OF INTERVIEWEES, SETTINGS, AND ACTIVITIES
OBSERVED**

Interviewee IDs/ Observations	Location	Settings	Activities observed
201018-11426	Pretoria west	Indoors (flats)	domestic work
201018-160342	Sunnyside	Indoors (flats)	sewing
201019 -093319	Sunnyside	Indoors (flats)	chatting
201019-095	Sunnyside	Indoors (flats)	chatting
202019-10054	Sunnyside	Indoors	chatting
201021-1118	Sunnyside	Shops	trading
201023-938	Sunnyside	Indoors	trading
201023-938	Pretoria West	Indoors	chatting
201023-1242	Pretoria West	Indoors	sewing
201023-1414	Pretoria West	Indoors	chatting
201023-1441	Pretoria West	Indoors	chatting
20 1019 1136	Sunnyside	Indoors (Shops)	trading
201019-1136 bis	Sunnyside	Indoors (Shops)	trading
201019-1323	Sunnyside	Indoors	trading
201020-092241	Sunnyside	Indoors	trading
201020-095412-00	Sunnyside	Indoors	trading
201020-095412-00	Sunnyside	Street	trading
201020-1213	Sunnyside	Park	social gathering
201021-1327	Sunnyside	Street	trading
190101-000435	Sunnyside	Indoors flats	chatting
201019-104716	Sunnyside	Street	hairdressing
201019-150957	Sunnyside	Workshop	carwash
201019-14447	Sunnyside	Saloon	hairdressing

Interviewee IDs/ Observations	Location	Settings	Activities observed
201022-16071	Sunnyside	Shops	trading
201020-114619	Sunnyside	Shops	trading
201023-093838-00	Sunnyside	Shops	trading
201019-124614-00	Sunnyside	Shops	trading
201019-1228	Sunnyside	Shops	trading
201021-1118	Sunnyside	Shops	trading
201022 -1252	Sunnyside	Shops	trading
201020-16114	Sunnyside	Shops	trading
201020-1552	Sunnyside	Shops	trading
201020-1452	Sunnyside	Indoors	chatting
201019-1119	Sunnyside	Indoors	social gathering
201020-151620	Sunnyside	Shops	Trading
OBSERVATIONS	Tshwane Central District business	Church	religious services
	Sunnyside	Sunnyfair Building	socio-cultural gathering, trading activities and remittance services
		Barclay Mall	trading activities and general works
		Congolese restaurants	social gathering and eating
		'243'	social gathering and entertainment
		Congolese immigrant's residence	trading, sewing activities, social gatherings
		Street life	trading activities and saloons

APPENDIX E: ETHICS CLEARANCE CERTIFICATE



UNISA-CAES HEALTH RESEARCH ETHICS COMMITTEE

Date: 27/01/2020

Dear Mr Maseki

**Decision: Ethics Approval from
23/01/2020 to completion**

NHREC Registration # : REC-170616-051
REC Reference # : 2020/CAES_HREC/015
Name : Mr JB Maseki
Student # : 66233801

Researcher(s): Mr JB Maseki
masekijoel@yahoo.com

Supervisor (s): Dr T Dirsuweit
dirsuto@unisa.ac.za; 011-471-2752

Working title of research:

Citizenship and urban sense of belonging: A case study of Congolese immigrants in Tshwane
(Pretoria)

Qualification: PhD Geography

Thank you for the application for research ethics clearance by the Unisa-CAES Health Research Ethics Committee for the above mentioned research. Ethics approval is granted until the completion of the project, **subject to submission of yearly progress reports. Failure to submit the progress report will lead to withdrawal of the ethics clearance until the report has been submitted.**

Due date for progress report: 31 January 2021

Please note the points below for further action:

1. The researcher is cautioned to take care with the selection of the interview locations, in order to avoid identification of participants by other members of the community and possible reprisals.



University of South Africa
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*The **medium risk application** was reviewed by the UNISA-CAES Health Research Ethics Committee on 23 January 2020 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.*

The proposed research may now commence with the provisions that:

1. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
2. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the Committee.
3. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
4. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
5. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
6. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data require additional ethics clearance.
7. No field work activities may continue after the expiry date. Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.

Note:



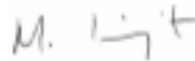
The reference number 2020/CAES_HREC/015 should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.

Yours sincerely,



Prof MA Antwi
Chair of UNISA-CAES Health REC

E-mail: antwima@unisa.ac.za
Tel: (011) 670-9391



29/01/2020

Prof MJ Linington
Executive Dean : CAES

E-mail: linnmj@unisa.ac.za
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APPENDIX F: TURNITIN RECEIPT



Digital Receipt

This receipt acknowledges that Turnitin received your paper. Below you will find the receipt information regarding your submission.

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**CITIZENSHIP AND SENSE OF BELONGING: A CASE STUDY OF
DOMESTIC IMMIGRANTS IN TSHANE (PRETORIA)**

by

JOEL JOE MASEKI

Submitted in accordance with the requirements

of the degree of

DOCTOR OF PHILOSOPHY IN GEOGRAPHY

in the

**DEPARTMENT OF GEOGRAPHY, COLLEGE OF AGRICULTURE AND
ENVIRONMENTAL SCIENCES**

of the

**UNIVERSITY OF SOUTH AFRICA
JURORICA CAMPUS**

SUPERVISOR: Dr. Tanya Chikanda

2023

APPENDIX G: EDITOR'S LETTER

ISABELLE DELVARE

BA (Hons) (Wits)

Editor and proof-reader

Writer and materials developer

idelvare@gmail.com

Lecturer in editing and proofreading techniques

Cell: 082 955 9361

Past Chair, Professional Editors' Guild

Past Acting Chair, Alliance of Language and Media Practitioners of South Africa

Copy editor's letter

Student: Mr Boloko Joël MASEKI, student number 66233801

Title: CITIZENSHIP AND URBAN SENSE OF BELONGING: A CASE STUDY OF CONGOLESE IMMIGRANTS IN TSHWANE (PRETORIA)

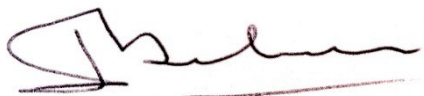
Work done: PhD edit: Department of Geography, UNISA

I edited Mr Maseki's proposal for errors of language and for small errors of logic at the micro (sentence and paragraph) level. I attended to the structure of individual sentences, removed many instances of repetition and corrected verb tenses. I also raised queries for the author where there seemed to be content gaps and where meaning needed to be clarified. Stylistic consistency was imposed as required throughout.

I have not supplied any new material of consequence to improve Mr Maseki's work.

I thank Mr Maseki for responding in good time to the comments I made and to the queries I raised.

I am available to supply answers to any questions that might arise concerning the edit.



12 November 2022

APPENDIX H: BEING A CONGOLESE IMMIGRANT

In the methodology chapter of this thesis, I discuss the legitimating effects of being an insider of the Congolese immigrant community. While out of the scope of the methodology chapter, I wanted to expand on these reflections. Being an insider and a researcher triggered the feeling of being abandoned or forgotten by both countries, RSA and DRC.

Many job advertisements or bursaries are limited to South Africans and the exclusion from these formal opportunities is a social injustice. Immigrants can also contribute to building the economy of the country. By going through the daily urban struggles, raised a persistent and burning question about the importance of Congo's membership in SADC. How, for instance, can a Congolese citizen of SADC spend more than 20 years with an asylum paper, a type of identification restricting the individual from basic needs? There does not seem to be any benefit to being a SADC citizen when you consider the restrictions or exclusions Congolese people face daily as non-citizens. At some point, I realised that the DRC membership of SADC is meaningless. The diplomatic relationship between South Africa and DRC is weak. Furthermore, unlike what Lesotho or Zimbabwe have negotiated for their citizens, the DRC does not do enough for the Congolese people living in RSA to facilitate them to remain legally.

The core questions that everyday life in South African cities raise is how one can contribute to minimising the 'ill-treatment' of Congolese immigrants especially in relation to documentation. The other question relates to how one can develop despite formal opportunities being restricted. How can one contribute to building the economy of the country if one cannot participate in the process of growth due to opportunity restrictions? This question remains unanswered for me and many other Congolese living in RSA.

In the end, I consider this situation of Congolese existence as one wasted on social injustice. A simple piece of paper recording an individual's identity is still a barrier in selecting who was in or who was out in accessing the services and benefits of the city. The field work of this thesis made me realise that many of my fellow countrymen were struggling in the city because of their legal status that interferes with the fulfilment of their daily basic needs.