OBSERVING

- community -
- context -
- site -

02

community

"In today's fluid world, more and more people pass through places as strangers, without long histories or memories of the spaces they inhabit. They throw into question place-bound identities and singular conceptions of space and time, which, until recently, have underpinned spatial and architectural practice...[T]his raises important questions about the kinds of spatial and temporal landscapes strangers produce, about how landscapes are configured and shaped by strangers' practices, and about how places adjust to the permanence of strangers in them" (Bremner 2010:150).

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THE INVISIBLY VISIBLE

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The portrayal of the lives of migrant refugees and asylum seekers, through media imagery, has become typical of sprawling, tented camps. However, these distinctive images do not describe the full extent of challenges and threats encountered upon settling in a new country. Extensive global urbanisation has seen increasing numbers of migrants moving into metropolitan areas, including cities and large towns. According to the UN Refugee Agency, UNHCR (2009), approximatively fifty percent of the globe's 15.2 million refugees dwell in urban areas, while only a third found shelter in refugee camps. In search of economic independence, community and safety many refugees moving into new cities are faced with the harsh alternate reality of poverty, physical assault and harassment.

Although 413,000 new refugees move to South Africa every year (UNHCR 2010) the precise extent of the refugee community in Pretoria is unknown and, contrary to these large numbers, very little qualitative or quantitative information is available. The fear of being deported or sent to refugee camps results in urban refugees most often becoming a highly mobile and scattered community within the city (Galabova 2012:10).

Through literary observation, this chapter aims to gain a deeper understanding of the factors (policy, xenophobia, community) and influences (networks, economy, enterprise) of migration that act upon these visibly invisible citizens.

Figure 2.1: Photograph: 'An African migrant covers his mouth with tape during a protest in Tel Aviv last year' (Original photograph available online: http://www.thenational.ae/storyimage/AB/20150604/STORYGALLERY/150609535/EP/1/1/EP-150609535.jpg&MaxW=960&imageVersion=default&NCS_modified=20150605113615, adapted by Author, 2016).

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Displacement
leaving home

Policy
a state of exception

During the 1960's, the African continent underwent a mass decolonization period resulting in often violent reclamations of space (Matshikiza 2008:236). Newly independent states, in search of identity after decades of colonization, were fractured by a variety of "push factors" such as famine, vicious racial battles, and other political and socio-economic factors. Facing an impossible future of constant fear, hunger, helplessness and confusion, millions of African refugees have fled their home countries in terror (Galabova 2012:25). Boano (2011:38) states that "The lived experience of displacement, intended both as movement from one's place of residence to another as well as to be without a place of one's own, is to be almost non-existent". To many refugees, leaving the place they call 'home' is the only option they have to free themselves from persecution, oppression, destruction and chaos (Garrett 2011:12).

In the 1990s many restrictions enforced on, and imposed by the apartheid regime began to fall away. As a result, thousands of black and non-black displaced individuals made their way into South Africa (Matshikiza 2008:235), seeing urban centres such as Johannesburg and Pretoria as leading destinations of choice, each with their own sets of new challenges and chaos.

Progressing from the reign of authoritarianism and racial injustice, the multiracial democracy of South Africa has cultivated a myriad of new social and constitutional rights for citizens (Gordon 2010:3). This status of citizenship, imagined primarily in politically vacuous "rainbow nation" terms (Simone 2008:84), has become pivotal to accessing economic and social resources, becoming the setting of much conflict between locals and foreign nationals.

South African immigration policy has, for more than the last ten years, infused an internal rationale among law enforcement personnel and state officials that immigrants, particularly 'black' African nationals, are not entitled to the same democratic and constitutional rights or protections as local citizens. Migrants are instead handled as an exception, being consigned to an arena removed from the mechanisms of the law (Gordon 2010:3).

Centred on the 2002 Immigration Act, contemporary debates on legislative immigration reform have regularly foundered into a confused divisive rhetoric (Gordon 2010:8). The legislation, attempting to achieve a harmonious balance of rights between local and foreign 'citizens', promotes the idealism of the African Renaissance by assuring goodwill towards migrants from the SADC region.
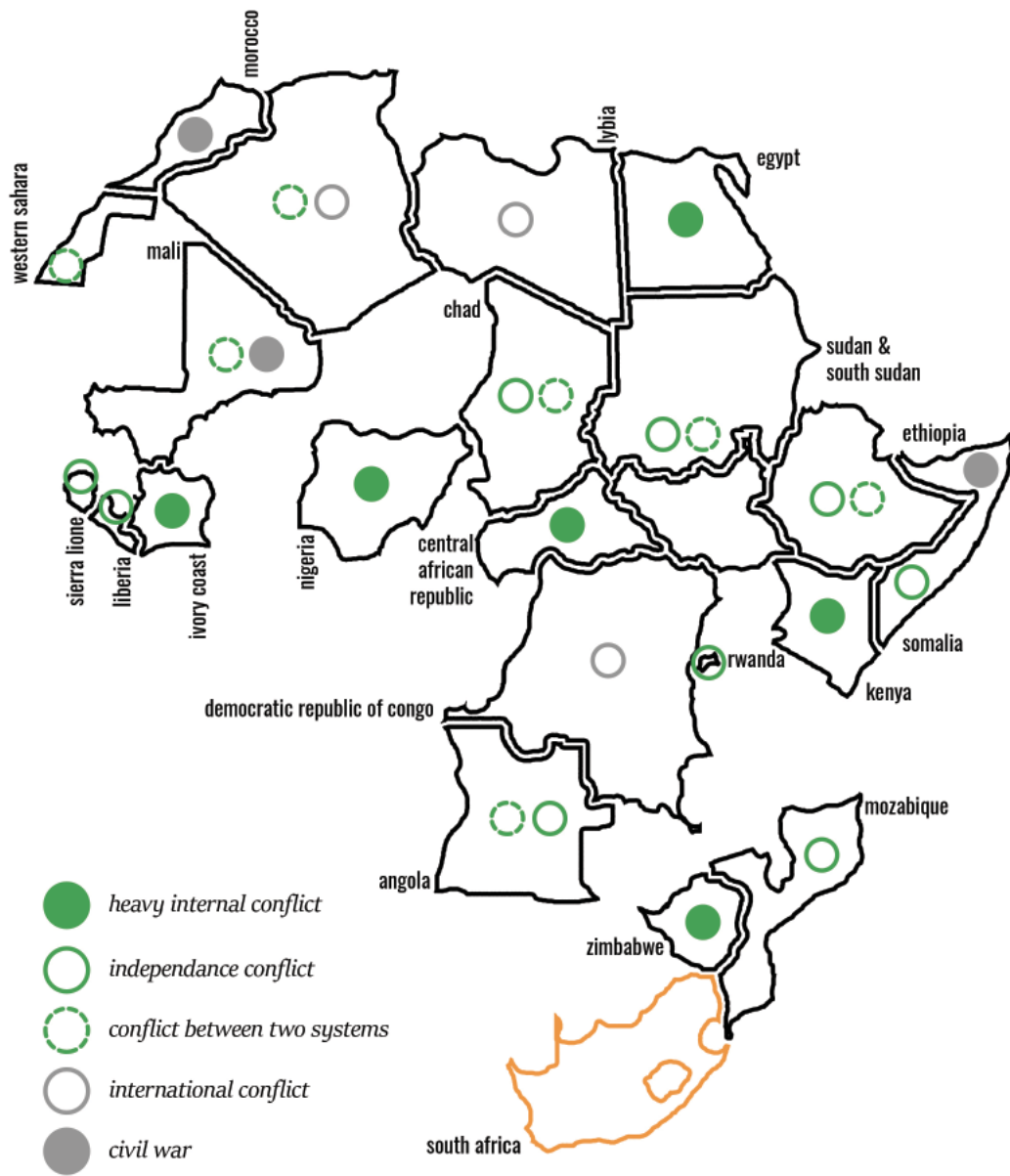
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Figure 2.2: A map indicating the extent conflicts present in the countries of Africa (Source: Garrett 2011:23 adapted by Author).
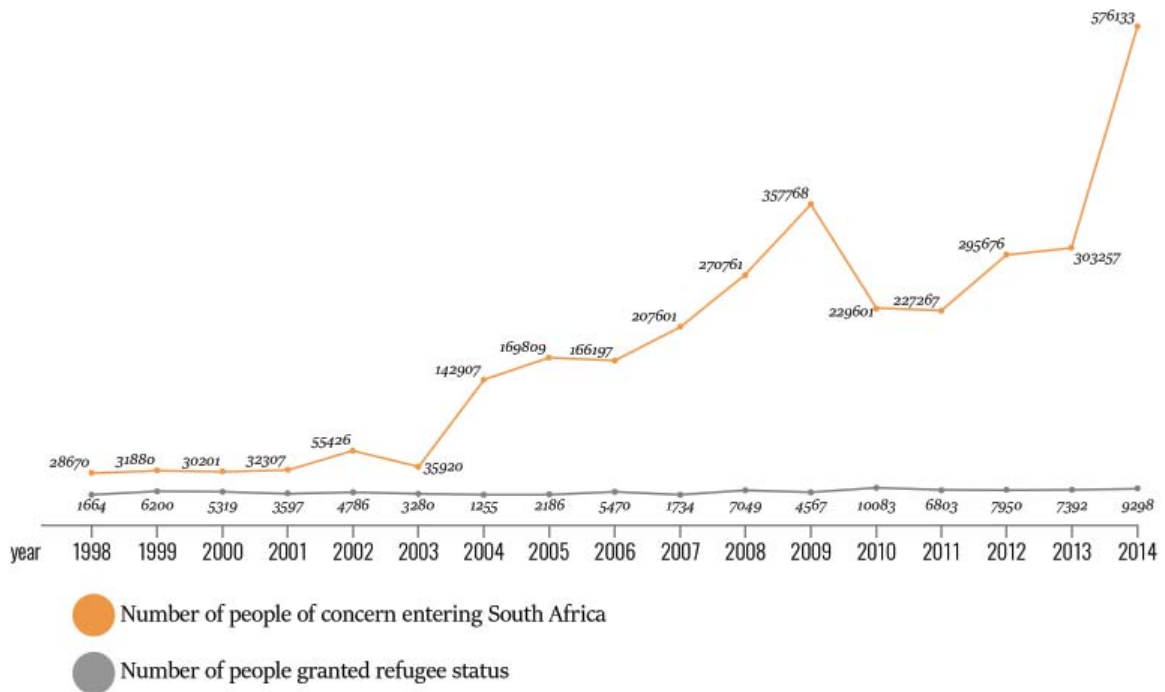
Figure 2.3: A graph indicating the influx of migrants into South Africa between 1998 & 2014 (Source: UNHCR Statistical Yearbook 1998 - 2014 adapted by Author).

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In contradiction to this, the Act advocates limiting legal immigration into South Africa, chiefly from the SADC region, thus imitating the prominent consensus that migrants are associated with unemployment, crime, corruption, and increased pressure on social services (ibid).

Seen as an tool of discipline, control and intimidation, South African immigration law has been inevitably associated with the prevalent social image or impression of migrants amongst those accountable for constructing migration legislation and policy. As a product of the apartheid state's compulsion to engineer racial supremacy, migration policy between 1913 and 1986 imposed that 'black' individuals entering South Africa could only do so illegally or as contract workers (Maharaj 2004). Selectively ignoring a small amount of illegal immigration, the apartheid government directed its focus towards devising the comprehensive migration modes of the agricultural and mining sectors in order to control an unending yield of cheap labour (Crush and Dobson 2007). However, this policy was regulated in conjunction with a resolute intention to deny any semblance of citizenship rights or validity to these migrants.

The historically racially prejudiced immigration policy of South Africa has unfortunately been perpetuated in revisions made by the modern post-apartheid state (Gordon 2010: 9). The Alien Controls Act of 1991, although removing racial requirements, received heavy criticism from the Human Rights Watch for being an obsolete remainder of the apartheid state that opposed the South African constitution and human rights conventions (ibid). Crush (1999:1-2) explains that the act was "a piece of legislation premised on principles of control, exclusion, and expulsion" and that the migration system of the time was "characterised by corruption, racial double standards, and special privileges for certain employers".

Although marred by controversy and a tediously slow process, the Draft Green Paper, in response to this criticism, replaced the Alien Controls Act in 1998 (Gordon 2010:9). The paper, in opposition to "arrest, detention, and removals" (DHA 1997:11), focused on "giving *bona fide* economic migrants from other SADC countries, who have no intention of settling here permanently, increased opportunities for legal participation in our labour market" (ibid).

Further revisions to migration policy, captured in the White Paper of 1999, unfortunately lost the tolerant quality and values expressed by the Green Paper. This new migration legislation was intended to promote an "environment which does not offer them [migrants] opportunities of employment and free available public services which they cannot find in their countries of origin" (DHA 1999:31). Furthermore, the policy adopted a highly restrictive stance on migration in order to minimise the quantity of individuals for whom the economy and government needed to provide (ibid). This further portrayed immigrants as 'parasites' on services that

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provide in terms of tax revenue and productive activity.

In spite of overall disapproval voiced by labour unions, civil society and public participation processes, the provisions set out in the White Paper were converted in to the Immigration Act (No. 13 of 2002) and later amended by the 2004 Immigration Amendment Act (No. 19 of 2004) (Gordon 2010:11)

In conjunction with the Immigration Act, the Refugee Act of 1998 (No. 130 of 1998) provides further definitive rights to asylum seekers and refugees. This Act upholds international legal principles and standards, such as the 1951 UN Convention relating to the Status of Refugees and the 1993 Basic Agreement between the Government of South Africa and the UNHCR, while managing refugee associated concerns in South African. Decisions on asylum applications could have been postponed for five years before the implementation of the Act; whereas now persons of concern are granted asylum status by default if the asylum application cannot be determined within 6 months. The Refugee Act distinctly identifies differences between asylum seekers, refugees and other categories of migrants, however the officials implementing the procedures of status determination still struggle with the application thereof (Galabova 2012:28). Furthermore, due to the protection afforded by the Act, refugees found lacking legitimate documentation cannot be deported without a proper court process.

Although no person can be denied entry under the Act, refugee status is not guaranteed. Once deemed a refugee, individuals are required to face long queues, corruption and bureaucracy at unscrupulous Home Affairs Offices (ibid). Here the permit is scrutinised biannually through interviews, and if the Home Affairs official deems it necessary, will extend or deny refugee status. Those individuals faced with the latter decision fall into a discontinuity in migration legislation. This position quite literally renders the rejected refugee a 'nobody', falling outside of the definitive legal and social constructs of citizen and refugee. The foreign individual loses legal autonomy, being neither legally recognised stranger nor legally recognised citizen (Constable 1993:260); where in many cases they confined to a refugee camp for extradition or deportation. Those refugees and asylum seekers are deferred to a state of uncertainty while awaiting the results of their applications and those of their families.

Even though the Act is extensive and sheltering, limitations are exposed in its operation, processes and the disregard for refugees to legally gain employment or gain access to social services.

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Xenophobia

resisting diversity
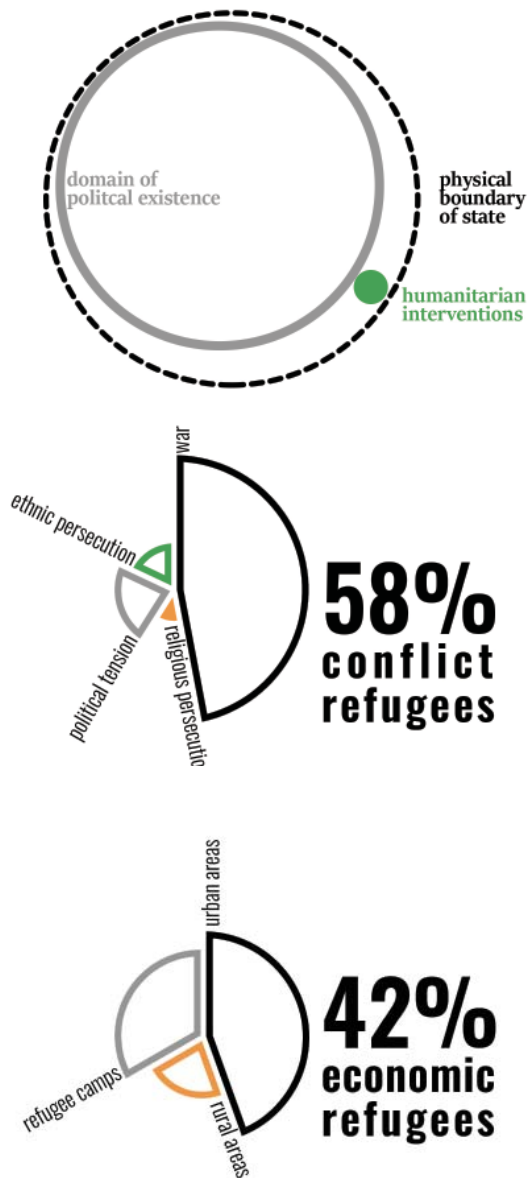
The majority of South African citizens are unwelcoming to foreigners, particularly towards those from other African countries (Gordon 2010:4). This sentiment became most evident amidst the anti-immigrant violence of 2008 which left more than sixty people dead as well as displacing migrants in their thousands. The violent outbreaks, which saw the mass looting and destruction of foreign-owned property, businesses and homes, highlighted a grave concern of migrant communities that urgently needed to be addressed (ibid).

The feelings of resentment expressed towards foreign migrants are a stark contradiction to those of the kind hospitality given to South African exiles by other African nations during the rule of the apartheid government (Matshikiza 2008:236). According to the Human Science Research Council (2008:6) this hostility can be best positioned as a response to the economic distresses that ensued from political transformation within South Africa. The slow strides of service delivery, perceived corruption in government, and poor housing provisions perpetuated the economic and social realities of apartheid (Gordon 2010;5).

From as early as 1999 Tshitereke (1999:4) warned that, "In the post-apartheid epoch, while people's expectations have been heightened, a realisation that delivery is not immediate has meant that

Figure 2.4 (top)**:** Diagram indicating the political existence of refugees entering South Africa (Source: Garrett 2012:35 adapted by Author).
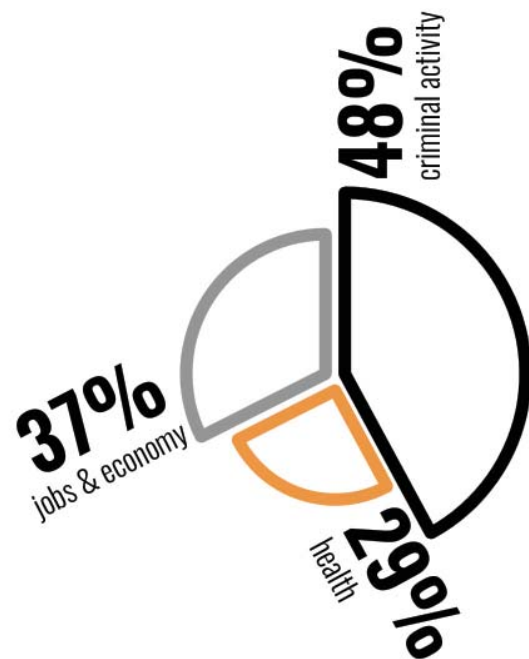
Figure 2.5 (middle)**:** Diagram illustrating the main reasons behind migrants fleeing their homes (Source: Galabova 2012:27 adapted by Author).

Figure 2.6 (bottom)**:** Diagram illustrating the primary settlement areas for economic refugees (Source: Galabova 2012:27 adapted by Author).

discontent and indignation are at their peak. People are more conscious of their deprivation than ever before... This is the ideal situation for a phenomenon like xenophobia to take root and flourish. South Africa's political transition to democracy has exposed the unequal distribution of resources and wealth in the country".

In these conditions, migrants are rendered as an economic menace, perceived as rivals for and consumers of scared resources and opportunities. Xenophobic rumours create the impression that foreigners steal employment opportunities, are criminally active, causal to insecurity, lower wages by accepting reduced remuneration, and bring HIV/AIDS or other infectious diseases into South Africa (Gordon 2010:6).

Due to high levels of corruption and forgery, possessing papers or identity books is no longer seen as reliable proof of South African citizenship (Crush 2008). In a perverse reproduction of apartheid style techniques, government authorities (police and civil servants) and members of the public have resorted to racial profiling as a means of determining ethnicity (Nyamnjoh 2006:48). Physical appearance or 'biocultural' markers of difference such as hairstyle, clothing worn, skin-colour; and the ability to speak an indigenous South African language with associated accent tests, have all been used to determine the nationality of suspected foreign immigrants (ibid).

Figure 2.7: A diagrammatic representation of the perceived threat of foreigners as expressed by xenophobic South Africans (Source: McDonald 2000 adapted by Author).

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The 'Other'

the disappearance of self-description

The socio-political ideology of citizenship allows certain communities to establish and strengthen differences between local residents (the visibly visible) and migrant groups (the invisibly visible). These barriers and the perception of the 'Other' are enforced through the processes of segregation, securitization and criminalisation (Galabova 2012:28). Thus, as non-citizens, migrants are ignored by the national interest; viewed as foreign objects that need to be controlled, contained and segregated from the population of local citizens. This notion of 'Othering' (Foucault 1998) instils a sense of reluctance in refugees and asylum seekers to seek protection offered by the state or host communities from violence, oppression and persecution.

The 'Other' commonly illustrates an individual opposite to one's self; therefore, the 'Other' is always identified as 'different'. Foucault (1998) argues that 'Othering' is imperative to national identities, where borders and national character are protected by subjecting outsiders to customs of admission and separation. Even though 'Othering' was conceived as a philosophical theory, its ramifications and undertones have been applied to the realms of policy, economy, sociology and psychology as explored earlier in this chapter.

Recently, both nationally and internationally, many civic discussions have been engendered with the plight of immigrants, refugees, and asylum seekers (Tromp 2016:25). Confined to camps and detention centres, marginalised migrant groups have had their human rights violated, while the associated apprehension and fear portrayed both by the media and by political discourse have become powerful tools in dehumanizing individuals. Although refugees and asylum seekers have been portrayed as human beings in need of care by liberal and humanitarian bodies, the shear volume of those requiring aid has reinforced the concept of the 'Other'. Large numbers of individuals are given care at such a fast pace they become 'faceless' and are relegated to the grouping of 'refugees' (Tromp 2016:26), or the invisibly visible.

The notion of identification produces a duality that is politically required, but at the same time, it is socially enslaving; placing migrants and refugees in a taxing position between social and political troubles. Classifying refugees and asylum seekers becomes necessary for the legal process of obtaining a permit and gaining social support; but the label of refugee becomes bureaucratic nevertheless, and does not necessarily correspond with an individual's identity or self-description (Galabova 2012:35).

Given the intricacies of the conditions faced by migrants, the official use of the label can misrepresent more than it exhibits. Variety is lost by normalising the condition of displacement

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and by clustering all migrants/refugees/asylum seekers into a singular conglomeration, as if all of their experiences are the same. This process of categorization and labelling innately enhances the realities of prejudice and xenophobia shown towards migrant groups through general assumptions and stereotypical social critique or connotations.

These negative assumptions and connotations are utilised by those in power to instil an irrational sense of fear; and their influence and underlying political intentions are reliant on the presumption that refugees, immigrant and asylum seekers are portrayed as a threat to our existence and accepted livelihoods. These fear tactics, directed towards migrant groups, thus develop into a dominating social relations model of 'us against them' that alienates individuals and communities into pockets of exclusivity. "This fear produces fearful subjects in relation to fearsome others and secures the very boundaries between 'us' and 'them'" (Zembylas, 2009).

We as humans classify and identify ourselves through the classification of 'what we are not' in relation to another person, society, or community. This fear of difference and defining one's self in relation to 'what they are not' limits cultural diversity, social interaction, and emotional growth.

"Countries construct policies based on these 'Othering' discourses to avert 'illegal' immigrants, 'unqualified' refugees or 'bogus' asylum seekers to enter the state and use public space freely. The boundaries of separation between 'us' (citizens) and 'them' (refugees/ asylum seekers) are only established by the flow of fear among 'legal citizens' and we are trained to desire and demand 'their' exclusion from the realm of human values, civic rights and ethical responsibilities" (Galabova 2012:28). Public discourse sustains the 'invisible' nature of these migratory collectives as social constructs, extending the analogous divisions of authentic/ inauthentic, inclusion/exclusion, as well as us/ them as xenophobic rhetoric.

Foucault (1984) and Agamben (1998:171) argue that duplicitous depiction is evident in the notion of 'visible' versus 'invisible' while considering the plight of migrants. As a target of both compassion and anxiety, refugees appear to be 'visible'; however, when seeking work, healthcare and education, assistance, or recognition as legal citizens migrants face 'invisibility'.

In order to restore refugees as legitimate 'visible' citizens, society must begin to strip the veils of 'fear' and 'invisibility' and recognise these groups as ordinary human beings.
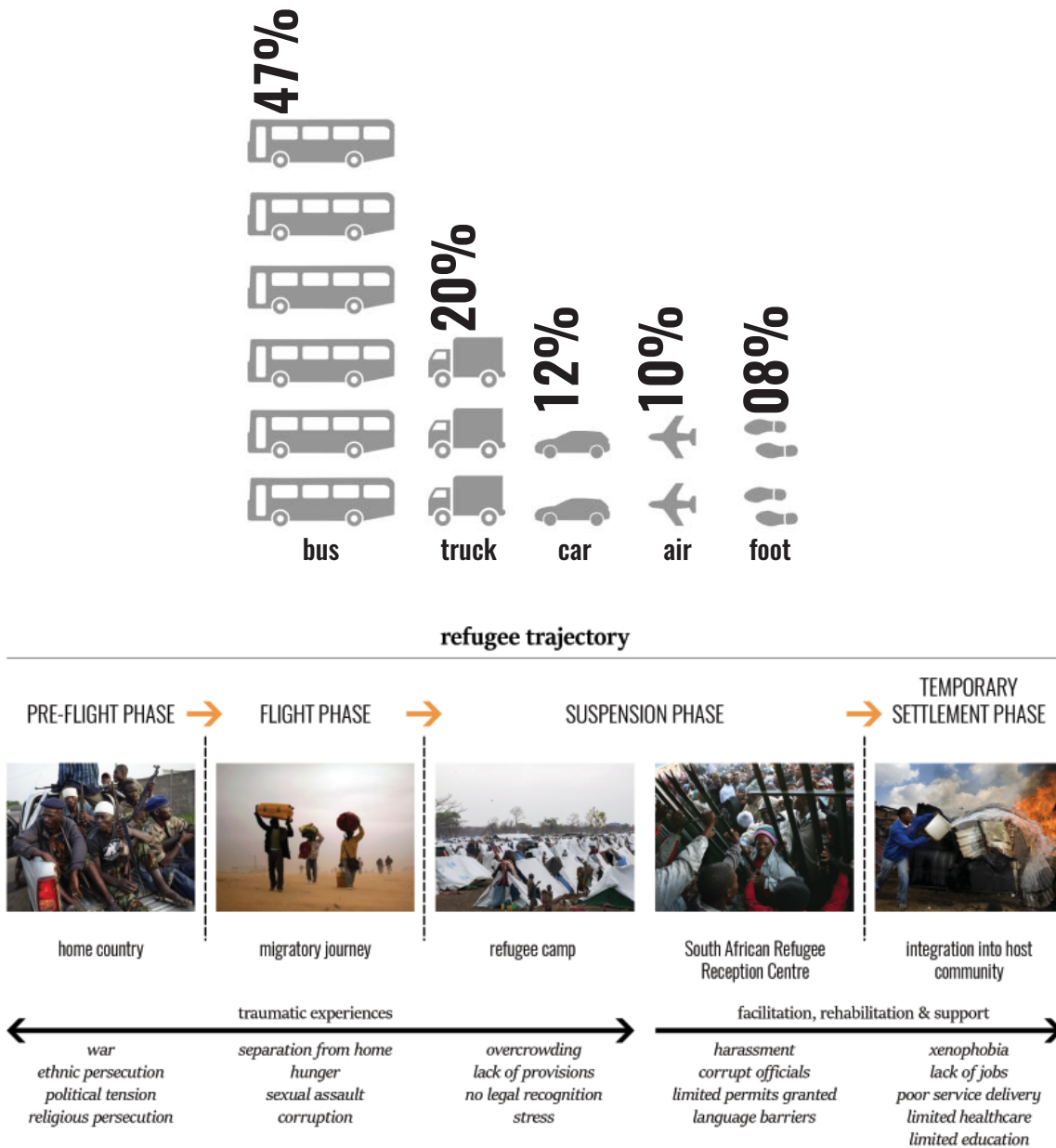
47% bus
20% truck
12% car
10% air
08% foot

refugee trajectory

PRE-FLIGHT PHASE → FLIGHT PHASE → SUSPENSION PHASE → TEMPORARY SETTLEMENT PHASE

home country | migratory journey | refugee camp | South African Refugee Reception Centre | integration into host community

traumatic experiences | facilitation, rehabilitation & support

| war
ethnic persecution
political tension
religious persecution | separation from home
hunger
sexual assault
corruption | overcrowding
lack of provisions
no legal recognition
stress | harassment
corrupt officials
limited permits granted
language barriers | xenophobia
lack of jobs
poor service delivery
limited healthcare
limited education |

Figure 2.8 (top)**:** Diagram of the different modes of transport used by refugees to enter South Africa (Source: Garrett 2012: 31 adapted by Author).
Figure 2.9 (bottom)**:** Diagram capturing the various phases of migration including the emotional & physical challenges faced along the way (Source: Galabova 2012:29 adapted by Author).

Invisible Spaces
the 'third space' of migration

The physical properties and symbolic definitions of a space are influenced by the dynamic correlation of politics, economics and social conditions. Simply put, political ideals are manifested into spatial arrangements which in turn influence social relations (Mbembe 2008:48). The spatial legacy of the apartheid city can be understood as a result of this thinking; urban form together with geographical distance were utilised as a means of excluding difference and removing 'Otherness' to the periphery of many South African cities. This segregative spatial hierarchy allowed the government to reinforce their own ethics and rules as common values through the mechanism of socio-spatial production.

Harvey (2003) argues that the 'right to the city' is conditionally constructed from aspects of wealth and social standing, cultural and civic identity. As such the material, social and symbolic fragmentations of our society become evident in the spatial productions of urban divides that characterise our cities.

Faced with anxiety regarding accommodation, employment opportunities, fluency in South African languages, xenophobia, and harassment from police, migrant populations are confronted with the same exclusionary spaces manifested by these values (Bunn 2008:155). This combination of different people together with mass migration can be utilised as a tool to propose new social identities and challenge preconceived viewpoints, resulting in the materialisation of a 'third space' (Bhabha 1994). Initially conceived as a metaphor for the space, physical and non-physical, in which cultures communicate and blend, 'third space' can be re-purposed to investigate the links between politics, spatiality and identity. Through the creation of new hybrid identities, 'third space' dissolves the socio-political classifications of the 'Other' and accommodates a more integrated and dynamic method of identification.

The intrinsic duality that exists between the conflicted 'first space' of current societal attitudes and the 'second space' of humanitarian efforts to offer assistance to refugees creates a non-cohesive space. For refugees, the physical form of 'third space' is most often expressed physically as a place of worship, community centre, or non-physically as support groups and social networks (ibid).

The non-physical nature of 'third space' allows it to remain open, flexible, reject any fixed socio-political formulations, and allows it to have the ability to develop 'counter spaces' in reaction to authoritarian treatise. Furthermore, many of the precarious misunderstandings regarding refugees are eliminated through the ability of 'third space' to accommodate exception, allowing for the combination of 'difference' and 'Otherness' into mixed spatial constructs that promote social growth and diversity (Fyfe 1998).
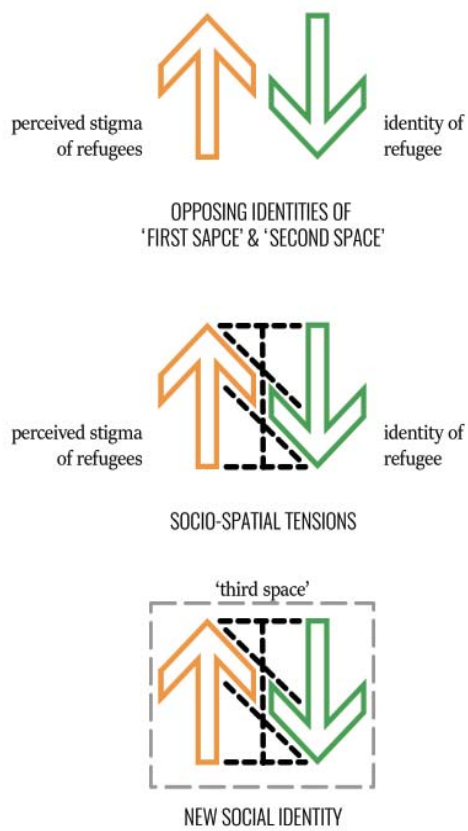
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perceived stigma
of refugees

identity of
refugee

OPPOSING IDENTITIES OF
'FIRST SAPCE' & 'SECOND SPACE'

perceived stigma
of refugees

identity of
refugee

SOCIO-SPATIAL TENSIONS

'third space'

NEW SOCIAL IDENTITY

Figure 2.10: A diagrammatic representation of the spatial production as conceived by Bhabha's 'third space'. | 32