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The interactions between public spaces and spatial (in) justice: comparing case studies in inner-city Johannesburg

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The interactions between public spaces and spatial (in)justice: Comparing case studies in inner-city Johannesburg

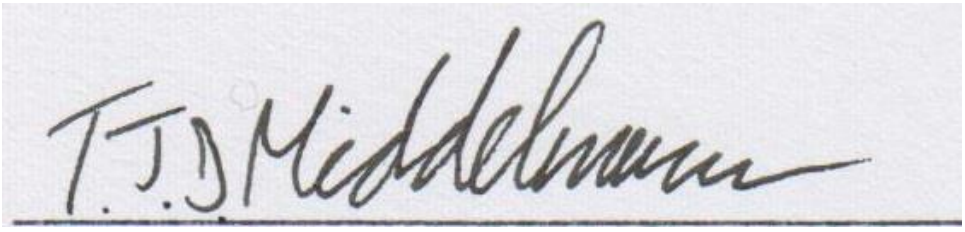
A thesis submitted to the Faculty of Engineering and the Built Environment, University of the Witwatersrand, Johannesburg, in fulfilment of the requirements for the degree of Doctor of Philosophy

Temba John Dawson Middelmann

2020

Declaration

I declare that this thesis is my own unaided work. It is being submitted for the Degree of Doctor of Philosophy to the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination to any other University.



Johannesburg, 14 September 2020

Abstract

This thesis examines how the history, design, management and use of public space relate to the interaction of public space with spatial (in)justice, focussing on case studies of different public space typologies in inner-city Johannesburg. These cases - namely Gandhi Square, Constitution Hill and Pieter Roos Park - embody key and distinct models for public space management. The research contributes to understanding the changing nature and meaning of privately and publicly managed places regarding their interactions with spatial justice and injustice. While the emphasis in South Africa's spatial justice discourse is largely focussed on inadequate, peripherally located housing, this PhD explores how these issues relate with and impact on central public places. The thesis thus demonstrates how broad spatial injustices influence particular sites and networks of public space, arguing that site-level management and use patterns play important roles in shaping public culture, which has further implications for those broader spatial injustices and attempts at resolving them. Lefebvre's (1968) concept of the right to the city helps to explore the inherently political nature of public space, and how people's rights are enabled or circumscribed in the ways the spaces are managed, used and contested. My analysis of the paradoxes of public space underpin arguments for a more nuanced and processual understanding of spatial justice that emphasises public space more strongly, based on a shift from understanding spatial justice through a necessitation of trade-offs to a more holistic approach. In line with this shift is a call for a more network-based, creative and collaborative approach to the production and management of public space.

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To Johannesburg, my hometown.

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Acronyms

ANC	-	African National Congress
CBD	-	Central Business District
CCID	-	Central City Improvement District
CID	-	City Improvement District
CJP	-	Central Johannesburg Partnership
CoJ	-	City of Johannesburg
JCPZ	-	Johannesburg City Parks and Zoo
JDA	-	Johannesburg Development Agency
JICP	-	Johannesburg Inner City Partnership
JMPD	-	Johannesburg Metropolitan Police Department (local police)
JRA	-	Johannesburg Roads Agency
MK	-	*Mkhonto Wesizwe* (armed wing of the ANC in the struggle against apartheid)
NMC	-	National Monuments Council
NPC	-	National Planning Commission
OPH	-	Olitzki Property Holdings
PA	-	Parktown Association
PSA	-	Public Space Ambassadors
RDM	-	Rand Daily Mail
R2K	-	Right2Know
SA	-	South Africa
SAHA	-	South African History Archives
SAPS	-	South African Police Service (National Police)
ZAR	-	Zuid Afrikaanse Republiek (South African Republic – Afrikaner colony)

Glossary

Blitz	- *Blitz* is an abbreviation of the German term *blitzkrieg* originating from the German bombing of England during World War Two (https://www.etymonline.com/word/blitz). It is used colloquially by officials to refer to the displacement of people living in public space
Maphuzas	- People who like to drink alcohol (based on Zulu verb *phuza* – drink)
Nyaope	- A heroin-based drug
Toyi-toyi	- a dance, with singing or chanting, commonly used during protest or strike action in Southern Africa
Jozi, Joburg	- Colloquial terms for Johannesburg

1. Introduction

1.1 Introduction

South Africa and Johannesburg are among the most unequal places in the world (UN-Habitat, 2016). Many of the inequalities in South Africa's urban areas stem from intrinsically spatial forms of injustice as complicated legacies of colonial, segregatory and apartheid spatial planning (Seekings, 2010). The most demanding and apparent issues of spatial injustice in South African cities are inadequate, poorly located housing linked to poor service provision, high transport costs and lack of access to economic and other opportunities associated with urban centrality. Both analyses and planning have a strong focus on these broad issues. However, the colonial and then apartheid state also created spatial injustice through inequitable development and continual state denial of effectively planned open, inclusive public space, which also created a legacy of inadequate public space. Landman (2019: 131-2) has argued that even public spaces in "poor condition" are heavily used in the post-apartheid era, implying a genuine and significant need. Thus, given the connection between different dimensions of spatialised injustice, accessible, just, and truly *public* space needs to be addressed in tandem with attempts to resolve the spatial injustice inherent in housing, services, public transport and economic opportunities.

The potential of Johannesburg's public space is currently undermined by broader spatial injustices, which shape the reality of people's urban experiences in their everyday lives. Examining this undermining allows an exploration of the interaction between public space and spatial justice, which is shaped by and shapes public culture. Focussing on these complex interactions implies a reading of "the urban", in the words of Amin and Thrift (2016: 24), "as a field of interactions and feedback loops". This begins to connect this study with a wider discourse on urban public space. For example, Zukin (1995: 1) demonstrates that public culture "symbolizes 'who belongs' in specific places", thus determining the nature of inclusion and exclusion, crucial aspects of spatial (in)justice. Furthermore, public space is where people can articulate their demands through civic action. It is also where such demands are "recognised, resisted, or … wiped out" (Mitchell, 2003: 33). However, public space is also changing and being eroded by strict spatial controls associated with increasing privatisation (Low and Iveson, 2016), which Soja (2010) regards as one of the core spatial injustices on a global level. As such, the nature of public space has direct social consequences. This thesis explores the inter-relationships between aspects of the history,

management, design, perception and use of selected public places in Johannesburg's inner city with a spatial justice lens.

1.2 Background

An engagement with three inner city spaces and a route that connects them forms the empirical basis of this thesis. They are Constitution Hill, Gandhi Square, and Pieter Roos Park, all to some extent designed and understood as specific types of public space. They have different ownership and management structures, different planning histories and dynamics, and different intended and actual uses. Constitution Hill, which is a human-rights precinct centred around the Constitutional Court, hosts a complex arrangement of ownership spread through local, provincial and national government. Gandhi Square, a central bus terminus, is one of the first private-sector-led City Improvement Districts (CID) in Johannesburg. Pieter Roos Park, one of the largest parks accessible from the inner city, is owned and managed by the City of Johannesburg (CoJ) through Johannesburg City Parks and Zoo (JCPZ).

The choice of places, discussed further below, therefore allows an interrogation of different models for public space to elucidate their benefits and/or problems. Such an interrogation is conducted with recognition of how various factors, including perceptions of the places, their surroundings, and links to other places, combine with design and management to produce complex and sometimes paradoxical outcomes regarding justice. Relatedly, as highlighted by Landman (2019: 18), "[p]eople are not entirely shaped by their environment; they may shape it according to their needs and perceptions", implying contingent interactions between structure and agency. However, as this thesis shows, these interactions are constrained by wider economic and spatial factors as well as shaped by perception. The perceptions of the places as *public* are important because the imagination of these places influences their meanings, management and use. Furthermore, Gervais-Lambony (2017: 82) argues that such perceptions are critical to understanding spatial justice and injustice in South African cities: "it is a matter of urgency to go beyond simply measuring inequalities and to work also on how they are perceived, and therefore on perceptions and representations of what is just and unjust."

In line with the above, different conventions, rules or by-laws apply to the three public places that this thesis explores. These govern the intended use/s of each space. They are responded to by different degrees of compliance and with a variety of appropriations for other uses. A

partnership between different spheres of government transformed Constitution Hill in the post-apartheid era from a prison complex into a human-rights precinct and home of the Constitutional Court. The precinct design is symbolically laden, given its history and the institutions it houses. Olitzki Property Holdings led the re-design of Gandhi Square with a more functionalist intention as a transport hub, though also includes histories as a civic, institutional and open space. As a different type of space focused on nature and recreation, Pieter Roos Park contrasts to the others with neither strong symbolic heritage nor a focus on transport interchange or other carefully planned activity. However, people frequently use it as a gathering place for political marches, which increases its public importance.

Despite these differences, these three places correspond to traditional or archetypal typologies of public space: the central city-square or plaza, the heritage site, and the park (Landman, 2019). Importantly, they are also three of the largest public open spaces in Johannesburg's relatively dense inner-city. They are designed and pre-ordained specifically as public space, along with embedded ideas around how these spaces can and should be used by those who are included as members of the public. Assumptions about appropriate behaviour in these spaces and how they are managed reveal dimensions of belonging and ultimately, of who counts as legitimate members of the public (Staeheli and Mitchell, 2007). The assumptions about the role of public space in facilitating public engagement, as an important aspect of spatial justice, reveal broader understandings of public space, its use, and its value. Relatedly, in the South African context, Mabin (2001: 252) questions "what exactly is public space in a post-apartheid global condition? Public space needs to be scrutinised in terms of its ability to evolve and [re]distribute power."

The location of these spaces (see Figure 1.1) is important, due to their proximity and connections to other spaces, and due to their location in Johannesburg, part of South Africa's biggest urban conurbation in Gauteng province. It is a vital regional economic hub. These connections are outlined historically in chapter 4 and analysed further in chapter 8 which focusses on the walking route. Because of how public space is experienced as a network, determined by proximity and connections, I buttress the three main case-studies with exploration of a walking route that connects them, mostly along the north-south axis Rissik Street. This route links Johannesburg's Central Business District (CBD) with Braamfontein to the immediate north, a high-rise mixed-use area with educational, institutional, commercial and residential functions. The CBD and Braamfontein are separated by the city's main

railway line, but also connected by central railway station which lies on this route. This walking route mirrors the significance of walking and street-space reflecting the inclusion of street space as an archetype for public space (Landman, 2019). This significance has been outlined in relation to different parts of Johannesburg including a variety of street-spaces, for instance by Cabaret (2012) and Harber, Parker, Joseph and Maree (2018). The route provides a snapshot of the different ways inner-city public space is organised.

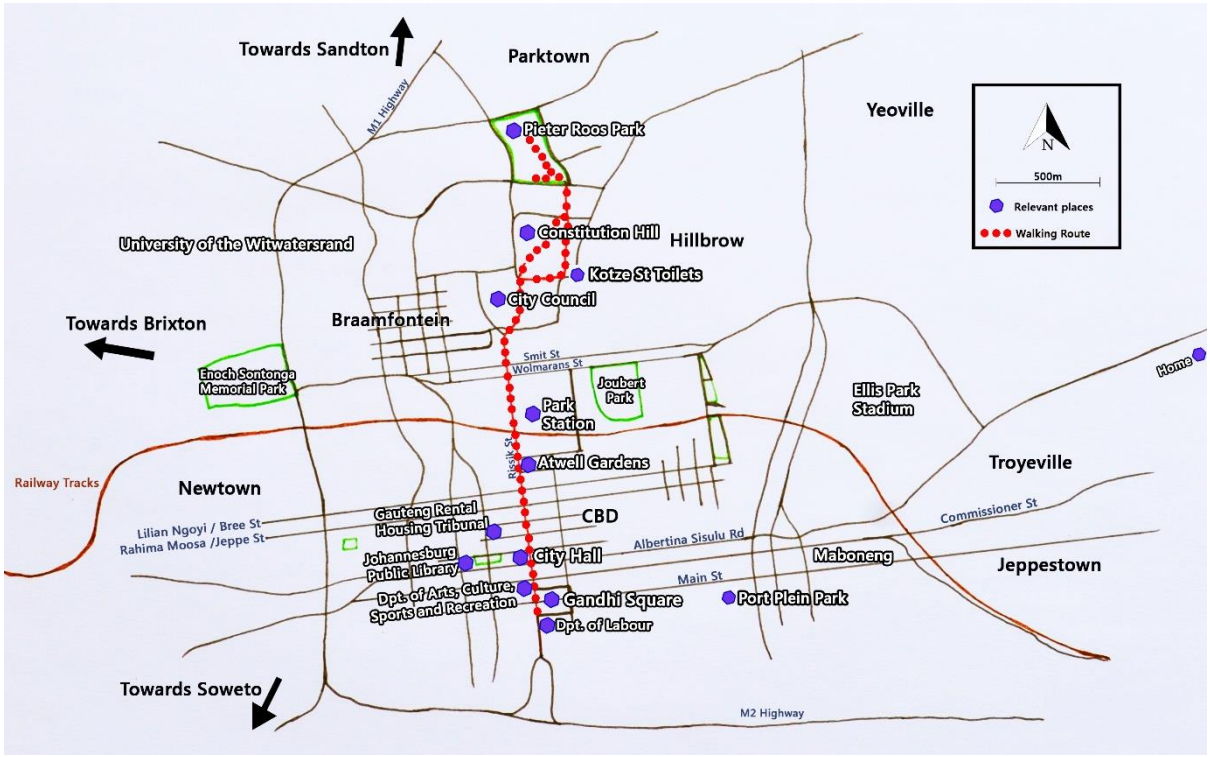


Figure 1.1: Map demonstrating location of case study sites and other relevant places in inner-city Johannesburg. Produced by author, 2019.

As evident in Figure 1.1 above, Constitution Hill sits at the intersection of Braamfontein, Hillbrow, an inner-city, high-rise residential area, and Parktown, a relatively higher-income residential area with some institutional uses. Constitution Hill's planners posited it as a space that could help connect very different and fragmented parts of Johannesburg. Gandhi Square is not situated at the borders of different areas but is in the historic CBD, towards its southern edge. Through its function as a transport interchange, it allows different parts of the city and its residents to intersect. Pieter Roos Park borders directly onto Braamfontein and Hillbrow and is thus a valuable public place for inner-city residents, as can be seen by its regular use.

By comparing different sites and types of places, in the context of broad shifts over time in Johannesburg's public space, this research provides empirical evidence of ongoing processes

in these and other similar places in the city through a spatial justice lens. The study takes a qualitative, historical approach which grounds the use of some ethnographic methods to research current dynamics, drawing on observation and conversation in the case study sites, archival research, and interviews with experts and key stakeholders. The historical background along with contemporary observations drawn out over more than a year of fieldwork aims to contribute to a processual understanding of spatial justice and injustice by demonstrating how critical processes relating to justice unfold over time. The use of mixed methods, discussed in detail in chapter 3, aims to "recognize the many ways in which urban knowledge is acquired and maintained, including learning and cognition, sensory and bodily perception, conversation and storytelling, memory and archive, formal and informal expertise, symbolic and computational intelligence" (Amin and Thrift, 2016: 25).

1.3 Problem Statement

Johannesburg's inner city includes vital public spaces and services, including the City Council's Civic Centre, a public university, a public library, shelters for displaced people, and several relatively small public parks. However, an inadequate number and quality of public spaces in this area is widely acknowledged, and in part attributed to crime and lack of safety (CoJ, 2018; South Africa (SA), 2016; Mavuso, 2016; Cabaret 2012). *Safer spaces,* (undated, unpaginated) an online platform for South African community safety, characterises the situation as follows: "Over the last twenty years of democracy, many parks and other public spaces have fallen into disarray or are simply not accounted for. This is often both a result of and reason for a general perception that open public spaces are unsafe." De Vries and Kotze (2016) argue that Johannesburg's inner-city public places have been suffering from decay and decline during and since the democratic transition in the early 1990s due to rapid growth in a relatively poor inner-city population. Planning efforts have aimed at addressing this lack and perceived decline in the post-apartheid period, burdened by continuities from past spatial planning, which had negated essential aspects of public space, i.e. "democratic, civic and accessible." (Houssay-Holzschuch and Teppo, 2009: 353-5; also see CoJ, 2018; National Planning Commission (NPC), 2011). However, Landman (2019) cautions against accepting a straightforward narrative of decline. She points at complex changes to public space "exacerbated by multiple transitions" in South African cities including state efforts at regeneration and the privatisation of public place management (*ibid.*: 4).

South Africa has a transformative agenda, based on the 1996 Constitution and aimed at redressing the evils of apartheid. This agenda includes expectations of public places to be part of inculcating transformation and change (NPC, 2011; CoJ, 2016). For example, Fraser (2008: 192), a long-term inner-city activist and involved in setting up the Central Johannesburg Partnership (CJP) in the early 1990s, argues for importance of public space in a functioning democracy, as a meeting place where difference can interact, and as a symbol of hope. Transformative expectations for public space are not unique to South Africa. However, in the international context, Low and Smith (2006: xii) question such idealistic expectations of public space with a "recognition that public spaces are no longer, if they ever were, democratic places where a diversity of peoples and activities are embraced and tolerated". Instead, they point to the trend of public places becoming "centres of commerce and consumption, as well as places of political surveillance" (*ibid.*).

Some, as discussed here and in chapter 2, regard public space expectations with "great scepticism", partly due to weak links with the "public realm" (urban designer, int. 2018). Accordingly, Amin (2008) questions high expectations for the link between public space and the public sphere by showing a wider constellation of factors shaping public culture and the public sphere. And yet, civic action or protest, as it is commonly termed in South Africa, have at moments throughout the nation's history demonstrated crucial links between material public space and the public sphere. This research aims at interrogating the intended and actual roles of public space, the power relations between planners and users. This study aims to reveal which uses are encouraged or discouraged because decisions around appropriate use of public space relate directly to various attempts at achieving spatial justice.

Part of the reason public culture is a valuable lens into spatial justice is the significant and complex links between perceptions of crime and safety in public space. Landman (2019: 43) argues that worldwide the interplay between fear, crime and safety is driving two key public space trends of "over-management" and "privatisation". As outlined in the Johannesburg City Safety Strategy (CoJ, 2015: 9), a planning aim is to "[s]hift the image held of Johannesburg as a city that is not safe, recognising that this is shaped by the impression people hold of the city's public spaces." Despite this recognition, there is only a vague understanding of how these perceptions arise, whether they are justified, and in turn how they might "[c]hange the experience [and perception] of streets, parks and public spaces" (*ibid.*). However, aims to improve safety and walkability through the development of precincts and densified corridors

undergird the City's vision for relating public space to attempts at spatial justice (CoJ, 2016). The aim for precinct-based development implies attention to links between individual public places, and the idea of densified corridors implies a need for networks of connected public places. Relatedly, while aims include shifts from "gated private spaces to accessible public spaces" (*ibid.*: 66), the nature of such shifts is not made clear, and what precisely is mean by accessible public spaces is not explained.

Relating to the above, key foci of South African spatial planning and development in the democratic era have been on desegregation, social integration and inclusion, and more recently spatial justice (CoJ, 2016; Landman, 2019). While some middle- and upper-class areas have desegregated to some extent racially, much of the contemporary urban form in South Africa's cities still spatially reflects economic, racial, and gendered divides (Seekings, 2010; Crankshaw, 2008). According to Schensul and Heller (2011), while desegregation does begin to erode older racialised spatial realities at neighbourhood level, this does not necessarily mean social integration. While integration is rarely defined clearly in academic or policy documents, it is implied that this means closer spatial interaction, especially across racial and class lines, though whether and how this occurs at the level of either neighbourhood or public place is unclear (SA, 2016). Thus, while the city recognises spatial *injustice*, conceptions of spatial *justice* remain limited, as do the ways public space is expected to inculcate spatial justice.

Given the accessibility and centrality of the inner-city area, which I discuss further in the next section, its public places exist under heightened pressures in terms of their links with spatial and socio-economic processes. The pressures result from poverty, a lack of affordable, formal, centrally located accommodation and unemployment. They continue to manifest in public places through various social ills including public dwelling, a term I explain in section 1.7 below. The ways in which these places are managed and used reflect broader spatial injustices, partly shaped by dominant public cultures that interact in these places. Due to how social issues crystallise and manifest in public places, some people make use of them for basic needs that are not otherwise fulfilled in the inner-city area. Public places also allow people an escape from the pressures of personal and professional life. However, the needs of diverse publics are not always commensurate, leading to contestation which may unevenly result in a more or less just outcome for different individuals. As pointed out by Fainstein (2009), spatial justice may involve either trade-offs or contradictions.

1.4 Aim and Rationale

This research project seeks to explore the interplay between relevant aspects of the history, design, management and use of public space in central Johannesburg. Through this, I aim to unpack how spatial injustice is either exacerbated or reduced in the way that the spaces are arranged, managed, used and perceived. Relatedly, the thesis investigates how key tensions in public space manifest in the case study sites - including those between security and accessibility, the bounds of acceptable behaviour, and the nature of commerce in public space (Low, 2000). Lefebvre's (1968/1996) concept of the right to the city is helpful in thinking through the inherently political nature of public space. The concept aids understanding in what ways people's rights are enabled or circumscribed in the means by which the spaces are managed and used, and in how contestation in these spaces is adjudicated, reflecting who has power in and over them. The above is revealing of the relationship between public space and spatial justice, which is expressed partly through how the management and use of public space shapes public culture, which in turn has spatial justice implications.

Public culture is one of the key factors in the interaction between public space and spatial justice, but not the only factor. Socio-economic and spatial factors also structure possibilities, though these are also linked to culture. While public culture is largely shaped by and in public space, public culture is also determined in private and semi-private spaces (Amin, 2008; Zukin, 1995). Public space is in some respects as a spatialization of the public sphere, though the public sphere also comprises digital spaces, closed public spaces as well as civic and political spaces (Amin, 2008). Relatedly, while broader economic, political and other factors such as housing are also significant in determining the nature of public space, a key argument in this thesis is that public space is an under-recognised factor in the discourse on spatial (in)justice. Recognising the above, this thesis focuses primarily on material public places and their interaction – through management and use by the public(s) – with public culture, the public sphere, and spatial justice.

Due to the lack and inadequacy of public space in Johannesburg, and the complexity of factors shaping this situation, existing public space in the inner city is especially vital. The accessible location of the inner city for residents of Johannesburg's other centres (e.g. Soweto, Sandton) makes the area a significant marker for socio-spatial change more broadly in the city and nation. The location also promotes access to economic opportunities and public places, like the inner cities of Durban and Cape Town (Landman, 2019).

Johannesburg's inner city also has relevance for public space elsewhere, especially in the global South where similar issues of inequality, informality and coloniality affect possibilities in public space (Sengupta, 2017). While Johannesburg's inner-city residential areas are currently mostly comprised of low-income, black[1] African households, these households are not subjected to spatial peripheralisation in the same way as those living in townships. However, power dynamics mean that some people have more means and opportunity to make claims on and appropriate space than others. The inner city is a psychologically important space in the city, "a particularly powerful symbol to the masses of [black] Africans who were denied access throughout the majority of South Africa's history" (Lancaster, 2011: 50).

There are limits to the value of inner-city public space. Johannesburg's long history of colonisation is still symbolised in the city, playing a role in shaping the meaning of its public spaces. Also, there is a lack of racial integration, despite being in the very centre of the country's most cosmopolitan city (CoJ, 2016). These limits are critical, given that many regeneration efforts have aimed at addressing them, often, as mentioned, with public space expected to play a role in fostering integration and inclusion as part of attempts at spatial justice (*ibid.*; NPC, 2011). This thesis aims to contribute to a growing understanding of what is desired in terms of integration at the level of individual public places, and what impacts the attempts at integration are having. It is critical to interrogate spatial planning interventions, their rationales and their impacts, as if planners hope to engender a culture of integration and inclusion, public spaces are sure to be integral to this. In other words, public space must be recognised for its significance and not side-lined in debates around how to transform cities.

1.5 Contribution

This research provides a new focus on the intersection of public space and spatial justice, bringing a unique perspective on how this intersection emerges through the interaction between public culture, management and use. There is a gap that exists in terms of holistic understandings of public space which relates to a position that spatial justice requires trade-offs (Todes, Charlton, Rubin, Appelbaum, Harrison, 2016; Mkhomazi, 2017; Fainstein,

[1] Race as a social construct has had serious material consequences throughout Johannesburg's history. Therefore, in this thesis, I largely refer to racial categories as in the apartheid period: black Africans, Indians, Coloureds, and whites. Often, in discourse, the term black includes all people of colour, and at times it is used in this way. Where further specificity is required, I use the term black African.

2009). However, a spatial justice lens helps cut across the multiple issues that intersect and manifest through public space. The thesis also provides empirical contributions in terms of grounded research on key dynamics and processes of selected public places in Johannesburg. This sheds light on the complexities of public space management and extends discussions on different public space production and management models. My research findings also shift the predominant critiques of privately managed open spaces by arguing these critiques, like the models of private management themselves, have been transposed too uncritically from their original context in the global North, to different circumstances in Johannesburg, discussed further in chapter 2. This thesis speaks to the gap in approaches to public space management which can benefit from clearer identification of the links between public space and spatial justice, which are not yet well understood by planners and officials (CoJ, 2016). Furthermore, the interaction between spatial justice and public space is a limited aspect of the discourse on spatial justice to which this thesis contributes.

A decade ago, Staeheli (2010) argued that a lack of research in the global South on public spaces and the publics that form them has led to narrow conceptual understandings of public space. As I show in chapter 2, despite valuable new contributions, this gap has not been filled. Relatedly, Landman (2019: 7), in her important recent contribution *Evolving Public Space in South Africa*, points at limited South African direct scholarship on public space at "precinct and site levels". Furthermore, Schensul and Heller (2011: 80-1) argue that too much contemporary research on urban South Africa is focused on 'macro-forces'; as such, this study responds to their call for more studies on variation 'within the city.' In line with this, and while the authors do assert apartheid primacy, Houssay-Holzschuch and Teppo (2009: 352) show how starting with public space can provide new insight into 'what apartheid was and what its consequences are in present-day South Africa. Second, the very importance of public space during apartheid makes exploring its post-apartheid dynamics imperative'. This thesis adds to growing understandings of South Africa's recent history. Low and Smith (2006) identify a gap between literature on the public sphere and on public space. This research seeks to close that gap by exploring Low and Smith's (*ibid.*: 3) claim that "public space is the geography of the public sphere" in contrast with Amin's (2008) assertion that the correlation is not generally strong in reality.

1.6 Key research questions

Question 1 below is the key research question, questions 2-5 are the sub-questions.

1. What are the key manifestations of interaction between public space and spatial (in)justice in inner-city Johannesburg?
2. What does analysis of different publics and competing claims on urban space reveal about publicness and justice?
3. How do the concepts of spatial justice and public culture aid in understanding public space in Johannesburg?
4. What can analysis of the inter-relationships between management, design, history, perception and use at Pieter Roos Park, Constitution Hill and Gandhi Square reveal about spatial (in)justice in Johannesburg's public space?
5. In light of these questions, how does this refine and expand understandings of what spatial justice means in local contexts?

1.7 Definitions of key concepts

In this section I define my use of terms that express the key concepts for this thesis. Staeheli and Mitchell (2007: 809) refer to publicity as an "analogy […] with privacy: privacy refers to the conditions for and of being private; publicity refers to the conditions for and of being public." Chapter 2 demonstrates the uneasy distinction between private and public. In this thesis I usually refer to publicity as publicness to avoid the marketing and media-related connotations of the word publicity. However, I refer to publicity in instances where I cite authors who use it. I aim to use the concept of publicness in a way that begins to shift the idea away from complete association with government ownership and management toward a more social understanding. Terzi and Tonnelat (2017) usefully extend this approach to publicity by positing it as a potentiality, or the outcome of a process of "publicization", which allows us to see how publics and public spaces are mutually constructed through historically contingent processes, rather than simply existing *a priori*.

Because "practical definitions of [spatial justice] remain elusive" in the local context (Budlender and Royston, 2016: 7), part of the inquiry in this thesis is to come to a clearer understanding of what the content of spatial justice in South Africa is or could be, and how this may manifest in and through public space. As a starting point, the study takes a spatial justice approach as "adopting a critical spatial perspective" towards justice, based on Soja's (2009: 2) definition of spatial justice as "the fair and equitable distribution in space of socially valued resources and the opportunities to use them" (Soja, 2009: 2).

While spatial justice is not a straightforwardly measurable concept, there are key factors that indicate aspects of how spaces relate to justice concerns, part of which is expressed through public culture. Starting from a broad definition of culture as "the ideas, customs, and social behaviours of a people or society" (Soanes and Stevenson, eds, 2009: unpaginated), I regard *public culture* as the 'ideas' and 'behaviours' both of people in public, especially in public places, and of people who make decisions about or manage public places. I follow Zukin (1995: 10) in approaching public culture as "a process of negotiating images that are accepted by large numbers of people," though for the purpose of this thesis I suggest this negotiation being more over behaviours and visions for space than over images. Zukin (1995) furthers her definition of public culture by arguing that different public spaces develop "a variety of public cultures, and that the overarching public culture of the city is a dialogue [or contestation] amongst them."

For the remainder of the thesis, I follow Massey's (1994: 9) distinction between space and place based on her extensive engagement with the debates on these terms which resonates strongly with my understanding and research. As such, I use the term public *place* to refer to areas that are ordained or generally understood as public or open, drawing on her list of connotations to *place*: "local, specific, concrete, descriptive" (*ibid.*). This includes places with the official City of Johannesburg designation of 'public open space'. I refer to public *space* as including normative measures of publicness that relate closely to processes spatial (in)justice. As outlined by Massey (1994: 2), "space must be conceptualized integrally with time … because space is about social relations, which are dynamic and ever changing". Therefore, the term public *space* allows an appreciation of changing publicness over time, and includes measures of accessibility, openness, variety of uses, safety, and responses to the wider issues that manifest in public places. I use the term public place to refer to material, open places, and the term public space to denote where physical public places connect to the public sphere. I note here that the thesis focusses on open public places, like streets, parks and squares, rather than closed public spaces such as libraries, clinics or community centres. Recognising overlap in the concepts of place and space, this introductory chapter has used both terms where appropriate to the narrative.

I follow Hassim (2009: 348) in challenging the "notion of the public sphere as the space of open and inclusive debate, while, nevertheless, holding on to the idea that some version of the idealised public sphere is both desirable and necessary for democracy to thrive." Hassim

(*ibid.*: 354) thus regards the public sphere as "the space of contingency rather than democratic certainty, and of contention rather than consensus." I include this definition not because the thesis is focussed on the public sphere, but for purposes of clarity where I argue that certain types of usage of material public places connect to the broader public sphere.

Charlton (2019) employs the term park dwellers to recognise that the term 'homeless' obscures the complexity and variety of reasons that people live in public. Therefore, I use the term public dwelling in this thesis because I discuss people living in multiple types of open public places.

1.8 Outline

Following this initial, introductory chapter, the thesis proceeds with a chapter situating my focus on public space within literature that reflects the different levels and scales at which the interactions between public space and spatial justice are manifested and articulated. Centring public space as an important area of direct focus, the conceptual framework in chapter 2 examines mutually influential ideas on what the concept of public means and how it relates to space. I also discuss literature that focusses more directly on public spaces and aspects of their management and design, which begins to elaborate connections with spatial justice. This provides practical and conceptual grounding for arguments about public space as a key nexus of urban processes regarding justice and injustice.

Using Lefebvre (1991/2004) and de Certeau (1980/1984) to establish the importance of spatially grounded analyses and the importance of the everyday, chapter 2 details the political importance of space following Lefebvre's (1968/1996) right to the city and Mitchell's (2003) work on the importance of public space for social justice. Drawing on Zukin (1995) and Amin (2008), public culture is deployed as a way of articulating how particular acts, situations, and constellations of power impact on the ways people manage, use and understand public places and public space more broadly. These theoretical discussions are then situated within different practical scales: the global South, South Africa, Johannesburg and its inner city, relating their importance and value for discussing the interactions between public space and spatial justice.

Chapter 3 discusses my methodology through the framework of encountering publics. This elaborates my position as a member of Johannesburg's public in relation to other individuals and publics as well as amongst them. This study draws mostly on research conducted through

regular presence at each site. However, responding to the cross-cutting nature of public space as a concept and entity, I also employ other methods, including document analysis, archival research and interviews. This is necessary for a wide-ranging understanding of public space's different dimensions, which requires multiple perspectives and types of data.

Chapter 4 discusses the history of public space in Johannesburg using past accounts of the case study sites as a prism, further locating their significance for this study. This includes contextualising Gandhi Square, Constitution Hill and Pieter Roos Park within the changing planning and spatial dynamics of Johannesburg before, during and after the democratic transition.

Following these introductory chapters, the thesis moves on to three empirical chapters that engage the design, management and use of the three main case studies. The order of these chapters follows the thrust of movement each morning northwards through the city. The chapter on Gandhi Square therefore follows the introductory chapters, as it is a key entry-point into the city, referring its users more widely to the rest of Johannesburg. Constitution Hill is the focus of chapter 6, as it is physically located between Gandhi Square and Pieter Roos Park and positions itself as a connector of other spaces and surrounding areas. Chapter 7 on the park is the final of these chapters as it is the furthest north. Also, it is positioned more as a destination public space than a transport hub or self-conscious spatial connecter.

Chapter 8 explores public space as a network and draws on examples from the Rissik Street walking route to explore the dynamics of space *between* the 3 case study sites, demonstrating important connections as well as fragmentation. This furthers understandings of each case study by situating them in relation to each other as well as other types of space.

Finally, the concluding chapter 9 draws insights from the similarities and differences between different spaces and their dynamics of management and use, focussing on how these interact with justice and injustice. The conclusion returns to the research questions, providing a synthesised response to them. It also articulates the core contributions of this thesis, reflecting on the methods and conceptual framework used in this study. The chapter ends by suggesting avenues for further research and recommendations for understanding and managing public space in Johannesburg.

2. Literature and Theory: Centring Public Space

2.1 Introduction

Public space and the processes and manifestations that shape it, and that it in turn shapes, are dynamic and constantly in flux. One reason is that these processes are multi-faceted and occur on multiple levels, from site- to city- and national-scale, and from the level of public space to that of the public sphere. This thesis thus argues that public space occupies a core nexus of urban dynamics, sitting at the intersection of political discourse and socio-spatial conditions such as peripheralization, unemployment and spatial and economic inequality. These conditions and their underlying causes, which manifest in public places, define the extent of justice and injustice for individuals within space. Public space also shapes as well as being shaped by public culture. This is exemplified by the interplay between management and use and the interactions between people in space. The present chapter draws on literature to explore connections between these concepts, ultimately using Lefebvre's (1968/1996) idea of the right to the city, which has been central in many spatial justice discourses, to draw them together. The review culminates in an argument for a conceptual and practical centring of and emphasis on public space in the discourse on spatial justice.

The chapter starts by framing understandings of space, discussing how different elements of space produce space in dialectical interaction. The next section analyses competing theories for understanding public space, demonstrating the complexity, contradiction and paradox that theoretically underpin public space as a concept, arguing that this conceptual complexity is part of what drives the practical complexity and paradoxes of its management and use. Because of these complexities, I outline normative ideals for public space, which is part of why I use the term public places to refer to those that are understood or officially ordained as public, though might not fulfil the normative conditions of public space. This builds into a discussion of how public space determines appropriate behaviours through reflecting and shaping public cultures, thus shaping dynamics of inclusion and exclusion. These emerge as key measures of spatial justice and factors in the formation of publics. Bringing spatial justice into those discussions implies the politicisation of public space, which leads to the exploration of right to the city as a conceptual frame for exploring the links between public space and spatial justice. Section 2.6 on mystery and rhythm attempts to signal under-represented but important factors in how I understand space, before concluding with a conceptual framework for this thesis.

2.2 The production of space

The concepts I discuss in this chapter, and the practical implications thereof, are inherently spatial, manifesting in and through space. I thus follow Philippopoulos-Mihalopoulos's (2011) assertion that space has its own unique qualities; it cannot be taken as an aspect of something else, be it law, history or political economy, nor as a container for social phenomena. This research seeks to frame spatial analyses of public places through Lefebvre's (1991/2004) conceptual triad of interacting elements that produce space. The triad shows the interconnection between the "three moments of social space"; stemming from his key argument that space is a social product at the same time as space is the producer of social relations (Lefebvre, 1991/2004: 40). As such, Lefebvre argues for space as composed of *spatial practices*: lived space that "consists in a projection onto a (spatial) field of all aspects, elements and moments of social practice"; *representations of space* or mental/conceived space; and *representational spaces* that can be perceived and symbolic (*ibid.*: 8). Lefebvre lays out the triad as follows:

> The *spatial practice* of a society secretes that society's space; it propounds it and presupposes it, in a dialectical interaction; it produces it slowly and surely as it masters and appropriates it. … [U]nder neocapitalism [spatial practice] embodies a close association, within perceived space, between daily reality (daily routine) and urban reality (the routes and networks, which link up the places set aside for work, 'private' life and leisure). … A spatial practice must have a certain cohesiveness, but this does not imply that it is coherent (in the sense of intellectually worked out or logically conceived). … *Representations of space*: conceptualized space, the space of scientists, planners, urbanists, technocratic subdividers and social engineers, … This is the dominant space in any society [under neocapitalism]. *Representational spaces*: space as directly *lived* through its associated images and symbols, and hence the space of 'inhabitants' and 'users', but also of some artists and perhaps of those, such as a few writers and philosophers, who *describe* and aspire to do no more than describe. (*ibid.*: 38-39, emphasis in the original).

In my reading, *conceptions of space* represent the values and practices of planners and managers, which Lefebvre categorises as dominant in society due to the control over space held by planners and managers. I argue that *spatial practices* – the way societies use space – can tend either towards the elaboration of *representational spaces* "in which the imagination

seeks to change and appropriate", thus in which users construct new meanings for themselves based in their perceptions. Or, on the other hand, spatial practices can tend towards "dominated – and hence passively experienced space" when they are shaped and controlled closely by conceptions of space (*ibid.*). Lefebvre elaborates by claiming that "producers of space have always acted in accordance with a representation, while the "users" passively experienced whatever was imposed upon them inasmuch as it was more or less thoroughly inserted into, or justified by, their representational space" (*ibid.*: 43-44). In other words, the spatial practices of users can create meaningful representational spaces through appropriation; alternately they may have their representational spaces circumscribed by dominant representations of space. It is a dense theory of space that shows how separate - but not distinct – forces and energies interact to produce social space. This disambiguation of different elements and forces of space is revealing of how and where injustice may be exacerbated or deconstructed. At the same time, these interacting spatial forces are themselves shaped by social space, which Lefebvre describes as "at once *work* and *product*- a materialization of 'social being'", the form of which is "encounter, assembly, simultaneity" (*ibid.*: 101-2).

Low (2000: 151) describes the interplay between these elements of space in a way that resonates with Lefebvre and provides alternative language for exploring how space is produced by the "relationship between what is experienced and socially constructed by the users, and the circumstances that socially produced the space and its current physical form and design". Zukin (1995: 293) points out that the triad has been understood and deployed in a variety of ways over time, arguing that it is still helpful in understanding "the difference between physical space as experienced sensually and socially, as intellectualized, and as manipulated both physically and symbolically". These contributions highlight the importance of understanding not just the value and dynamics of public places, regarding their histories, planning, development and use, but how these are inherently spatial, temporal, multi-dimensional, and the result of and pre-cursor to social and political struggle. Kipfer, Saberi and Wieditz, (2012) explain Lefebvre's understanding of how temporalities are inscribed in space. In other words, his spatial triad allows for understandings of space in which history is present, and important, in the production of space, not through causal chains or through teleology but rather in a non-linear manner (*ibid.*).

The importance of everyday life as emphasised by de Certeau (1980/1984), and the potential of spatial practices to generate representational spaces (Lefebvre, 1991/2004), highlight the agency of urban residents. Low (2000: 33), in her valuable contribution about the history and social production of the plaza as public space in Latin America, also emphasises the importance of public space usage in people's everyday lives, cautioning that "macropolitical interpretations" obscure key details of social interaction. Simone (2011: 213) thus points out that people "themselves are the important infrastructure. … their selves, situations and bodies bear the responsibility for articulating different locations, resources, and stories into viable opportunities for everyday survival." The way Simone describes how residents create opportunities for survival corresponds with how spatial practices generate representational spaces (Lefebvre, 1991/2004).

Mbembe (1992: 4) argues that the pressure on marginalised residents to adapt and develop dynamic tactics and fluid identities for survival, stems from the lack of singular, cohesive "public space" in post-colonial cities. This has also been identified by Boniburini (2019, unpaginated), in her ongoing research on Johannesburg's inner-city public space, suggesting that "[t]he presence of diverse cultures is often contradictory to the acceptance of common values". As such, the everyday spatial practices and lived spaces of urban inhabitants – especially inhabitants' potential to generate representational spaces (Lefebvre, 1991/2004) – are a key part of what can make public places more public. The interaction between different spatial practices includes contestation partly driven by the absence of "common values" (Boniburini, 2019, unpaginated), which speaks to contestation amongst and within public cultures. In this thesis I aim to strike a balance between analysis of macro-processes with that of the everyday to recognise how broader processes shape everyday realities in space, and also vice versa, as implied by Dikeç (2001), whose work I review below.

An important part of Lefebvre's (1991/2004) concept of space is how space both is produced by social relations and reproduces social relations. Therefore, the conceptualisation of space is inherently political, just as politics is inherently spatial. As elaborated by Dikeç (2001: 1787-8):

> the social production of space, with the idea that the very production of space, which is inherently a conflictual process, not only manifests various forms of injustice, but actually produces *and* reproduces them (thereby maintaining established social relations of domination and oppression).

This is precisely why spatial studies of this nature are important, for it is in space that social life and political struggle manifest in response to injustice, and it is space that shapes the very content of society, politics and justice. In other words, to contextualise the concept of spatial justice, the above theories of space show how justice and injustice are inherently produced in and through space. Dikeç (2001: 1792-3) further explains this dialectical framework for thinking through spatial politics, by positing the spatiality of injustice in association with the injustice of spatiality:

> the spatiality of injustice implies that justice has a spatial dimension to it, and therefore, that a spatial perspective might be used to discern injustice *in space*… The injustice of spatiality, on the other hand, implies existing structures in their capacities to produce and reproduce injustice *through space*.

Crucial to this dialectic framework of social space is Lefebvre's recognition of the contradictions inherent in space: "Itself the outcome of past actions, social space is what permits fresh actions to occur, while suggesting others and prohibiting yet others" (Lefebvre, 1991/2004: 73). For the South African context, this indicates how legacies of domination and rigid segregationist controls over space through state representations of space shape social space going forward. The power relations flagged above by Dikeç (2001) imply a degree of competition over space, which Zukin (1995: x) argues plays an important role in shaping public culture because it determines "the right to experience, conceptualize, and control" public places, which in turn shapes inclusion, exclusion and belonging as a member of the public. These dynamics of publicness and belonging, both aspects of spatial justice, are examined in the next section, which focusses on theoretical and practical underpinnings of public space.

2.3 Public space and justice

This study is largely an investigation into public space; this section defines and explores publicness in space. Following from the previous section, I assert that one dimension of how justice and injustice manifest through space is specifically public space. My selection of places in inner-city Johannesburg that are designed and understood as public is an entry-point into interrogating what public space means in contemporary South Africa. In making this selection, I acknowledge how "definitions of public space, the public, and publicity, and discussions of their importance seem to be contingent, not fixed" (Staeheli and Mitchell,

2007: 807). Built into this acknowledgement is a questioning as to what constitutes the public, and what informs the degree to which a space can be considered public. There is significant scholarly debate around how to define and understand public space and publicness. According to Staeheli and Mitchell (2007: 792), our understanding of public space needs to go far beyond equating it "with open or accessible space", notwithstanding the widely acknowledged importance of accessibility and openness for public space. This opens some of the contradictions and paradoxes seemingly inherent in understandings of public space. As presented by Landman (2019: 2), public space is alternately taken as a space of "peaceful co-existence and impersonal encounter" or to "arbitrate social conflict," implying contradiction and paradox in understandings of public space.

Ultimately, taking publicness as a process allows a conception of public space that could, in a particular historically contingent moment, tend towards either or both poles of public space articulated above by Landman (2019). This links to my understanding of spatial justice as necessarily processual. Beyond this, public space is also important for political activism or other civic action (*ibid.*). Belina (2011) takes this forward by unsettling the distinction between public and private space by showing how idealistic visions of publicity can get operationalised for different political projects. This is particularly so in a global context tending towards "privatisation of the public realm and its reduction to the status of commodity" (Mitchell, 2003: 141-2; Low & Iveson, 2016; Low and Smith 2006; Soja, 2010). As put by Low, (2000: 181) "economic motives for the design of urban public space often relate more to increasing the value and attractiveness of the surrounding property than with increasing the comfort of daily inhabitants, except where the social amenities are written into the zoning and economic equation." Landman (2019:3) links these risks of privatisation to a "loss of public life". Amin (2008) relates this loss of public life to a shift in which public culture is being developed more in private or semi-private spaces than in public space, which undermines the possibilities for a wider, more inclusive public culture. This leads Amin (2008: 5), writing from the UK, to argue that "it seems odd to expect public spaces to fulfil their traditional role as spaces of civic inculcation and political participation", notwithstanding the potential of spaces to play these roles, nor the risks of a wholesale denial of such possibilities for public space. Partly, this is because the other factors that determine public culture and the public sphere can also be revealed, to some extent, by understanding the dynamics within public spaces.

Zukin (1995) and Katz (2006) also point out how the increasing privatisation of public space not only erodes the quality but has begun to change the very meaning of public space. Largely, this privatisation occurs through City Improvement Districts (CIDs), which are privately managed public spaces that occupy increasingly extensive parts of Johannesburg and cities worldwide (Didier, Peyroux, and Morange 2012; Peyroux 2012). CIDs are situated within the local context in chapter 4. Examining the changes driven by privatisation to the meaning of public space requires some normativity applied to the concept of publicness. However, Belina (2011) points out how measuring spaces up against an idealistic publicity runs the risk of obscuring other important realities. These include which groups have power *in* or *over* particular spaces, and how "the priorities of those designing and developing public space are shaped by the prevailing paradigm and value system of the societal and cultural context from which they emerge" (Landman, 2019: 10). Here Landman outlines how cultural norms impact on the design and development of public places on a broad level. Landman's (2019) book provides a useful framing and overview of public space in South Africa, especially valuable given the general lack of local, public space focussed research. However, by giving this breadth of understanding public space across the country, the complexities of design, development, management and use at site- and network-level are glossed over to some extent. This thesis contributes to a growing understanding of these sorts of complexities at site- and network-level and responds to Landman's (*ibid.*) and others' calls for more site-level public space research.

In line with Landman's (*ibid.*) suggestion quoted above that cultural factors and values are important in understanding the development of public space, I argue in this thesis that the management and use of public space shapes society, its cultures and values, which in turn has significant implications for spatial (in)justice. Though it is important not to disregard realities, lived experiences and power, as raised by Belina (2011), I maintain that a key goal of public space planning and management is to create or engender just spaces that are genuinely public. This requires reckoning with normative measures, recognising that multiple interests and imperatives drive different goals for public space. The remainder of this section examines normative ideals for public space including accessibility, safety, openness, encounter, political and civic potential, and socio-spatial integration, noting that these qualities resonate strongly with characteristics of just spaces (Fainstein, 2009; Adegaye and Coetzee, 2019). I aim to unsettle these ideals, given that they "are not automatically

supportive of each other" (Fainstein, 2009: 5), as well as exploring their importance for analysis of public places in Johannesburg.

Partly, the concept of public can be seen in opposition to that of private, though there are "a complex family of" distinctions between public and private that sometimes overlap, rendering both concepts more complex (Weintraub, 1997: 2). Partly, this is because these concepts are multi-faceted, and the distinction as well as the meaning of each are constantly changing, especially in relation to each other. Therefore, this thesis follows Weintraub (1997: 5) in laying out a baseline meaning of public as "what is collective, or affects the interests of a collectivity of individuals", implying "open, revealed [and] accessible"; and private as "what is individual, or pertains only to an individual", implying "hidden or withdrawn". The intention is to explore how these meanings are shifting according to the dynamics and processes of public space in contemporary Johannesburg, situating the difference between public and private as a non-linear continuum (*ibid.*). Given the extensive social, spatial and economic inequality of Johannesburg, people have differential access to both public space *and* private space, the quality of which also varies by area. This has implications for the way different people experience and use public places as certain basic needs may not be fulfilled in private spaces.

The idea of spatial justice helps to cut through the distinction between public and private. For example, often those with the least (if any) access to private spaces are those who are least welcome in conventionally considered public places (Mitchell, 2003). For these people, the distinction between public and private space has little relevance. Furthermore, as articulated by Mitchell (2003: 132), who draws primarily on examples from New York and California, "[t]o be public means having access to private space to retreat to (so that publicness can remain voluntary)". Therefore, without access to a private retreat, people who are forced to live in public are ironically disconnected from belonging to *the* public. This research seeks to interrogate how these interactions between public and private manifest in public places in the inner-city of Johannesburg, examining how the erasures of lived experiences produced by the distinction between public and private can determine the extent of justice for individuals through either inclusion or exclusion from membership of the public. A related issue is that of incommensurability; how do we resolve competing claims on public places? Also, how are these claims on urban space tied to broader claims to membership or citizenship at various scales? For example, in Johannesburg, to what extent are poor people and immigrants able to

make such claims in the context of poverty, marginalisation and xenophobia (see Landau, 2006)?

Inclusion is a key factor in analysing the degree of publicness in places, though complicated by competition over space, which is driven in part by societal divisions (Belina, 2011; Landman, 2019). How can a space be inclusive of everyone, i.e. *the* public, if the public itself is divided on many levels? South Africa has a complicated history of systematised racism, embedded and often violent patriarchies and hetero-normativities, and socio-economic divisions including persistent segregation, which drive up levels of inequality that UN-Habitat (2016) argues are now amongst the highest in the world. Thus, there are various levels of division and differentiation, often inter-related in complicated ways, which impact on the potential of public places. Against this backdrop, Oelofse (2003) shows how Johannesburg's inner city has at times been a refuge against gender and sexuality-based violence.

Often, the terms employed to describe the value or potential of public space are around civic engagement, interaction with difference, and the formation of cosmopolitan identities (Fraser, 2008; Houssay- Holzschuch and Teppo, 2009). Amin and Thrift (2002: 138), writing in the context of the global North, refine this by suggesting public space may not always incorporate "the formative spaces of hybrid identities and politics". Yet, they also highlight the importance of difference and conflict in public space, especially given its key importance as potential site for political contestation and protest action. Marais (2016), writing about Joubert Park in inner-city Johannesburg, argues that protest is important in public space because it is the key instance in which the public sphere becomes spatialised. Notably, given the important interplay between management and use, Marais (2016) argues that repressive management practices undermine publicness by reducing opportunities for the spatialization of public discourse through protest and civic gathering.

Houssay-Holzschuch and Teppo (2009) outline three levels at which public space is understood and manifests in South Africa. Firstly, the political level which they regard as "the metaphorical space of public debate" or discourse, i.e. relating to the public sphere, to the juridical level based on public ownership of land, to social understandings referring to places where different people can "meet and interact" (*ibid.*: 353-5). In light of the interaction between these levels, they argue that equitable access to public space is crucial in South Africa to redress past segregation and systematised exclusion (*ibid.*). Considering the

exclusive conceptions of Johannesburg's urban public places, this provokes important questions around to what extent Johannesburg and South Africa have managed to produce genuinely public space after 25 years of democracy. However, by limiting the social level of public space to meeting and interacting, Houssay-Holzschuch and Teppo (2009) do not address the link between the political and social levels of public space which is expressed most directly through protest. Ultimately, the history and future of public space – materially, socially, and symbolically – involves contestation and political struggle. Mitchell (2003: 43) demonstrates that political struggle determines both the nature of public spaces and the nature of "how people struggle in public space for their rights", but also crucially shows that "the content of public space itself conditions that struggle." In other words, as put by Low (2000: 238), "Societal mobilization about public space influences the shape of civil society and, by extension, democratic participation." These are crucial points in terms of South Africa's public space: while for much of Johannesburg's pre-democratic history the state intentionally denied public space, people have throughout the history occupied urban space and made it into public space through demands for change and justice. As such, the potential for protest in public places is an essential and critical aspect of spatial justice.

To further a discussion around meanings of publicness, it is important to examine how, why and at what levels elements of publicness become spatially manifest in public places, and thus how spaces are more or less public. This indicates a tension between planned public places with assumptions about planned uses and moments in which spaces are made public by people. I argue that design and management can either circumscribe or facilitate the possibility for publicness to manifest spatially in particular places. Staeheli and Mitchell (2007: 792-3) extend this by positing the question "how does space shape who counts as 'the people'?" The corollary of this is also important to consider: how do understandings of what or who constitutes the public shape how public space is planned for, produced and reproduced?

In the broad context of inequality and injustice, the spatial politics that determine membership in the public are crucial because they shape the production of our public places. Therefore, an examination of how *public* these spaces really are inevitably is tied up to how *just* these spaces are. Building on above discussions around normative measures for publicness in space, Low and Iveson (2016: 12), writing from the standpoint of continuous conflict in and contestation over public space, outline five principles to build the framework

of justice into conceptions of public space. These principles suggest elements of how to move towards more just public space via "processes that seek to *redistribute* resources, *recognize* difference, foster *encounter/interaction*, establish an ethic of *care* and ensure *procedural fairness*". It is implicit in these principles that publicness can be designed or implemented in space. However, I argue that Low and Iveson (2016) leave room for these principles to be articulated and made manifest by users of space, and not just planners or managers. For instance, I read the recognition of difference and the fostering of encounter in a broad sense that these principles can manifest in and through struggle or contestation. The nature of these principles implies the importance of a just public culture in articulating them. Soja (2010: 45) pushes this further by characterising urban public space as "democratic spaces of collective responsibility." This implies a clear link between material public places and the public sphere, as well as the necessity of a degree of reciprocal use in public space, heeding the call for "collective responsibility" to inculcate a just public culture. This ongoing dialectical opposition between visions of public space as promoting social cohesion and visions that emphasise the importance of conflict and contestation in public space is an enlightening one. It can deepen understandings of both actual and intended roles for public space. Thus, there must be a degree of fluidity in the terms explored above to recognise public space as a continuously changing and complex social phenomenon.

2.3.1 The potential beginnings of public space: under threat?

Michael Sorkin (1992) was amongst the first proponents of the view that threats to public space including privatisation and commodification are signalling its end (also in Belina, 2011). However, Mitchell (1996, 127) demonstrates the extreme side of the argument that responds to views on the end of public space: "There are not and have never been truly open public spaces where *all* may freely gather, free from exclusionary violence". Notwithstanding genuine threats to publicness raised by Sorkin (1992) and others, I suggest in line with Mitchell (2003), that what is at stake is the beginning of truly inclusive, open, and just public space, or at least the potential for it. Thus, I follow Mitchell's (2003: 35-6) assertion that "the production of public space – the means through which the cry and demand of the right to the city is made possible – is thus always a dialectic between the 'end of public space' and its beginning." I expand on this below.

It is critical to reiterate that the production of genuinely public space relies on the public actions of people. Zukin (1995: 26) suggests that over the course of the twentieth century,

social struggle changed "definitions of who should have access to public space", making "public cultures … steadily … more inclusive and democratic", demonstrating a clear link between inclusive public cultures and accessible, genuinely public space. However, as discussed further, especially in chapter 6, this tendency towards inclusion identified by Zukin (1995) has begun to erode in the twenty-first century, thus re-iterating Mitchell's (2003) exposition of the dialectic between the beginning and end of public space. In other words, the more *public* parts of public space are under threat by spatial controls usually associated with privatisation and commodification, though similar controls exist in publicly managed places. Moreover, the exclusionary aspects of public space have been eroded through struggle to signal the beginning of (more) public space based on a consensus that equality is a good thing and exclusion is a bad thing. This consensus itself is increasingly under threat. It is important therefore to understand public space and its interactions with spatial justice as ongoing processes, beholden to power and struggle, and historically contingent.

2.3.2 Acceptable behaviour and belonging: visions and cultures

Following from the above, I argue in this thesis that a significant determining factor of the interaction between public space and spatial justice is public culture(s) and the way these translate into behaviours. Terzi and Tonnelat (2017: 521), writing from the context of New Orleans in the USA, critique the controlling manner in which "the urban environment [in the global North] organizes copresence and mutual visibility of strangers in a way that teaches them how to behave in public and get along with other". This speaks to the ideals of access and inclusion in public space, which are critical measures for spatial justice, but must be contextualised in terms of aspects of the urban environment that control rather than facilitate civic actions and the mutual formation of new identities. These aspects, such as CCTV, security, rules and laws shape the ways in which people may learn from each other and can produce exclusion which is a key form of spatial injustice at site-level. Furthermore, attempting to control public space "produces a sense of community based on exclusion and isolation, and aids in the development of a siege mentality" (Sagan, 2019: 182), implying that a culture of exclusion is a key part of spatial injustice.

South African socio-legal expert Marius Pieterse (2019) argues that public nuisance and other by-laws are often seen as mundane but are used by police to control public dwellers and sex-workers. People regarded as undesirable – most notably for this study public dwellers, protestors and informal traders – are often excluded from public places in various ways

(Mitchell and Staeheli, 2006). The diversity of motivations and drivers for public dwelling are multi-faceted and complex (Charlton, 2019), though reactions by managers and planners are often unable to respond holistically to these. Mitchell (2003: 163) shows the extreme consequences of a harsh public culture with a narrow conception of who counts by arguing that such uses of laws show a clear intent: "to control behaviour and space such that homeless people cannot do what they must in order to survive without breaking laws. Survival itself is criminalized."

Terzi and Tonnelat (2017: 523) characterise the constellation of elements aimed at spatial control by drawing on Foucault's "panoptical gaze". Foucault's (1975, cited in Gieseking *et al*, 2014: 327) use of the panopticon, linked to notions of governmentality, refers to how "surveillance is permanent in its effects, even if it is discontinuous in its actions". This suggests behavioural change is based as much in our perceptions as in our experiences of power and control articulated through management practices. However, these arguments, largely originating in the global North, must be refined for the context of the global South in which this thesis is rooted. As argued by Sheppard (2014: 148), public spaces in the global South are "seemingly chaotic from the perspective of northern cities", characterised by a relative lack of control and safety, suggesting that genuine publicness may emerge out of chaotic or under-managed spaces, rather than in carefully planned or orchestrated public places as in the global North. However, the relative unsafety in cities of the global South is important for understanding processes and potentials of public space.

Public culture, following Zukin (1995), is an important concept for thinking through some of these paradoxes of public space and the sometimes-contradictory interaction it has with spatial justice. This thesis thus draws on Zukin's (1995: 268) suggestion that public space represents a window into the public culture of a city, and that "cultural symbols have material consequences". Therefore, contestation over cultural symbols and the meanings of public places have implications for justice and injustice. As argued by Adegaye and Coetzee (2019: 386, following Dikeç, 2009: 80), spatial justice can be seen as a "critique of systematic exclusion, domination and oppression; a critique aimed at cultivating new sensibilities that would animate actions towards injustice embedded in space and spatial dynamics." In relation to this, I argue that public culture is a way of articulating those sensibilities, in fact that public culture subsumes and embodies those sensibilities. The founders of the journal *Justice Spatiale/ Spatial Justice* show that "increasingly research on spatial justice is also

engaging with issues of representational space where identities and experiences constitute the process of justice" (Dufaux, Gervais-Lambony, Lehman-Frisch & Moreau, 2009: 2). Their claim here that identities and experiences are critical to spatial justice resonates with my use of the concept of public culture in articulating processes of justice and injustice in public places. As such, discussions in the thesis of identity, experience, symbolism and representational space all refer to public culture.

Mitchell's (2003: 157) framing of "visions" for public space – which correspond to public cultures – is helpful in seeing "how public space is produced through practices guided or structured through their dialectical interaction". Low (2000: 128) demonstrates how contestations over public space, which can be characterised by competing visions for public space, is about material factors as well as meaning, "which reflects differences in a war of cultural values and visions of appropriate behaviour and societal order."

It is crucial to reckon with the interplay between structures of political economy, public cultures and their appropriate behaviours. This interplay not only shapes public places but also in turn shapes those structures, cultures, and behaviours in and through space. The above discussions on public space and culture become further politicised with a spatial justice lens. Furthermore, authors such as de Beer (2016), in another South African inner-city context, and Moskop (2010) in the international literature, explicitly and directly connect spatial justice theory with psychological and cultural factors. Moskop's (2010) ideas around 'friendship', 'reciprocity' and an 'ethic of care', de Beer's (2016) call for greater generosity, and Brawley's (2009: 10) argument that "spatial justice must … re-politicize social inequity by insisting on and demonstrating the collective origins of individual and social well-being, and by forging practices of solidarity", all connect to the idea of inclusive public cultures as I argue for in this thesis. Furthermore, a 'collective' approach focussing on 'solidarity' links to how Adegaye and Coetzee (2019: 383) situate such collaborative approaches to public space in the spatial justice discourse by arguing that "social justice is a specific use of just principles to address the need for collaboration."

2.4 Politics of space: spatial justice

Existing literature that is *explicitly* focussed on spatial justice shows that it is a concept and body of literature that is growing, but still incipient (Adegaye and Coetzee, 2019; Budlender and Royston, 2016; Soja, 2011). Adegaye and Coetzee (2019) point out that beyond the

definition from Soja (2009) provided in section 1.7, based on adopting a 'critical spatial perspective' towards justice, there lacks a more concrete definition in practice and in theory. This undergirds my impulse in this thesis that how spatial justice is actually worked out at site and network levels is inherently complex and based on multiple interrelated, local factors. Despite this complexity, Adegaye and Coetzee (2019: 381) draw together multiple strands of academic work relating to spatial justice and present the following principles: "equity, diversity, democracy [which implies participation], just distribution, benefit of the disadvantaged, and access to necessary resources to meet basic needs." Beyond this, the overarching factor insisted on by Adegaye and Coetzee (*ibid*.), based on their review of inter-related literature, is access. Access and accessibility are thus regarded as central to spatial justice, which implies that dynamics and processes of inclusion and exclusion speak directly to spatial (in)justice. These broad principles and insistence on 'access' relate closely to the normative qualities of publicness discussed above, suggesting that genuinely *public* space and *just* space are conceptually and practically aligned. In responding to the apparent issue of necessitated trade-offs in attempts at spatial justice (Fainstein, 2009), Adegaye and Coetzee (2019:381) reiterate that a key focus should be on "the greatest benefit to the least advantaged".

As pointed out by the founders of the journal *Justice Spatiale/ Spatial Justice*, there are strong links between spatial justice and Lefebvre's (1991/2004) theories on the production of space, as discussed above, which provides a critical, spatial grounding for justice, and Lefebvre's (1968/1996) right to the city, which brings the justice emphasis to the fore, discussed below. As such, conceptually, I base my understanding of spatial justice in these notions from Lefebvre, also aiming to connect with locally emerging ideas around spatial justice. For example, de Beer (2016) points at the importance of psychological and cultural factors in understanding spatial justice in South Africa, and Adegaye and Coetzee (2019), who name the aforementioned principles in unpacking the relevance of the concept in South Africa and the global South. This thesis is a direct contribution to that growing literature.

A great deal of the spatial justice literature focusses on "locational discrimination and distributional inequalities" at a very broad level (Soja, 2011: 3; also Fainstein, 2009; Dikeç, 2009; Marcuse, 2010; Adegaye and Coetzee, 2019; Brawley, 2010; Bénit-Gbaffou, 2013). However, these broad aspects of spatial injustice also manifest in and through public places, which is an often-neglected dimension in the discourse. Therefore, this research aims to

contribute to a site- and network-levelled understanding of spatial justice and its implications. As such, this thesis is one of very few studies (Dirsuweit, 2009 is one notable local example, and Mitchell, 2003 a notable international example though he uses the term social rather than spatial justice) that ties these concepts together through a discussion of public space that addresses micro-level factors and site-level dynamics. Crucially, it is one of even fewer that connects broad, city-wide spatial injustices with what is happening in networks of and individual public places.

Despite the relative dearth of site-level focussed research on the interaction between spatial justice and public space, the importance of this interaction is implied in notable works such as Soja (2010: 46), who argues that public places "are zones of contention between public and private property rights and focal points for social action aimed at assuring residents' rights to the city, in the sense of collective access to the common pool of public resources the city provides". Furthermore, in elaborating key principles of spatial justice, Fainstein (2009:4) argues that the diversity principle requires "widely accessible public space" to be truly embodied, though she doesn't explore the meaning and implications of this in any further detail. Partly because of the close conceptual links between spatial justice and right to the city (Dufaux *et al*, 2009), and partly because the right to the city (Lefebvre, 1968/1996) discourse is more advanced locally and internationally than that of spatial justice, this thesis draws strongly on the right to the city, discussed now below.

2.4.1 The right to the city

Lefebvre's (1991/2004) concept of the production of space, and how this relates to socio-economic and political themes, provides important theoretical frameworks for understanding space. Read with literature on the meaning and nature of public space, Lefebvre's theory also provides a conceptual framework for understanding spatial justice, which incorporates the politics of space. Lefebvre (1968/1996: 158) articulates his concept of the right to the city "as a transformed and renewed *right to urban life.*" He includes in this right the "priority of use value" of urban space, and argues that it

> manifests itself as a superior form of rights: right to freedom, to individualisation in socialization, to habitat and to inhabit. The right to the *oeuvre* [which I connect to an open public culture], to participation and *appropriation* (clearly distinct from the right to property), are implied in the right to the city (*ibid.*: 158, 173).

I aim to show in this thesis that a normative conception of just, *public* space connects to the type of transformed urban society Lefebvre imagines through manifesting the right to the city. This occurs through reframing the value of urban space as use over exchange, which I read concurrently as public value over private value, and emphasising both participation and appropriation, which I read as genuine, substantive *access* and openness to multiple and important societal uses respectively. Taken together, the rights encompassed by the right to the city imply the right to belong as a member of the public. Thus, I suggest the right to the city is about reframing the urban as public.

In line with an elaboration of space as both determining and determinant of social life, spatial justice cannot be seen as simply another dimension of justice, or a spin-off of social justice, rather that there are dynamics of (in)justice that are inherently spatial (Philippopoulos-Mihalopoulos, 2011). What is crucial to the politics of space and of planning, and as such to spatial justice, is how different classes, groups or individuals are engaged in the production and reproduction of space through participation and appropriation (Lefebvre, 1968/1996). Purcell has described appropriation as both "the right to occupy already-produced urban space" and "to produce urban space so that it meets the needs of inhabitants" (Purcell, 2002: 103). Lefebvre's (1991/2004: 372-4) own conception of appropriation as opposed to domination is made clearer through his distinction between induced and produced difference. Induced difference emerges within the system's rule, dominated by state power, while produced difference presents challenges to state power through appropriation of space (*ibid.*). Lefebvre (1968/1996: 145) regards "[r]eal and active participation" as implying and tending towards *self-management* or *autogestion*.

Right to the city is based on a Marxian interpretation of urbanisation, which sees the urban form as the key site of the production and consumption of surplus. In this context, right to the city can be viewed in terms of "greater democratic control over the production and utilization of the surplus" and "its urban deployment" (Harvey, 2008: 37). It becomes a call to reframe the value of urban space from exchange value to use value, which cuts to the core of capitalist urbanisation. Kuymulu (2013: 937) explains that Lefebvre's right to the city was elaborated chiefly "to substantiate his critique that the city was increasingly becoming a 'product', whereas it was essentially an *oeuvre*, a collective creation of inhabitants that is more of a work of art than a simple product". In Purcell's earlier analyses of Lefebvre's urban writings,

as argued by Huchzermeyer (2018), Purcell (2002: 100) frames the right to the city as a radical call for a re-evaluation of value, and a fight against neoliberal capitalism;

> It is disconcerting because we cannot know what kind of a city these new urban politics will produce. They could play out as a truly democratic challenge to marginalization and oppression, but they could also work to reinscribe new forms of domination.

While this quote suggests some risk associated with pursuing the right to the city, Huchzermeyer (2018) shows that Purcell's (2013) later reading is more positive and less concerned about 'new forms of domination' that may stem from the political direction of the right to the city. Rather, Purcell (2013) emphasises the importance of increasing citizen agency in decision making and nurturing emergent practices of self-management, discussed in the next section.

Tied to this is a debate over how the right to the city might usefully reframe citizenship away from a national scale to a city-based one, which allows for all people living in a city to claim the right to it, not just those who are formal citizens of the nation state (Dikeç and Gilbert, 2002; Purcell, 2003; Butler, 2009). This reframing is important to spatial justice because it determines inclusion, exclusion and belonging. This is particularly crucial in South Africa given that despite a progressive and transformative Constitution, rights must be realised through legislation implemented by the state (Strauss, 2017). While state programmes, policies and legislation in line with the Constitution are not always direct outcomes of civic action and struggle, on a historical level the Constitution itself is an outcome of the struggle against apartheid. Further, for the purpose of this study, civic action in public space is often linked to cases in the Constitutional Court, playing a role in how rights are understood and contested.

Mitchell (2003: 46) expands on the relationship between rights, public space and social justice by showing that while rights in and of themselves cannot guarantee justice, "law" and the corresponding "rights talk" shape "social struggle in particular ways" (2003: 46). Furthermore, the way that society is structured, rights claims have better mechanisms for actual social change than moral discourse for example, and so rights are important ideals that, crucially, are backed up by the (violent) force of the state (*ibid.*: 27-28). In other words, rights hold a particular legitimacy because the state is obliged to realise them, and the state has a

monopoly on the use of violence to protect those rights. However, the state's legitimacy here is not straightforward, as acknowledged by Mitchell (*ibid.*). In making space truly public, action by people in public places such as "civil disobedience" that may be extra-legal are sometimes regarded by the state as "public violence" (Selmeczi, 2014: 236). Selmeczi (*ibid.*), writing from the South African context, argues that public police may hold these civil actions or disobediences as a reason for reactionary policing and violence. This leads Selmeczi (*ibid*.) to maintain that these reasons may not be legitimate due to how "public violence charges are effectively deployed [by police] as spatial, temporal and financial impediments to their political practice." Thus, Selmeczi (*ibid.*) regards this style of public policing "as a spatio-political antidote: it discursively and literally separates 'the public' from those who decide to use public space to demonstrate their dissent". This highlights how controls over public places linked to repressive management and policing can undermine the link between public space and the public sphere by reducing opportunity for civic action, producing a dialectical tension between legitimate violence and civic disobedience that in part defines the extent of spatial justice.

A key issue in this discussion of rights is that of their commensurability, and thus the adjudication of competing claims on urban space, which may be made by a variety of inhabitants who are or feel marginalised. Purcell argues that a weakness in Lefebvre's formulation "is that he conflates his idea of "inhabitant" with the category 'working class'" (Purcell, 2002: 106). If right to the city is proposed as a political framework for addressing urban inequality, what does this mean for the rights of middle-class and elite urban inhabitants to produce urban space for their ends? If it is composed as a fight against the capitalist city, what about "the racist city, the patriarchal city, or the heteronormative city, all of which confront inhabitants in their daily lives" (*ibid.*). The types and scales of marginality Purcell alludes to here are very important in South Africa given its persistent inequality and social divisions. Furthermore, changes to public spaces in South Africa have been driven by a variety of impulses that do not always align with each other nor with the needs of all publics, suggesting that different needs, cultures and identities compete in and through space. The dominance of one over others can circumscribe publicness and limit further potential for appropriation. This implies an extent to which trade-offs are an inherent part of a local spatial justice; this study questions whether a more holistic approach to public space may cut through these apparent trade-offs.

Importantly, Lefebvre's work does begin to answer some of the questions Purcell (2002) raises about scales of marginality through the idea of the right to difference, which Dikeç (2001) argues Lefebvre saw as a critical component of the right to the city, along with the right to information. This is especially important in the South African context where diversity, fragmentation and division are rife, and the right to the city indicates the importance of intersectional urban struggle. Purcell (2003: 575) following Young (1989, 1997) frames a discussion over rights and citizenship through an assertion of the importance of difference:

> the identity of each member of a political community should not be reduced to what all members share in common. Rather, political identity, citizenship, and loyalty can and should embrace social difference among the members of a political community, emphasizing that the community is variegated rather than uniform.

While this argument departs from a Lefebvrian lens in its postmodernism (Huchzermeyer, 2018), it is relevant to this research given the diversity and divisions in South African society, which I elaborate in chapter 4.

The concept of the right to the city has since been drawn in several academic and practical directions that focus on urbanisation, capitalism, geography, spatial politics and planning, and it gets at the core of current injustices that manifest spatially, elucidating potential processes towards spatial justice. There has been a great deal of scholarly debate surrounding the right to the city, as it has been taken on in various ways by academics, activists and even institutions such as the United Nations Human Settlements Programme (UN-Habitat). The adoption of the concept by such organisations has been critiqued as it is argued that a crucial part of Lefebvre's right to the city is conceptual openness, and this is thought to be under threat if it becomes institutionalised. Thus, Stickells (2011: 215) resists such institutionalisation based on the risk of a failure "to explicitly address the structural change implicit in Lefebvre's emancipatory conception: the challenge to existing power relations under the framework of capital-driven urbanisation." However, Huchzermeyer (2018) usefully situates Lefebvre's right to the city within his broader political strategy. She suggests that while it is a right to be claimed, some forms of institutionalisation or recognition of a legal right to the city may in fact be part of a path to a transformed urban society that Lefebvre envisaged (*ibid.*). Given the above, a degree of care is necessary in discussions around the idea, as it is increasingly common for the same type of language to be used to

justify different politics (Kuymulu, 2013). Huchzermeyer (2018: 632) outlines this ongoing debate:

> the question remains as to whether the current legal and institutional interpretations of the right to the city must of necessity mean a departure from Henri Lefebvre's conceptualisation of the right to the city, or whether Lefebvre's writings can be usefully employed to reflect on and advance the legal and institutional direction that a right to the city takes.

This is discussed further in the next section on the right to the city in South Africa in which I highlight its incorporation into activist as well as academic discourse. Debates over the institutionalisation of a right to the city also raise important questions about the role of the state, particularly on a local level, in facilitating such claims on the city. This is especially the case given that the right to the city is often regarded as something to be claimed, not granted. Kipfer, Saberi and Wieditz (2012: 6) thus describe the right to the city as "the product of a revolutionary claim to the social surplus and political power, which is articulated through struggles for *spatial* centrality" and is manifested through both appropriation and participation. Pieterse (2014) reads participation as implying inclusion, which is an important aspect of centrality, and as mentioned, spatial justice. Kuymulu describes participation as "a kind of political participation directed towards transforming the social processes that shape urban space and its very governance", not just "participation in existing formal procedures of urban governance" (Kuymulu, 2013: 926). Here Kuymulu points at how the right to the city opens a space for a radical, potentially extra-legal politics, which is critical given the extent of inequality and marginalisation in Turkey where Kuymulu locates his study, as much as in Johannesburg.

Mitchell (2003: 52) drives further into the paradox raised above by Kuymulu: "often it's only by being "violent" or forceful that excluded groups have gained access to the public spaces of democracy". Marcuse (2014: 105) goes as far as provocatively saying "the best use of public space is illegal, and necessarily so". Taken together, these points imply that it is through struggle, sometimes extra-legal, that physical public places are transformed by people into public space that contributes to the public sphere, which refers to Mitchell's (2003: 52) "public spaces of democracy." Further, Low (2000: 240) echoes that "public spaces … are one of the last democratic forums for public dissent in a civil society" and argues that without

them "social and cultural conflicts are not clearly visible, and individuals can not directly participate in their resolution". However, as raised by Amin (2008), elaborations of public discourse increasingly happen in digital spaces, though access to digital public spheres also remains uneven, especially in the global South. Therefore, especially in the local context, denying access to material public places denies participation, which undermines the right to the city. Marcuse (2014) importantly points out that for rights such as that to assembly, implicit in the right to the city, there is a suggestion that the state has a positive obligation to provide public space so that people may be free to enact the right to assembly.

The right to the city as demonstrated by Mitchell (2003), whether aspects of it are institutionalised or not, is made manifest through political struggle in public space. He elaborates this by returning to Lefebvre's spatial triad and linking the interplay between elements of space as laid out by Lefebvre (1991/2004) with the interplay between different visions for public space. Mitchell (2003: 128-9) thus argues that contestation between opposing

> visions of public space indicate that differing definitions of right to the city are at stake, … they also correspond more or less with Lefebvre's (1991) distinction … between r*epresentational space* (appropriated, lived space; space-in-use ["marked by free interactions, user determination, and the absence of coercion by powerful institutions … an unconstrained space within which political movements could organise and expand"]) and *representations of space* ["a controlled and orderly *retreat* where a properly behaved public might experience the spectacle of the city … planned, orderly and safe"].

This passage is helpful in that it shows some of the content of Lefebvre's spatial triad and how the interplay between the different moments of space or visions for space – through contestation and political struggle – produces space itself. Mitchell shows how these concepts are usefully applied to public space, arguing that regardless of whether a space originates as a *representation of space* (which many planned public places do), what actually makes public space genuinely *public* is through the appropriation of space that turns it into *representational space*. "Public space is thus socially *produced* through its use *as* public space" (*ibid.*: 129). Because genuinely public space only exists in these moments of appropriation, Zukin (1995: 10) argues that "public space is inherently democratic. The question of who can occupy a

public space, and so define the image of the city, is open-ended"; it is a question that shapes the potential for spatial justice.

2.4.2 The right to the city in South Africa

In South Africa the most urgent claims of right to the city involve a lack of adequate housing, especially in terms of informal settlements, the peripheral location of residential areas from main areas of economic opportunity (Huchzermeyer, 2014a; Kitching, Drimie and van Donk, 2014), inner-city evictions, and street trading (Huchzermeyer, 2014b, citing Tolsi and Nxumalo, 2013). This endures from historic, racialised urban spatial planning which undermines access to centrality and opportunity. Parnell and Pieterse (2010) show how zoning laws have prevented these areas (mostly townships planned during apartheid) from becoming economic hubs. A related issue is that social housing policies in the democratic era have tended to reinforce colonial and apartheid spatial planning by continuing peripheralisation (Charlton, 2014). At the same time, Huchzermeyer (2019) shows that the appropriation of space for informal settlements in South Africa produces difference and manifests forms of self-management or *autogestion*, thus generating real publicness. This research aims to contribute to this growing discourse by grounding the discussion of right to the city in terms of public space, recognising moments of appropriation by Johannesburg's residents over time along with the inadequacy of public space and of housing.

Parnell and Pieterse (2010) apply the concept more broadly, calling for a re-evaluation of urban governance away from neoliberalism and towards rights-based spatial justice. This brings up the important debate over institutionalisation of right to the city as opposed to maintaining its openness. While Parnell and Pieterse (2010) argue for the importance of state involvement in facilitating right to the city, Kitching *et al*. (2014: 16) claim that "the emergence of the right to the city in South Africa is hampered by state-centric approaches to development." However, given the control over public space and the context of serious poverty and marginalization, if the right to the city is to be realised in South Africa, both local state and the judiciary will need to play significant roles "alongside citizen engagement and oversight" (Parnell and Pieterse, 2010: 150-1). Essentially, institutionalising the right to the city implies legislating processes towards the social production of space as opposed to state- and small-group production of space, in line with a reframing of the urban as public, as I suggest is implied by the right to the city. The judiciary's role is ongoing and battles over

the right to the city have already been taking place in the courts. For example, a recent judgment found that the confiscation of belongings and displacement of public dwellers was unconstitutional,[2] therefore increasing protection for those claiming the rights to inhabit and to appropriate.

The application of the right to the city to issues of public space raises an important paradox: can the state facilitate genuinely public space as part of a transforming society through instituting the many interlocking and dialectic aspects of a right to the city? Or must this right to the city and its constituent dimensions, and thus to public space, be claimed by people through contestation? The concept has been adopted by activist groups such as Abahlali Base Mjondolo. Abahlali argue that the right to the city's potential is beyond the state and judiciary and relies on "the struggle of the people" (Abahlali, 2010: unpaginated). Coggins and Pieterse (2012: 271), in their work on the legal and governance implications of the right to the city, return to a public space focus by suggesting that "[a]rguably the most powerful manner in which to assert urban citizenship and the right to the city is through physical presence in the public spaces of the city." This study questions to what extent Johannesburg's public places are conducive or open to this. Furthermore, to what extent are Johannesburg's publics in a position to make such claims?

Landman (2019: 52) claims that "one of the key drivers of change in public space in terms of both nature and use is the day-to-day survival connected to the need of the poor to earn a living and find shelter". This brings up a core issue of public space: accessibility and openness both promote a variety of uses, but in some cases, the support of survivalists in public spaces may diminish other uses, creating processes of contestation that determine justice and injustice for individuals. And yet, in the context of widespread unemployment, poverty and fragmentation, a discussion of right to the city, when read with literature on public space, implies ascribing a greater role in socio-economic and spatial transformation to public places in Johannesburg.

[2] *Ngomane & others v City of Johannesburg Metropolitan Municipality & another* (734/2017) [2018] ZASCA 57 (03 April 2019)

2.5 Mystery, rhythm and ephemerality in everyday life

The relationships of the rhythmic, ephemeral patterns of everyday use with broader spatial, socio-economic processes are complex, vast and, I argue, impossible to totally apprehend, implying a degree of mystery. Following Lefebvre and De Certeau in recognizing the importance of everyday life in understanding urban spatial practices, I take socio-spatial practices as part of the urban form rather than as something that takes place in an urban environment. Bridge (2014: 1653-4) explores Lefebvre's aim "to pull traditional Marxism away from its focus on labour as the originator of meaning in life (with all its instrumentalism) and to celebrate other realms of sensory experience such as in love and play", implying an emphasis on everyday life and the ephemeral. De Certeau (1980/4: 93) notes the vast diversity of individual experiences and the "networks of [their] moving, intersecting [actions] that compose a manifold story," which implies mystery and unknowability of the inter-relations between individual experiences.

Mysterious aspects of the city, such as the numerous connections between people, places and processes, play significant and under-recognised roles in how people perceive and use it. 'Bouquets' of rhythms (Lefebvre, 1992/2004: 20), a concept discussed further below, and their disruptions are dense, multi-layered and even chaotic. Relatedly, Mbembe and Nuttall (2008: 12) demonstrate that Johannesburg "operates as a site of fantasy, desire and imagination", underlining how constantly changing and thus ephemeral perceptions are a key determinant in the nature of daily urban life.

Work that focuses on the ephemerality of daily life includes a poetic nature that sometimes leaves it at the edge of academic discourses, as it attempts to get at some of the things that are perhaps de-emphasised or happening below the surface of dominant academic narratives. These are dynamics that certainly exist, sometimes unnoticed and often not understood, and explored in literature that speaks directly to "the elusiveness and unknowability of the city" (Harrison *et al* 2014: 17; also see Simone, 2001; Bremner, 2010). Landau and Freemantle (2010: 377) contribute to this discourse by calling for conceptual openness and describing Johannesburg as a "palimpsest in which new patterns of investment, belonging and mobility are being inscribed over legacies of apartheid planning, social fragmentation and new patterns of migration." Relatedly, as explored in chapter 8, the selection of case studies allows for how "multiple narratives of entangled spaces [and times] are often more interconnected than what the physical boundaries would seem to suggest at first glance"

(Landman, 2019: 7). Such dynamics add another layer to the complex blur between inclusion and exclusion.

The spatial practices of society can be understood as composed of numerous rhythms which in public places are determined according to use over time. Lefebvre (1992/2004) writes that one perceives other (external) rhythms in relation to one's own. Listening to one's own rhythms first — one's self, body and soul, as well as one's own rhythms of public space use — allows one to better appreciate the bouquets of external rhythms. This implies an interplay between rhythms of the self and of others that produce the unique "bouquet of rhythms" in society (Lefebvre, 1992/2004: 20). Lefebvre (*ibid.*: 27) argues that analysis of rhythms should proceed through opening oneself to the rhythm: "to grasp a rhythm it is necessary to have been *grasped* by it; one must *let oneself* go, give oneself over, abandon oneself to its duration." This study therefore draws closely on *my* perspective as researcher, consciously attempting to make and unearth meaning. This provides a counterpoint to how others make meaning in daily life, often un- or sub-consciously. The layers of life in the city include a tension between structure, agency and mystery. Structural determinants interact with personal idiosyncrasies and dreams, unknown forces, rhythms and processes, lingering histories and memories, to produce the palimpsest undergirding urban life. The balance, or tension amongst rhythms, described as arrhythmia or a "disruption", where "rhythms break apart" (Lefebvre, 1992/2004: 68), evokes the interplay between multiple processes and disruptions to these processes, implying complexity and ephemerality in everyday life in the city.

Connections between memory, history and the use of public places have an influence on one's experience and imagination of space. It is no simple task to disentangle these layers of perception. Walking the city is thus an opportunity, as Benjamin (1999: 416) relates when quoting Hofmannsthal, "to read what was never written"; to explore the unseen, unknown and ephemeral practices and traces of daily life. The aim here is to appreciate walking not just as a physical act but as a way to explore a "sense of duration and a shifting relationship to the spaces of the city, as well as the changes in these spaces themselves" (Malcomess and Kreutzfeldt 2013: 10). While perceptions and memory shape experiences and rhythms, Zukin (2002: 15) points at how neoliberal capitalism and inequality dominate many of the rhythms of the city: "our profane, daily culture … is based on money." Lefebvre (1992/2004: 30) terms these linear rhythms "the daily grind, the routine, therefore the perpetual." A discussion of rhythms and their disruptions evokes the densely layered psycho-geographical atmosphere

of the city that Debord (1955/2006: 25) explores: “The sudden change of ambiance in a street within the space of a few meters; the evident division of a city into zones of distinct psychic atmospheres; the path of least resistance that is automatically followed in aimless strolls …; the appealing or repelling character of certain places.” In this quote Debord also begins elaborating on the walking practice he termed *dérive* [literally drift], which informed my methods of observation in public places, discussed in chapter 3.

There is a tension here between boundedness and porosity that is both challenged and stimulated by the notion of walking articulated through *dérive*. This is challenged by my focus on pre-selected walking spaces. However, there is a level at which a *dérive’s* drifting approach to walking, combined with Debord’s (1955/2006) psycho-geographical awareness, is strengthened within my spatial limits. The porosity of the case sites for this study draws attention to their edges, themselves a strong determining factor rhythmically. The edges of these spaces not only determine what the spaces are but also what they are not. This gets at the layered psychic effects of walking in the city: “The street conducts the [walker] into a vanished time. For him, every street is precipitous. It leads downward — if not to the mythical Mothers, then into a past that can be all the more spellbinding because it is not his own, not private” (Benjamin 1999, 416). Benjamin here shows that entering into public space, no matter how legibly designed, brings one into a melange not easily decipherable. People’s memories and acts, as well as connections between past and present, self and other, private and public contribute to the tapestry that is collectively and sometimes unconsciously woven into the city. I argue that this tapestry correlates with the *oeuvre* and public culture of the city, suggesting that rhythms are an important part of the composition of this tapestry.

This thesis follows Stickells (2011, 215) in interpreting Lefebvre’s notion of *oeuvre* as “a more expansive understanding of the city, placing it as an unintentional and collective work of art, richly significant yet embedded in everyday life — beyond the realm of commodified space.” All these connections and ‘bouquets’ of rhythms (Lefebvre, 1992/2004: 20), both apparent and ignored, make up some small, yet important part of the city and its public culture (Zukin 1995), which I connect closely with Lefebvre’s (1968/1996) concept of the *oeuvre*. I am fascinated by the detritus of urban life (see figure 2.1 for examples), traces left by all manner of activity and inactivity, and how these “half-concealed, variegated traces of the daily life of ‘the collective’” mysteriously represent the by-product of how agents digest structure (Eiland 1999, ix). Exploring these traces and connections through the lens of the

ouevre recalls Gevisser's (2014) exploration of wayfinding in Johannesburg and the layered connections and disconnections that he alludes to.



Figure 2.1: Items collected by the author on a field-study day, Thursday 19 July 2018: bus map from home to Gandhi Square, knife handle, metal circles, 7 of diamonds. Photograph by author.

The complexly entangled and mysterious aspects of urban life connect to how people in the inner-city, often marginalised or disenfranchised in some way, create networks, infrastructures, and tactics for surviving the difficulties of a xenophobic, rapidly changing, uncertain, frequently dangerous inner-city (*ibid.*; Simone, 2003). In this environment, the concept of uncertainty comes to the fore. As such, it can be difficult to apprehend the ways in which "shifting levels of … coordination" range between "deeply hidden and mysterious in the context of everyday … life" and the "formal products of governance interventions" (*ibid.*: 514-5). There is often a real lack of clarity as to who is allowed to do what in which places, which begins to shape people's spatial practices as well as "what kind of collective future they can anticipate" (Simone, 2006: 360). This variety of needs for and demands on public space situates it as a key site of contestation over a variety of processes shaping the city on multiple scales.

Along with the opposing dynamics of inclusion and exclusion, this research is undertaken with a view to unsettling processes of binary thinking. In line with this, an aim is to continue the questioning of certain long-held dichotomies that can obscure valuable truth if the inter-

relationship between concepts often seen as opposite and distinct is not emphasised. Given South Africa's long history of labour migration, and large-scale immigration to inner-city Johannesburg by people from various parts of the country and continent, there exists a blur between the city and rural areas (Everatt, 2014; Sapire & Beall, 1995; Simone, 2001; Lefebvre, 1968/1996). Fraser (2008) terms this the existence of the rural in the urban, and this simultaneity shapes dynamics in Johannesburg's inner-city. These lines of thinking encourage shifting emphasis from mutually exclusive binaries towards dialectical oppositions. As written by Lefebvre (1985a, quoted in 1968/1996: 53), "[t]o think about the city is to hold and maintain its conflictual aspects: constraints and possibilities, peacefulness and violence, meetings and solitude, gatherings and separation, the trivial and the poetic, brutal functionalism and surprising improvisation."

These dialectical oppositions imply blurred divisions –the tensions between which can be enlightening and productive – between formal and informal (Simone, 2001; Valodia, 2007); permanence and transience (Dinath, 2014; Bénit-Gbaffou, 2014); security and accessibility/openness (Harrison and Mabin, 2006; Landman & Badenhorst, 2014); presence and absence (Scholl *et al*: 2014); self and other (Whaley, 2018; discussed further in chapter 3); and as mentioned, public and private (Harvey, 2006), which Soja (2010: 45) calls a "perpetual tension". Mitchell (2003: 51) drives at the importance of analysis through dialectical opposition in understanding public space: "as a legal entity, a political theory and a material space, public space … is produced through a dialectic of inclusion and exclusion, order and disorder, rationality and irrationality, violence and peaceful dissent". Here Mitchell (*ibid.*) underlines the paradox of public space as a concept. I argue in this thesis that this conceptual paradox of public space is part of what determines the wide ranging and sometimes contradictory popular and academic visions for and understandings of public space.

Reflecting the shift away from Northern or Euro-American theoretical dominance, it is important that research about a South African city be grounded in local history and realities, and mysteries including continuous, rapid change, multiple centres, overlapping and complex processes, and the limitless potential of actions, moments and connections in space. In line with this is the aim to explore *local* connections to broad processes, on city, national and regional levels, and globalised processes. Examples of these include neoliberal capitalism and associated privatisation of public places, the impact of which on local scales has "been

uneven and complex" (Purcell, 2013: 312), as well as post-colonial conditions (Mbembe, 1992). Therefore, examining Johannesburg's spatial history and planning, as I do in chapter 4, is essential. Relatedly, tracing the history of the case sites as well as contemporary dynamics over an extended period is a critical aspect of elaborating a processual understanding of spatial justice.

While Johannesburg is a city of the so-called global South (Mabin, 2014), and one cannot remove fully the local from the global or vice versa (Edensor and Jane, 2011), it is important for this research to be shaped from below, by attempting to start from what is actually happening in urban public places in the city. Thus, as discussed in the next chapter, I have aimed at analysing the qualitative data emerging from my case research with regards to its relevance for different layers of context (i.e. Johannesburg, South Africa, global South), and critical theory (i.e. spatial justice, right to the city).

2.6 Conceptual framework

The culmination of links between the literature reviewed above suggests a strong focus on public space in the discourse of the right to the city, and thus in advancing spatial justice. Lefebvre's spatial triad, read with theories on publicness of space, shows how the openness or potential for public places to be appropriated is a critical aspect of spatial justice. This implies a reading of the right to the city as a reframing of the value of urban space according to its value for public use. As such, the more public a space is, the more it tends towards spatial justice, and when its publicness is reduced or undermined, the more it tends towards spatial injustice. The literature review also implies the inherent contradictions within the concept of public space, and as such part of my argument is for recognising paradox as a key element of public space. Relatedly, explorations of the everyday spatial practices of people must reckon with their rhythms, ephemerality and potentially mysterious connections between them (de Certeau, 1980/1984; Mbembe and Nuttall, 2008; Simone, 2001). There is also scope to connect the interplay between one's own rhythms and those of others to the social interaction between the self, others and collectives that formed part of my autoethnographic method for interrogating public culture.

The interaction between public space and spatial (in)justice is unique and critical. Mitchell (2003: 232) follows Van Deusen (2002) in claiming that "public space in the city is a barometer of 'justice regimes'" because of how representations of space can circumscribe the

potential for appropriation by constraining spatial practices in line with dominant conceptions of appropriate behaviour (Lefebvre, 1991/2004). The lines of appropriate behaviour also signal how the interplay between public space and spatial justice reflects and refracts public culture (following Zukin, 1995; also drawing on Fagan, 2019; de Beer, 2016). I use the concept of public culture as a way of articulating aspects of the causes and implications of ideas, behaviours and visions related to justice and injustice in public space. In this way public culture determines important aspects of the management and use of public places as well as belonging and exclusion. Furthermore, management practices in this regard correspond with Lefebvre's (1991/2004) *representations* of space, whereas use, which comprises *spatial practice*, can tend either towards dominated space in line with *representations*, or towards *representational spaces* in which users develop new meanings and produce difference outside of state power. Therefore, Lefebvre's spatial triad is useful for understanding public places, their drivers and their consequences, which have significant implications for justice. Importantly, the triad allows analysis of the concepts of public space and spatial justice in terms of their potential, and as processes rather than static conditions or outcomes (Lefebvre, 1991/2004; Terzi and Tonnelat, 2017).

2.7 Conclusion

Public space interacts with spatial justice and injustice in complex, multi-dimensional ways, which can be expressed and understood through ideas of public culture. While these links, between justice, space, public space and culture, have been drawn in various ways in literature, I argue for a primary focus on the nature of these interactions and their outcomes. The conceptual framework demonstrates that these interactions have critical outcomes in terms of how publicness and justice emerge out of the dialectical interplay between management and use. There is scope for building on these interplays further. In the next chapter, I explore the methods I used to study selected case sites through the framework discussed above.

3. Encountering Publics: self, another, collective

3.1 Introduction

This chapter discusses my methods for this research as my fieldwork unfolded over the course of 2018 and early 2019. The idea of 'encountering publics' was a useful framework for exploring the nature of methods I employed and their particular value in understanding the nature of publics, and their formations and fractures at the different levels at which publicness is composed. I grounded these frames with an autoethnographic approach by using the self as an entry-point into the vastness, contingency and "unlimited diversity" (de Certeau, 1980/1984: 99) of people's experiences and of the ways they may interact. Amin (2008: 5) argues that the links between physical public places and "civic inculcation and political participation" are not usually strong. However, in order to explore how the public places I studied related to the political and juridical levels of public space, I engaged in archival research, expert interviews and document analysis. The data from these connected the site-level research with other levels at which public culture and the public sphere are shaped. Furthermore, my observations of civic action in public places revealed aspects of the link between public places and civic discourse.

This chapter begins by framing the methods I used in relation to my conceptual framework and research questions, exploring conceptual challenges and how I navigated these. The next section outlines my case-study approach, which includes a delimitation of the study. Following this, I outline my positionality and the ethical considerations for this research. In section 3.5 I discuss how my methods unfolded over time, relating some of the opportunities and challenges I encountered in doing this research, also discussing practical limitations of the methods and how I navigated these. Finally, following Zukin's (1995) elaboration of the micro-actions at which public culture is shaped in public places, I explore an emergent frame of analysis involving close examination of the relationship between the self, another, and the collective, especially in the moments of interaction between these.

3.2 Framing public space research

The research for this thesis was conducted through a qualitative framework in terms of analysing participant observation, interview and document-based data. Within this qualitative framework, some quantitative data, mostly secondary, was used as a backdrop to my core analysis (e.g. statistics on daily users and demographics as well as on development costs and

investment patterns). Following Cresswell *et al.* (2007), I employed a case-study approach that seeks to compare three purposely selected cases, discussed below in section 3.3. Hart (2018) challenges critiques of case studies which condemn them as parochial, arguing that the depth of research in focussed case studies is valuable in bringing wider relevance to analysis when contextualised within literature and theory. Hence, in line with Burawoy's (1998) explication of the extended case method, I aimed to harness the considerable potential of ethnographic methods to 'dig beneath' 'political binaries', despite the fact that this thesis is not strictly an ethnography, as discussed below. I aimed to unsettle 'political binaries' by moving away from the binary opposition between self and other and towards a triadic conception of the relations between selves, others and collectives, as discussed in section 3.6.

Whilst this research drew strongly on ethnographic methods, discussed further below, it is divergent from traditional anthropology in terms of the extension of immersion in one space, partly in line with the realities of multi-site ethnography that restrict immersion in a single space (Lewis and Russel, 2011; Berg, 2008). I built on this by also drawing closely on autoethnographic methods as suggested by Maréchal (2010: 43):

> systematic, self-conscious introspection [which] enables the disciplined analysis of personal resonance and the effects of the researchers' connection with the research situation on their actions and interpretations, in dialogue with the representations of others.

This thesis partly follows the emphasis of Southern African anthropology on studying marginalised people (Morreira, 2012), but is balanced by including myself, as a middle-class, hetero-sexual, white man, as part of the object of study. My research agenda therefore also attaches me to the trend Morreira (2012: 102) has identified of anthropologists studying case sites closer to where they live, thus allowing "the field and the anthropologist's daily life [to] merge together and overlap." This enhances the potential value of autoethnographic methods because the research sites were within familiar contexts.

This research was undertaken with an open understanding of the fact that the conduct of ethnographic observations is a personal experience, shaped by my own knowledge, personality, understandings and positionality (Clifford, 1986). In line with this, balance between subjectivity and objectivity during participant observation, analysis and writing up have been difficult but important, as outlined by Clifford (1986: 13):

> personal experiences, especially those of participation and empathy, are recognized as central to the research process, but they are firmly restrained by the impersonal standards of observation and 'objective' distance.

There is ultimately a degree of inherent partiality involved in such research, which I have aimed to balance through employing a variety of methods to reinforce, verify and/or challenge my ethnographic findings.

I aimed at embracing the act of inserting myself in spaces as a researcher, attempting to confront issues to do with outsider/insider and researcher/subject dynamics, language and identity (Berry, 2011). Bourgois' (1995) reflections from research on inner-city New York have inspired my approach and provided a useful balance to my use of an autoethnographic lens, drawing on his commitment to understanding society from the perspective of those people he was studying, important in most ethnographic research. I follow Lefebvre (1970/2003: 71) in regarding anthropology as an "uncertain science." Lefebvre (*ibid*.) argues that to harness the potential of ethnographic methods, a dialectical approach that involves taking "contradiction into consideration" is required. This approach has been useful in relating the inherent paradoxes of public space raised in chapter 2 to the sometimes-contradictory perceptions and understandings of public space I encountered during my research.

An important aim in this research has been exploring how people are using Johannesburg's existing public places in relation to their publicness. This included observing whether and how people were able to appropriate space, and in doing so making space truly public as part of an articulation of the right to the city. Based on the recognition of public space and spatial justice as processes, my approaches to places and people changed to some degree as my insights deepened and according to changes, processes and events in my case study sites. Scholl *et al.* (2014: 60-1) argue that this is a particular strength of ethnography: "the unique epistemological implications, especially those of methodical openness and time-intensive fieldwork, open a path to be aware of the importance and influence of hidden issues in space construction." Time-intensive field research was essential here, especially to develop familiarity with people that use these spaces regularly (Bourgois, 1995). Because of this, and to avoid the "timelessness" of the ethnographic present tense, most of my writing about the data that drew on ethnographic methods (chapters 5 to 8), made use of the ethnographic past tense, as outlined by Carrier and Carrier (1989: xiii), which provides an important "air of

historical specificity." At times, when referring to enduring features of different spaces beyond the specific empirical data from my observations, I have used the present tense. Further, developing a familiarity with the users, ecology and rhythms of places over time allowed me increasing insight into those "hidden issues in space construction" through a fine-grained analysis of site-level dynamics, discussed further in section 3.5.

Consistent with an epistemological paradigm based in anthropology, the analysis of my research has been primarily interpretive (Lichterman, 2015). Through this interpretive analysis, I aimed at criticality by discussing research findings normatively within the framing of public space I presented in chapter 2. Accordingly, I firmly avoid a positivist intellectual paradigm in favour of a "reflexive model of science" as called for by Lefebvre (1970/2003: 62-3). Burawoy (1998: 14) expands on this:

> where positive science proposes to insulate subject from object, reflexive science elevates *dialogue* as its defining principle and *intersubjectivity* between participant and observer as its premise.

Relatedly, Erwin (2012: 99), writing from Durban in South Africa, shows how reflexivity in ethnographic research allows space for regarding how "racialised identities are being dismantled or reconstituted in unanticipated ways," arguing that this can be revealing of how identities are formed mutually in the moment of interaction. Burawoy (1998:14) drives further at the meaning generated in these moments: "intervention is not only an unavoidable part of social research but a virtue to be exploited. It is by mutual reaction that we discover the properties of the social order", which implies how the nature of these interactions reflect as well as shape public culture.

My use of a Lefebvrian lens and theoretical framework, combined with context specific literature, guided my selection of research questions and shaped my approach. Yet, the initial impressions and feedback I received from both expert stakeholders as well as daily users strongly guided my further research, which Burawoy (1998: 11) argues is important due to the "flux of everyday life." My research process, following Lefebvre (1968/1996: 151) who terms this method "transduction", was also shaped by the iterative and "incessant feedback between the conceptual framework used and empirical observations." I follow Purcell (2013: 319) in reading Lefebvre's transduction as "to think through and "extrapolate" processes and practices that are of an "inchoate", "emerging", idealised "urban society", which "shows us

what kind of world they would produce if they were allowed to flourish and pervade the city." My fieldwork comprised extended site visits and the collection of field notes based on observation, conversation and participation (Scholl *et al*, 2014), which was iteratively analysed in terms of resonance with the conceptual framework as well as the data gathered through other research methods.

The key aim of this research was to develop an understanding of the nature of the interactions and dynamics in, use and perceptions of, and claims made upon the selected public places through case studies. This was with a view to understanding how different publics are structured through their engagement with these spaces, how competition over space is managed, and how spatial (in)justice is constituted in the process. As discussed in the previous chapter, I regard in this study public space and spatial justice as processes and potentialities, rather than clearly defined outcomes. Relatedly, I follow Terzi and Tonnelat's (2017: 526) assertion that "as soon as public spaces and spheres are considered elements of a historical and contingent process, the activities that go along it escape conceptual analysis and enter the prerogative of ethnography". Through presence and participant observation in public places, it is possible to apprehend patterns in ephemeral spatial practices and the fluctuating dynamics of publicness and contestation that define public space (Scholl *et al*, 2014). This is also consistent with the theoretical framing of this research with a further dimension of the Lefebvrian lens that emphasises the importance of the lived experience of everyday life (Lefebvre, 1970/2003: 52; also in de Certeau, 1980/84).

3.3 Case Study Approach

This study focusses on three purposely selected main case studies as particular typologies of public space, chosen according to their design, production, history and use as different forms of public space. These are Gandhi Square, as an open square and transport hub, Constitution Hill, as a heritage site, and Pieter Roos Park as a recreational park. Through these case studies, I aimed to ground my enquiry and immerse myself in the complex dimensions of public space. While the data and analysis of the case studies cannot *necessarily* be generalised for wider contexts, there are points at which my findings converge with those of others in differing contexts, for example other South African or post-colonial cities in the global South. The boundaries of the main case studies are clearly delineated below (see Figure 3.1).

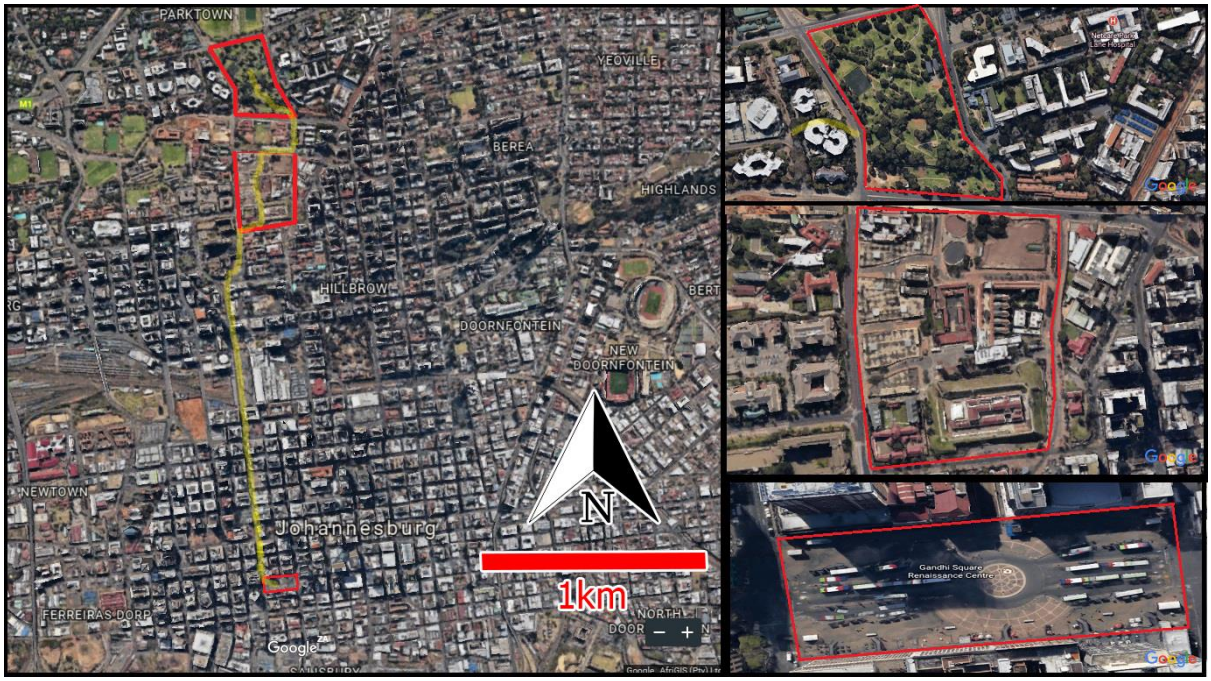


Figure 3.1: From north to south delineated in red: Pieter Roos Park, Constitution Hill, Gandhi Square (left: walking route in yellow, scale in red; right: close-up of 3 sites). Adapted from Google Earth, 2019.

My case-study selection focuses my research on three geographically bounded spaces, shown in red in Figure 3.1 above. The walking route I researched, marked in yellow, connects the three case sites in an artery from Gandhi Square near the south of the CBD to Pieter Roos Park at the southern edge of Johannesburg's relatively wealthy northern suburbs. The route is less bounded in the sense of being composed of a length of street-space mostly along Rissik Street. It thus shares edges with a variety of other places which interact with the public place of the street in differing ways, resulting in differing patterns of management and use, important in considering spatial (in)justice across networks of public places. This also provides opportunity for exploring the possibility that other types of space, such as sidewalks and streets, may be more intensely public, as acknowledged by the City of Johannesburg (2016). This complicates the important question of the boundaries of my case studies. It is important to consider that these places are porous and part of networks even though they may be considered, designed, and managed as distinct.

I restricted the boundaries of my case studies both spatially, as described above, and temporally. Temporally, my site-level research was bounded according to the dates of this research project and conducted primarily in 2018 and early 2019 (see appendix A). However, archival research situated the case sites according to their involvement in the history of Johannesburg from the time of its origin in 1886. One practical limitation I encountered in

studying accessibility in public places was the absence of those who cannot or do not use the place (Scholl *et al*, 2014). Exclusion remains an important and multi-faceted aspect of spatial injustice and the different forms and manifestations of exclusion are difficult to fully apprehend, partly because of the overlap with people's perceptions and choices. I read the places for absences as far as possible, aided by the broader contexts provided by document analysis, interview data and archival research. While regarding absences, I restricted my ethnographic field observations to interactions only within the three geographically demarcated spaces shown above, and along the primary walking route indicated in yellow.

While the degree of publicness in each space is different, interrogated directly in chapters 5, 6 and 7 respectively, they are all more open to different types of public activity than, for example, shopping malls, stadia, or cemeteries. These other types of space may fulfil important public functions like interaction, consumption, spirituality, celebration and mourning. However, they are guided by specific codes of behaviour (e.g. based on class) that may be strictly enforced through securitisation, or dominated by ethics of commercialisation and consumption, both of which restrict a variety of uses. Rather, my aim was to explore what is possible in spaces that may be more open to appropriation and use by different parts of the public. Thus, I used these case studies to explore to what extent and in what ways these spaces are genuinely *public* or have the potential to become so, given their varying forms of surveillance and accessibility, as well as differing by-laws and controls exerted by managers, police or private security, all of which are important markers of spatial (in)justice.

These spaces are also important given their size, as three of the larger open spaces within the inner city. Pieter Roos Park is the biggest park and one of few publicly accessible green spaces that is easily accessible from the inner-city, as shown in figure 3.1 above. It is located in close proximity to some of Johannesburg's densest areas, which imbues it with further significance. All three also have differing degrees of symbolic value, historically and currently, as public spaces of memory and memorialisation, which relates to the interplay between representations of space and representational spaces (Lefebvre, 1991/2004), expanded on in chapter 4. Gandhi Square and Constitution Hill, developed early in the democratic era as part of inner-city regeneration efforts, are imbued with further public importance given their intended roles to catalyse further local development, sometimes referred to as catalytic projects in the local planning discourse.

During my master's research in 2015/16, I conducted a small ethnographic study at Constitution Hill to compare the vision for this space with contemporary patterns of use (Middelmann, 2016; aspects of this updated and published in Middelmann, 2019b). Given time constraints and the complexity of lived experience and interactions with the precinct's design, it became apparent that a more sustained engagement with Constitution Hill in comparison with other places would be fruitful for critical understandings of public space in Johannesburg. Some of the relationships I cultivated during the master's research provided entry-points for this research, both at Constitution Hill and elsewhere.

3.4 Positionality: language, race and ethics

As a white researcher with a privileged background and a well-resourced family support system, I encountered a relatively poor area in Johannesburg, composed of mostly black residents. In a context where a person's whiteness signals a high socio-economic status, there are implicit power dynamics at play rooted in South Africa's history of racial domination. I have avoided allowing my thoughts about such dynamics to predetermine the nature of my interactions with others. These interactions frequently challenged or subverted my preconceptions of myself and others. This helped provide a richer, more textured understanding of Johannesburg's publics and the way they interact with each other as well as myself and how I interact with publics. However, Berry (2011) shows how these dynamics raise common anthropological ethical issues to do with the way others are represented through writing. These issues cannot be skirted around, and following Bourgois (1995: 12), I aimed in my writing to confront "the contradictions of representation of social marginalization" and/or inclusion.

As a researcher it is dangerous to be constrained by assumptions about the nature of engagement with subjects, and as such I aimed to "engage in a continuous process of self-reflection" and remain "open to new tools for understanding moments of identity construction *in situ*" (Erwin, 2012: 98). In line with this, I aimed to avoid essentialising or exoticising the people I researched (Pratten, 2012). I focussed on letting people to articulate their own identities. While I did my utmost to convey the experiences of subjects according to their own articulations, the ultimate responsibility to shape their stories is my own, and I have attempted to remain self-critical throughout both research and writing.

By trying to study Johannesburg as *my* city, having been born and grown up here, I have been learning as much about the spaces as about myself. Baro (2017) describes a white nostalgia for the Johannesburg of colonial and apartheid times. He links this to inner-city reclamation by a white middle-class that feels displaced by the changes to the inner city over the past several decades. By resisting this narrative, I am trying to be part of re-imagining white (male) presence in the city, or nation. Could this presence be quieter, more listening and less dominating amidst persistent forms of coloniality? Might it be gentler amidst persistently violent patriarchies? Could it also be less paralysed by what Steyn (2001, 25), writing as a self-critical white South African, describes as "the anxiety at the heart of whiteness in South Africa [which has] permeated the nation's psyche"? Is a reinsertion into the city possible, not through harking back to how it was or staking new claims on it, but by trying to be sensitive to what it is, will be, can be? In setting this out, I would not like to overstate the sentiment, but to modestly attach myself to this line of thinking and being.

For most of 2018 there was graffiti in Pieter Roos Park that read, "Land or Death." This refers to the colonial dispossession of African land and contemporary demands for its return. It demonstrates a level at which there is uneasiness about the presence of white people in parts of South Africa, given their association with the privilege of land ownership. At the immediate level of the walking route from Gandhi Square, along Rissik Street to Pieter Roos Park, white pedestrian presence is rare and, in my experience, generates a variety of responses. This is less the case at Gandhi Square and Constitution Hill, which are relatively mixed racially compared to many spaces in the inner city. However, on walks through town and in Pieter Roos Park, I have often been the only white person, or one of the only white people in spaces used mostly by black people. Thus, often my lingering presence in these places has provoked the interest of regular users, prompting them to question me or enter conversation.

The way my presence prompted interactions inherently shaped aspects of my research, also giving me unique access to participants. But what sort of access does it give me, and how might this differ from access for individuals of other races, genders or social classes? A further unique element in the dynamics of interaction during research relates to my name, Temba, which is very uncommon for a white South African. In some respects, starting (or continuing) a conversation by introducing myself by name is a radical research tactic in the context. This situation produced a number of unique entry-points into conversation: firstly by

being the only or one of few white people present; secondly by introducing myself with my African name; and thirdly through my use of the language Zulu, relatively rare for white people to speak (Sanders, 2016). Being clear and open about my position, language, culture and power was part of my attempt to represent interactions between subjects and between myself and subjects honestly and critically (Berry, 2011).

As a male, white, university-based researcher, I was aware that my presence and questioning could be imposing. Carefully explaining my research project, ethical and practical considerations, and expectations of research participation sometimes overwhelmed tenuous situations and altered the dynamics of interaction, often closing off further conversation. Therefore, my approach was to *feel* my way into conversations, trying to be aware of whether and how someone might want to engage with me. As conversations proceeded towards requesting consent, I introduced details about my presence and work, though as described here it was not realistic to follow my informal verbal consent script verbatim (see appendix I). I avoided asking deep, substantive questions for my research until having expressed my position, imperatives and responsibilities, in line with the information on my participant information sheets, which I carried copies of and gave to participants when appropriate (see appendix H). These dynamics awakened me to the complexities and multi-faceted nature of identity, which strengthened my ability to observe and understand identity formation through mutual interaction. This involved exploring how I could, in following de Certeau (1980/1984: 110, emphasis in original), "*be other and to move toward the other"*, and following Whaley (2018), explore the concept of a more inclusionary self.

Whilst most people I encountered in this research understood English well, Zulu is an important *lingua franca* of downtown Johannesburg. White South Africans have for a long time failed to overcome their own disregard or other impediments to learning local languages. Reasons for this, some of them subconscious, include histories of colonisation that entrench the white privilege of expecting English (Sanders, 2016). The corollary is how white South Africans are often allowed to get away with just English, perhaps due to the history of domination or enduring conditions of coloniality. Alternatively, foreign Africans are often persecuted when interacting with black South Africans if they do not speak Zulu or another local language fluently (*ibid.*). In my case, high-school teachers recommended that students who hadn't grown up speaking Zulu were unlikely to pass final exams in the language. This meant I had never become fluent, an example of the individual impacts of publics fragmented

according to language which has implications for public culture as it is worked out on micro-levels.

As I started my second phase of observation in the second half of 2018, discussed in the next section, I began taking a course in Zulu. While I completed the course without becoming completely fluent, the increased understanding helped me be more aware of the dynamics in different places by providing me with indications of what people were talking about. It also proved to be a way of breaking down racial and other barriers in my interactions with people in the city, as discussed below in sections 3.6 and 8.2. These power-laden dynamics manifest in complex, diverse ways in Johannesburg. As such, the nature of my fieldwork changed as I learned more Zulu, though not in straightforward ways. With language, as with the city, there are complicated lines between understanding and misunderstanding, between knowing and not knowing. Yet, as argued by Fabian (1995), a reflexive approach to the space between these apparent oppositions can be productive.

Carefully considering my positionality was important ethically, as discussed above. Other ethical measures included aiming to preserve the anonymity of research subjects where required. I was ethics clearance granted by the central University of Witwatersrand Ethics Committee in late 2017 (see appendix J). For both formal interviews and participant observation, I was clear to those I invited to participate that they were welcome to refuse, or to stop talking to me if they become uncomfortable. The ethical guidelines of the Human Sciences Research Council of South Africa (undated), founded on the principles of 'respect and protection', 'transparency', 'academic professionalism', and 'accountability', undergirded my work.

3.5 Key methods and analysis over time: encountering publics

I visited the main case study places for extended periods on multiple occasions, observing their rhythms according to different times of the day, week and year, though I avoided late-night visits largely due to safety concerns. The research schedule in appendix A details my visits to each place during fieldwork between January 2018 and March 2019. Some visits involved spending part or all of a day at a particular place, but others included walking the Rissik Street route in both directions. I allowed the rhythm of these walks to be shaped by my intuitions, following Debord's (1956/58) elaboration of the *dérive* as "a technique of rapid passage through varied ambiances [involving] playful-constructive behaviour and awareness

of psychogeographical effects, and are thus quite different from the classic notions of journey or stroll." Therefore, on certain walks along the route connecting the spaces, I spent most or all of the day along the route, responding to different stimuli and their psychogeographical effects, which was enlightening about the shifting impacts of a constellation of factors on my experience of the route (*ibid.*). This involved pausing in spaces, in conversations, looking into shops, and occasionally diverting briefly before returning to the route. On other walks, I followed Lefebvre's (1992/2004) call for "giv[ing] oneself over to" external rhythms to better understand those external rhythms in relation to my own rhythms. Thus, I consciously tried to submit myself to the rhythm of commuters, walking at a brisk pace north in the morning, and back south in the evenings. Walking the route in accordance with the rhythms of others was revealing of spatial practices and their interplay with the multiple conceptions of space along the route (Lefebvre, 1991/2004).

I have undertaken this research recognising that publics are not concrete, and that dynamics of publicness constantly shift and change in accordance with the notion of public space as a process (Terzi and Tonnelat, 2017; Simone, 2003). This involved starting to catch the bus so I was part of commuting public that alights at or passes through Gandhi Square. It involved attending tours at Constitution Hill, as well as attending events, being in and walking through the space. It involved napping, walking, playing, talking, smoking and taking part in a protest that started in the park. Ultimately, this involved considering who I am, how I am part of this city and this nation, though considering my position in relation to publics without fixed notions of how my position would affect my relations with others (Erwin, 2012). Thus, following Erwin (2012), I selected research subjects through interactions in case study spaces, rather than selecting them according to pre-determined (and what could be considered prejudiced) criteria.

Unstructured conversations with people (security guards, informal traders, commuters and others) were an important part of the fieldwork. These conversations stemmed from our mutual use of places, rather than in an interview context (listed in appendix B, which also provides relevant characteristics of participants). As such, in instances where I refer to one of these interactions, I cite them as conversations rather than interviews. My ethnographic work partly relied on building familiarity with the places and people that used them. As I built this familiarity, marked by recognition and greetings from regular users, casual conversations could lead to invitations into semi-structured interviews. I use the term semi-structured

interview to refer to conversations that led to extended dialogues structured around my pre-meditated list of questions (see appendix D). These conversations and semi-structured interviews provided insight into what sorts of people are using the spaces for what purposes and according to which rhythms. I also found that conversations with users in or of one place often revealed insights on other case sites, as people often had experienced more than one of these. I recorded my primary observations in a field-notebook during and after conversations and field-experiences and recorded the audio of structured interviews when permission was granted, which mostly applied to expert interviews (see appendix F for participant information sheet, appendix G for consent form). The audio and transcriptions I wrote have all been stored securely on a password protected computer.

In addition to the conversations and semi-structured interviews with public space users described above, I conducted structured interviews with purposively selected experts and key stakeholders (see appendix B). The questions for these were adapted according to the position and expertise of each interviewee, though general questions for these interviews are listed in appendix C. These aided me in understanding more of the thinking shaping management and use of public space. The people I interviewed were academics, city officials, public space practitioners and managers, architects, planners, activists, and NGO-employees. These interviews, which usually lasted at least an hour and were often conducted at the interviewee's place of work, gave me access to key perspectives on predominant conceptions of space. This revealed the thinking, planning and political dynamics that undergird the production of public places in central Johannesburg. In some cases, my initial interviewees and the people I met in public places helped me to identify further interview candidates through snowballing.

I encountered some difficulty in accessing certain key stakeholders. Accessing officials and high-level managers can be difficult due to their busy schedules, and sometimes even appointments that were agreed to were postponed to the extent that interviews became impossible. For example, while Dawn Robertson, the current CEO of Constitution Hill, agreed to speak to me, she consistently postponed meetings until cancelling the possibility of a meeting altogether by indicating she would respond electronically. Despite further reminders, and undertaking on her part that she would respond, she never followed through. While the senior official of Olitzki Property Holdings who I interviewed assured me that it was the CEO and founder Gerald Olitzki's wish to meet me in person, I was unable to speak

to him directly due to his busy schedule. Nevertheless, the official I spoke to was confident in his capability of expressing Olitzki's story and vision, given the duration of his time in the company and senior position.

As mentioned above, I conducted my site-level fieldwork broadly in two periods. From January until June 2018, I visited my case sites regularly. I was able in this period to understand broad dynamics in the places and develop some of the aforementioned familiarity with places and their users. During June, July and August, I visited case sites only sporadically, as I had taken the opportunity to write a journal article. The chance to begin connecting theory with findings in the preparation of the journal article (Middelmann 2019a) was an important opportunity to conduct iterative research according to Lefebvre's (1968/1996: 151) method of transduction. One of the opportunities in this period away from intensive fieldwork was to refine my analysis and coding of data, allowing me to make links with literature and theory that resonated strongly with my findings.

Dudovskiy (2019) helpfully outlines key aspects of qualitative research analysis. The key steps he identifies in processes of qualitative analysis are generating relevant codes or themes that respond to the research to organise data, exploring the themes and patterns that emerge from this organisation of data, and finally summarising or linking the results of this to research aims and theory from literature (*ibid.*). I aligned my process of analysis with that outlined by Dudovskiy (2019), starting by conducting coding manually with a word processor, based on themes that were emerging from my initial impressions from fieldwork and other research. This involved searching through transcripts, documents and field notes for key terms identified from literature and my first phase of fieldwork, including safety, security, fear, crime, acceptable, inclusion, exclusion, public, private, access. While coding for these terms was helpful both in triangulating data from different interviewees and research participants, I also engaged in discourse analysis, a method of critically exploring the language used by interviewees (*ibid.*). This process of discourse analysis, which "makes the object of interest the subjective position that is expressed" by an interviewee, allowed me to then critically explore emerging themes from coding in instances where people did not specifically use the same language, or used the same language in different ways (Ballard, 2018). Because of my autoethnographic approach, explained above, my research findings draw closely on my perspective as researcher, and I aimed to verify my impressions by triangulating my data with other sources, as discussed in this section. For example, spatial

justice is not a term that was commonly used by experts or by public space users, but by coding according to a variety of relevant terms, I was able to draw out commonalities and distinctions in how people thought about different aspects of the concept in the local context. This phase of initial analysis also allowed me to return with more focus to my case sites for fieldwork from September 2018 to March 2019.

In this second phase of site-level research, I consolidated my presence in these places according to the thrust of my research questions. Research then became about considering these activities not just as natural everyday ways of using public space, but as experimental research practices. The relations between the self and others, amongst others and the way individuals relate to collectives, make up part of the content of public culture (Zukin, 1995). This is dependent on many factors, including but not fully subject to the position and life of people involved. This helped me understand what it means, for me and others, to be part of a Johannesburg inner-city public. I draw inspiration here from de Certeau (1980/4, 28): "To deal with everyday tactics in this way would be to practice an 'ordinary' art, to find oneself in the common situation." I expand on this relationship between the self and the 'common situation' as part of my auto-ethnographic approach in section 3.6 below.

I revisited the planning documents for Constitution Hill from the South African History Archives (SAHA). These enhanced my understanding of the conflict and contestation of Constitution Hill's planning process. Parts of this collection had previously not been released for public research, though I was able to arrange an agreement with Constitution Hill staff to help them and SAHA staff to sort some of the documents in exchange for viewing the material in the collection. As well as the archival research at SAHA which mostly focused on Constitution Hill, I also visited the Historical Papers Research Archive (HPRA) and the Johannesburg Heritage Foundation (JHF) archive. These provided useful historical perspective as well as official documents and media reports from the post-apartheid era on all three case sites, which helped with triangulating data from my observations and interviews. Exploring these different archives opened paths into 'encountering publics' on a number of different levels and through time.

A related aim was to examine the dynamics and thinking behind how public places are designed and produced. In support of my foundational methodology of spending extended periods of time in these spaces, the research also incorporated a desktop research component focussing on spatial planning frameworks, policy and legislation to understand conceptions of

public space over time. This has been revealing of the expectations placed on Johannesburg public places in fostering socio-spatial integration and inclusion (NPC, 2011; CoJ, 2016). This is discussed further in the next chapter, which situates the goals and strategies of Johannesburg's urban planning in historical context.

Another research strategy has been to track mentions of the case sites on social media including Facebook, Twitter and Instagram. This gave me access to other publics who were not always present in the places, as well as their perceptions on the public places. Tracking social media mentions of the places also gave me more information on events and processes taking place in them. Twitter and Instagram also allow one to view all posts tagged as "public space," which over time broadened my understanding of the multi-facetedness of public space and the myriad of perceptions people hold of it (Low, 2000).

My second period of observation also gave me the opportunity to verify my initial impressions as well as the information from the initial interviews. Events I was able to participate in or where I could share my work in progress were a useful way of making contacts and networking, learning about broader processes impacting on the city, and refining my thinking on my own work, listed in appendix E. Following this second period of fieldwork, observations and interviews, I repeated my coding process by systematically searching notes, documents and transcripts for the themes that emerged in the first period of fieldwork, which correlated strongly with data from the second phase. I was able to verify key factual data from interviews by triangulating with data from observations, conversations in the case sites with regular users, media reports, archival documents, and further interviews with other experts. Having collected and coded all the data from both periods of research, I analysed this data by reading it through the conceptual framework presented in section 2.6. I also read my data against the review of literature on other public places to explore the generalisability of my findings.

The coding and analysis process was complex in that the language used to express ideas around public space and spatial justice was very different across interviewees and informants in public places. It was clear that despite spatial justice appearing increasingly in policy and academic discourses, that there lacks a common agreement around the meaning of the term in the local context. Similarly, different respondents picked up on markedly different aspects of public space in their understanding of its importance and acceptable uses. As such, a summary of the data from interviews, conversations and observations did not appear to be the

most practical way of reporting on the data. Therefore, the results of my analysis process are reported throughout and woven into the empirical chapters (4-8) by reporting on the data through the conceptual framework and utilising quotations to give voice to the participants. These results are summarised and rounded off in the concluding chapter 9. Similar processes and experiences of data-gathering, analysis, coding and writing up are reported in other similar studies (Nenweli, 2015; Adegun, 2016).

3.6 self, another and collective

Following Erwin (2012), this section explores my attempts to remain open to how identities are formed and constituted mutually through interaction, suggesting that these processes both reflect and shape public culture. Thus, I have tried to be open to how interlocking identities constructed (and potentially transformed) through interactions in public space (Ruddick, 1996, in PPS reader 2014). Instead of approaching a conversation with ideas around who 'I' am and who 'you' are, I aimed at approaching a conversation as openly as possible, willing to look at the space between 'you' and 'I'. Landman (2019: 120) suggests that in South Africa these dynamics are still rooted in the pasts of colonialism and apartheid, which created an "'us' and 'them' syndrome that is still prevalent", implying a long-term culture of disconnection in Johannesburg and other South African cities. While South Africans are often guided into interactions in public places by prejudice and a culture of disconnection, I have avoided predetermining the nature of the interaction and those it involves by focussing on the space in-between the self and another, which is where both 'you' and 'I' actually take their meanings in the moment, giving new prospects for the relationships between selves and others starting from the micro-level (Whaley, 2018). This is the space where we work out who we are, who others are, and thus where publics are formed. Therefore, these moments are part of how public culture is shaped, reflecting Zukin's (1995: 11) description of "[p]ublic culture as socially constructed on the micro-level."

The self-(an)other-public dialectical triad that germinated in Middelmann (2019a) is worth exploring further here (see figure 3.2 below). All three are entities, but each is, it is argued here, mutually constitutive of the other two. One cannot be a self without there also being people who are not the self but rather another. Moreover, neither the self nor the other can exist without being part of a greater whole: a collective which corresponds to a public. This was a way in which I was able to break up the public-private binary during my research; our private spaces exist within public space. Our self (the smallest unit of private space)

encounters all others (in their private spaces of the self) in space that is external to both the self and another: public space. Erwin (2012) argues that these encounters are where our identities are formed, implying that such encounters shape the formation of publics. Thinking through my research in this manner correlated with attempts to bring my work and life closer together (Morreira 2012). In this way, *all* the interactions I have had with other people during this research, since we are all members of the public who use public places, have informed my thinking and behaviours around encountering publics.

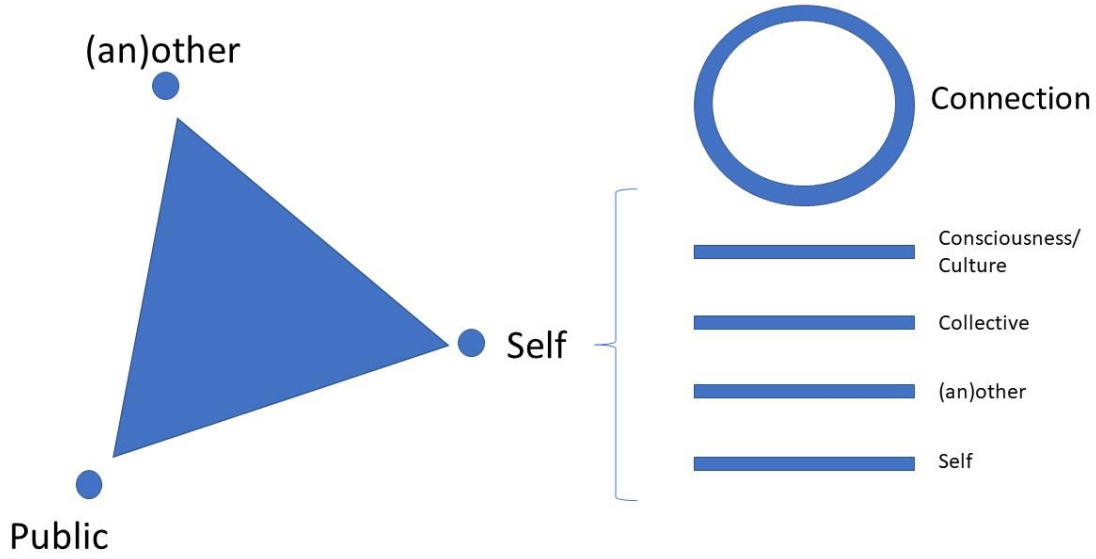


Figure 3.2: Diagram representing the relationship between self, another and the public. Produced by author construction, 2019.

Some of these moments, or interactions, are more revealing when looked at through the graphically represented symbolic relationship between the self, (an)other and the public. The points on the triangle constantly shift and morph according to space, time, energy and actors, corresponding to emerging and competing representational spaces. The points are constituted in moments of interaction which have a charged potential to shift the points on the triangle. My argument is that when the self and the other (self and another, others) become closer towards each other, a wider public can become more concretely constituted. This relates to a call by Mbembe (2018) to begin breaking down barriers between self and other, both practically and philosophically. When the self and others are pushed further apart (physically, spatially, emotionally, psychologically), formation of publics becomes more fractured and tenuous. Whaley (2018: 30) argues that this fracturing often stems from fear and a view of

the self and other as “mutually exclusive”, which can tend towards a public “culture of exclusion,” which can undermine both publicness and attempts towards spatial justice (Sagan, 2019). The right-hand part of the diagram disambiguates elements of the self, implying that these different levels are connected for each individual.

During my fieldwork, I encountered many situations where I faced the tenuous dynamics of self and other in the context of South Africa’s fractured publics (Landman, 2019) and Johannesburg’s public culture of fear (Murray, 2020). For example, one weekday afternoon early in 2019, I was preparing to leave Pieter Roos Park having driven there earlier in the day. I got into my car, a sign of my relative wealth, privilege and outsider-status in the park. At that moment, I saw a man walking towards me from one of the makeshift shelters people living in the park had erected, a sign of his relative poverty and insider-status in the park. I get a little nervous, but I decide to see how the situation unfolds. In attempting to allay my fears, based largely on perception and prejudice, I told myself that by the time he reached me, I would be ready to speed off if the situation soured. As I started slowly reversing, he increased his pace directly towards me, though at that moment I was able to dispel my fear and remain open to the moment. I stopped the car and opened the window as he approached, shaking and seemingly on the verge of tears, saying:

> I’m so sorry to run up to you like this, … thank you for stopping, I really appreciate it. I’m sorry. Thank you for respecting me as a person and not just driving off, I know you could have. I’m very sorry, I’m desperate, I live just over here, I need medication, I take ARVs [anti-retroviral drugs for HIV/AIDS management], I haven’t eaten anything in days. Please help me.

The situation raises many questions about the potential of interactions, apparently challenging but also circumscribed by racialised power dynamics. Both I and the man were aware of the fears and prejudices that might drive a wedge between the self and the other in such a situation, entrenching a fearful public culture. However, each of us were able to take a chance with each other, which allowed for a brief moment where this gap between self and other was reduced. While our actions both elaborated aspects of a fearful public culture, our relative openness permitted a more inclusive public culture to briefly emerge. In the following conversation, rather than having not interacted at all, we were both able to understand each other a little more closely. However, the act of giving him the little bit of money I did in some ways re-establishes the hierarchy of poor, black, public dweller and wealthy, white,

researcher. In responding to this kind of situation, I aimed to help people who requested it, without committing to further assistance. At times this related to preserving safety, as discussed in chapter 8, and at other times it was part of my attempt at maintaining a level of openness in interactions between the self and others.

The boundaries between the self and others are permeable and blurred (Whaley, 2018). Following the assertion of this permeability, Whaley (2018) argues for a wider understanding of self, where the self can tend towards inclusion of others, which links to Brawley's (2009: 12) argument that "the practice of spatial justice must be grounded in – and make central – the cultivation of a different figuration of the citizen.". This resonates with inclusion as considered an important factor in determining the publicness of places (Belina, 2011), and in the struggle for spatial justice as outlined by Soja (2011). Soja (*ibid*.: 2) argues that inclusion is a crucial aspect of spatial justice as a "a basis for creating new and more cohesive coalitions among highly diverse groups". I argue that Whaley's (2018) reconceptualization of the self as inclusive allows for the boundary between self and other to be reduced, which in turn opens space for the formation of collectives through a culture of inclusion, which promotes social integration. This does not necessarily deny space for contestation and produced difference (Lefebvre, 1991/2004). In fact, Whaley (2018: 32) argues that in the context of a more inclusive vision of self, "[d]iversity and difference are understood not as threats or challenges but as vital sources of sustenance and enrichment." Staeheli (2010) importantly points out how in the formation of publics or collectives, these emergent publics are inherently positioned in relation to other publics as well as to *the* public. Staeheli argues that this positioning reflects structures of power but can also disrupt them through types of civic and political action that make public places more *public*, as explored in chapter 2.

3.7 Conclusion

This chapter has detailed how I sought to connect the conceptual framework detailed in chapter 2 with my research questions by researching public places and public space in different ways and at different levels. According to these different levels, observations at case study places were key to understanding local dynamics and the site-level manifestations of broader socio-spatial processes, which demonstrated aspects of the interaction between public space and spatial justice. Interview, archival and desktop research was revealing of these broader socio-spatial processes which provided important framing for the case studies. The interplay between the different types of research was revealing of the interplay between

different levels of public space that determine the extent of (in)justice in places and for individuals. In the next chapter I take a step back from my personal perspectives on encountering publics explored above, framing the significance of the selected case sites using their histories and the history of Johannesburg as a prism.

4. Johannesburg's public space through a history of Gandhi Square, Constitution Hill and Pieter Roos Park

4.1 Introduction

The spaces that became Gandhi Square, Constitution Hill and Pieter Roos Park, through their own histories of management, design and use, have both reflected and shaped Johannesburg's changing public culture. These historical processes demonstrate the dialectical relationship between representations of space as expressed through the conception of each case site, and representational spaces as they emerged through use over time (Lefebvre, 1991/2004). This chapter details how Johannesburg and South Africa's broad historical processes shaped the different iterations of the spaces. A detailed history of the city is not the focus. Instead, the focus is on how historical contestations that shaped the development and re-development of each space demonstrate their shifting potentials for publicness and thus spatial justice. This is demonstrated by examples in their histories that show how "public spaces do far more than inscribe images about local and particular events: they can and do become a medium through which regional, national, and even international identities are constructed or contested" (Ruddick, 1996: 10; cited in Gieseking *et al*., 2014).

Broad periods of history determine the structure of the chapter: early Johannesburg, colonisation and segregation from 1886 until 1948 in section 4.2; the apartheid period from 1948 in section 4.3; and the democratic transition in section 4.4, with recognition of continuities and changes in the transitions between these periods. Section 4.5 explores the post-transitional period including the transformation and redevelopment of Gandhi Square, opened in 1999, and Constitution Hill, opened in 2004.

4.2 The origins of Johannesburg: 1886 to 1948

From 1885 prospectors were searching for gold in the Witwatersrand[3] region, though they met limited success until Australian prospector George Harrison discovered gold in 1886 on a farm just south of where Johannesburg was founded later that year (Beavon, 2004). The mining camp that developed quickly transformed into a bustling town, and segregationist

[3] Witwatersrand means 'white water ridge' in Afrikaans, and it refers to the areas of human settlement around and along this important, gold-bearing reef.

practices took differing forms in Johannesburg throughout its history. These practices gradually crystallised into policies and laws such as the Natives Urban Areas Act (NUAA) of 1923 and the Slums Act of 1934. The complex, contested and contingent development of early Johannesburg was undergirded by tension between South Africa's two colonial powers: the Afrikaners (ZAR), who were in political control of the city at the time, and the British, who were strongly represented in the mine-owning classes (Beavon, 2004). Dominant racist attitudes, shared by the respective Afrikaner and British governments, entrenched an exclusionary public culture over this period by increasingly denying black participation in the production of the city as well as their full use of its public places. For example, racist laws that restricted hawking by black people were common from the beginning of Johannesburg; restrictions which were deepened with the implementation of the NUAA (Beavon, 2004). The emergent tensions described above also shaped the development of one of Johannesburg's earliest elite residential areas: Parktown, where Pieter Roos Park was later laid out, discussed now below.

4.2.1 Reflecting changing powers in Johannesburg: A contested new city

The history of the sites that became Constitution Hill and Gandhi Square spans almost the whole of the history of Johannesburg. Their involvement in key moments of the city's history demonstrates their importance in terms of the city's changing public culture. Archaeologist Hall (1999: unpaginated), who researched the Constitution Hill site prior to its redevelopment, notes that in the pre-colonial period Tswana-speaking communities used the ridges cutting across Johannesburg was common for "settlement or resource acquisition". However, there is very little direct evidence in any of these sites of their pre-colonial uses. In the case of the site that became Constitution Hill, due to "the intensity of landscape modification and construction since the late 19th century, it is doubtful that any precolonial sites or remains […] are preserved in any coherent form" (*ibid.*).

In Johannesburg' first layouts, the space that became Gandhi Square was set aside for use by the Dutch Reformed Church which had made a deal to use the land with the Afrikaner (ZAR) government (Itzkin, 2008). Thus, in 1887, it was originally named Church Square. However, before the Dutch Reformed Church constructed a place of worship on the site, the Goldfields Mining Club bought the land and built a clubhouse covering part of the square (Leyds, 1964). This is one of the first instances of building over one of Johannesburg's marked open public places. In 1893, the ZAR government bought the clubhouse and began its use as a

government office and courthouse, re-naming the adjacent open space Government Square in the first of several palimpsestic name changes reflecting its changing functions over time (Itzkin, 2008). President Paul Kruger's Transvaal ZAR Republic[4] was then in charge of Johannesburg, and they built a prison on the hill overlooking central Johannesburg in 1893, which eventually became the Constitution Hill site (South African Heritage Resources Agency (SAHRA), 2001). This was largely intended to control the *uitlanders*, which refers to people from outside the ZAR Republic, especially the British and other migrant workers in Johannesburg's mining industry.

British mine-owners responded to a stock market crash in 1895 by increasing pressure on Kruger's ZAR to reduce black African labour costs (*ibid*.). However, Kruger's slowness to institute reforms led to an attempted British coup known as the Jameson Raid in 1895 (*ibid.*). The Afrikaners built a Fort in 1897 around the prison as one of a "string of forts and blockhouses erected after the Jameson Raid" (The Star, 4.2.1989). Continued economic recession and tension over the cost of African labour led to war in 1899 between the two colonial powers (Beavon, 2004). And yet, a defensive shot was never fired from the Fort ramparts, as the British took control of Johannesburg without Afrikaner retaliation, despite the war continuing elsewhere in the country until 1902. The Afrikaners handed power over Johannesburg to the British in 1900 at Government Square (*ibid.*), a significant event in shaping its meaning and imbuing it with symbolic, cultural importance in the history of the city's organisation of power. The symbolism of this transfer of power was made manifest at Government Square by the change of flags: "the Vierkleur [flag of the Afrikaner republic] was hauled down from the flagstaff in front of the courthouse, and the … Union Jack … was run up in its place" (Amery, 1906: 152). This critical symbolic moment in Johannesburg's history marks the space as a key site of public culture, also relating the site to the development of a culture of contestation between Afrikaner and English.

In this decade of the 1900s, British administrator Lord Milner was in charge of Johannesburg for the British, and as mentioned he maintained racist laws governing the use of public space that were in place. One example of the exclusion of black people based on white dominance

[4] The Transvaal Republic, also referred to as ZAR, was from 1852 one of two Afrikaner colonies that were dissolved after the British won the Anglo-Boer war in 1902, when the area became known as the Transvaal Province. This remained until 1994 when new provincial lines were drawn; much of the Transvaal Province, including Johannesburg and Pretoria, became part of the new Gauteng Province.

was Milner keeping the ZAR law that had banned black Africans from walking on the pavements from as soon as Johannesburg was established (Beavon, 2004). Interestingly, Gandhi, who was practicing as a lawyer in the Courts at Government Square, came to the aid of black traders by providing legal defence for them in response to the harassment they faced under racist laws (Itzkin, 2008). In this period, in 1904, a state-led a commission of enquiry found the Fort site to be unfit for use as a prison (Bird, 2005). Nevertheless, The Fort returned to use as a prison until 1983, first under the control of the British, and later under the apartheid government.

4.2.2 The origins of Parktown: Public for whom

The antagonisms described above, particularly between English and Afrikaners in Johannesburg, were important in shaping key the city's early history and public culture. While Pieter Roos Park did not exist at the time, this conflict shaped Parktown, which later impacted on the nature of development, meanings and uses of the park. Originally part of Herman Eckstein's Braamfontein Estate Company, Parktown was a "private leasehold township … administered as a single estate and were surrounded until about 1904 by a fence. The roads within that area were private roads" (Wentzel, 1975: 11, 63). While Milner brought Parktown into the Johannesburg town limits soon afterwards, its roots demonstrate its conception as an essentially private enclave away from the centre of the city. Dominant early representations of Parktown characterised its "basic concept the idea of … the garden suburb par excellence" (Zar, 1972: 93-4). It held increasingly strong identity as the home of Johannesburg's English-speaking elite, many of whom were mining financiers, referred to as the Randlords. Callinicos (2012:28) describes its early occupants as the

> newly rich who set out to construct an exclusive place of privilege and magic out of Johannesburg's veld and kopjes and sunshine. But they invested this new place, by way of collective class memory, with an additional identity by linking it to that other meaningful place, the seat of Empire.

Over the first half of the twentieth century, Parktown and its "opulent" mansions increasingly "embodied all the solidity, the seeming permanence and yes, the fundamental *rightness* of British expansionism" (Benjamin, 1972: 21-2), which soon became a bone of contention for Afrikaans-speaking white South Africans. This was in a period where Afrikaner nationalism was growing in strength, culminating in apartheid becoming official policy in 1948. Along

with these ongoing tensions, Parktown's location only about 3km from central Johannesburg, along with its large property sizes, meant that its land was increasingly valuable in the context of the expanding city. Coupled with the increasing costs of maintaining large mansions, rising taxes and worsening traffic congestion in the area, Parktown's private mansions and associated elite character came under pressure. The election of the Afrikaner nationalist National Party (NP) in 1948 added to this pressure, discussed below.

4.3 Apartheid: 1948 to 1990s

As shown by Beavon (2004), many of the spatially unjust urban features of the apartheid period were firmly in place before apartheid officially began. Nevertheless, racist and segregationist policies and practices were deepened after 1948 under the National Party (NP). Many of these directly impacted the potential for public space:

> The Reservation of Separate Amenities Act, Act No 49 of 1953, formed part of the apartheid system of racial segregation in South Africa. The Act enforced segregation of all public facilities, including buildings, and transport [… and] stated that the facilities for different races did not need to be equal. … The act was part of the system of "petty apartheid," the name given to apartheid laws concerned with the regulation of day-to-day life, most notably the Immorality Act, Mixed marriages Act, and the Separate Amenities Act (SA history online, undated: unpaginated)

Part of the consolidation of apartheid laws included attempts at maintaining the city centre as a white space, with black people only allowed in temporarily for work, but not into recreational public places. During apartheid the Fort functioned as a prison and became increasingly notorious. Many black South Africans that were incarcerated there for pass offences and political crimes were subjected to human rights abuses including torture by warders and officials (Segal and van den Berg, 2007). It is this history of abuse and injustice that is commemorated in Constitution Hill's that shaped its redevelopment in the democratic era, which imbued the space with symbolic, cultural importance, discussed below. A detailed history of the Fort site that became Constitution Hill, especially during its years as a prison, is not the direct focus here (see for example King and Flynn, 2011; Patel and van de Merwe, 2005, 2013; Segal, 2006). This section instead focusses on the shift from Government to Van der Bijl Square and the conception, development and early use of Pieter Roos Park, though I return to significant moments in the Fort Site's history, mostly in section 4.3.3.

In 1948 the new apartheid government redeveloped Government Square as the city's main bus terminus, exclusively for white people. Itzkin (2008: 46) describes the redevelopment: "the old law courts and administrative offices, by then run down and dilapidated, were demolished to make … way for long lines of bus shelters that occupied the site for the next 50 years." It was named Van der Bijl Square (Rand Daily Mail (RDM), 7.4.1949) after an engineer and industrialist who founded important parastatal steel and electricity companies Iscor and Escom (later Eskom). Not incidentally to this, Escom's headquarters, Escom House, at the time the tallest building in Johannesburg, dominated the edge of the square from 1935 to its demolition in 1983 (RDM, 12.7.1954; Eskom, 2015).

Flo Bird (int. 2018), a long-term resident of Parktown, historian and heritage activist, notes that Johannesburg's history has seen several instances of the City Council's disregard for undeveloped public places by choosing them for new buildings, heightening the importance of remaining open, public places over time. Bird (*ibid.*) argues that the 1948 redevelopment of Government Square into a bus terminus was an injustice to its history: "[turning a] public open space into a bus terminus, … that's where the wrong happened." Furthermore, a historian of Johannesburg's public space (int. 2019) suggests that Van Der Bijl square wasn't "designed in a very people-friendly way."

4.3.1 Pieter Roos Park: conceptions and contestations 1950s to 1968

As mentioned, the growing and changing city meant that the large plot sizes and mansions in Parktown were under threat for new developments. At the time there was increasing urgency for more open space to compliment the growing density of the high-rise resident areas Hillbrow and Berea. The City Council therefore proposed several sites for the development of a park, including the one at the south-eastern corner of Parktown that later became Pieter Roos Park (City Council, 1962). This coalesced with the City Council's 1957 plan to densify and rezone Parktown which had prompted Parktown residents to lodge objections (Callinicos, 2012: 153). In 1958, despite objections, plans to develop the new park were advanced as the City Council decided to use the site, "but the finances were not made available", which delayed the project (City Council, 1962: 136).

The project was then known as Parktown Park, despite the main intention being to respond to the density and "huge population in Hillbrow and Berea" (*ibid.*). The land for the park, for which the City Council intended to expropriate privately owned properties, was about 9

hectares in area (*ibid*.). These properties included several old Parktown houses, including one designed by famous South African architect Herbert Baker, thus residents regarded these as especially important heritage buildings. One local property developer, Alec Gorshel, suggested that "the interests of a group of property owners had to be overridden for the good of the city," arguing that the provision of the park was an important publicly minded act by the city (RDM, 7.12.1960). Gorshel advocated for the park due to his belief that it would mitigate the loss of Parktown's suburban character stemming from the rezoning plans that would increase its density (*ibid*.). There was thus a polarisation of opinion amongst Parktown residents with some for and some against the park development, linked to the conflict over whether Parktown should be rezoned for densification and institutional use (City Council, 1962: 137). Some Parktown residents in favour of the park conceived of it as a Parktown space because of its location (*ibid.*), and the City Council tried to reassure them by conceding that while

> the proposed park will undoubtedly serve the needs of suburbs other than Parktown and particularly the northern section of Hillbrow and portion of Berea, it will nevertheless provide amenities to serve present and future residents in Parktown. (*ibid*.: 138)

The insular approach of these Parktown residents is an instance of an exclusive public culture in Johannesburg at the time. The variety of both contrasting and overlapping attitudes about the land for the park are important because perceptions about areas and spaces feed into the way they are used and understood, thus altering their reality. Pieter Roos Park has been a space of contestation from the time it was proposed in the late 1950s.

Debate over the park and the expropriations continued into the 1960s as the City Council tried to finalise expropriations. Amidst the continued contestation over the site in Parktown, the City Council continued looking for other potential sites for a park in the 1960s (Bird, 2005). Relatedly, there was also an ongoing debate between the National Monuments Council (NMC) and the City Council over the Fort site, about 500m south of the proposed Parktown Site. The NMC wanted to declare the Fort a National monument arguing for the site's importance given its history as an Afrikaner military fort. The City Council argued that as a jail it had little heritage significance, so they advocated for the demolition of the jail on the Fort Site in order to use it for a park given its close proximity to Hillbrow (*ibid*.).

Interestingly, the white residents of the Hillbrow flats often demonstrated ignorance towards the brutality of the Fort prison in this period, despite it being in view of many of their balconies (Gevisser, 2004). A former official of the Johannesburg Development Agency ((JDA) int. 2016) relates how the Fort prison was overlooked despite its significance: "It was right in the middle of the city. And probably of the whole apartheid project, I don't know if there's another example of that kind of thing happening … under white people's noses like that. Prisons, torture…" The contestation ended in favour of the NMC, which declared the Fort a National Monument in 1964, "highlighting an early instance of its heritage being used to legitimise state ideology through harking back to the Afrikaner republic" (Middelmann, 2019b: 7). Interestingly, the remainder of the site beyond the Fort was not declared a monument, this having consequences for its redevelopment in the 1990s, discussed in section 4.4.3. Given the desire of the City to use the Fort site as a public park, it is also an instance in which Afrikaner heritage concerns, i.e. a narrowly conceived public culture, seem at odds with broader public interest imperatives.

The 1960s was a period of economic growth, and the City Council was responding to Johannesburg's increased density and car-dependency by building new roads and highways (Beavon, 2004). The choice of the Parktown site for the new park coalesced with this because part of the expropriated land could be used for new roads (City Council, 1962). These two impulses were contradictory: the main motivation was to provide a large open space, but the choice of space was also to provide space for roads. Despite increasing car-dependency, planners saw potential for a pedestrian network connecting the park with the City Council buildings as well as the Fort and later Constitution Hill: "The relationship of the proposed Parktown Park, the Fort Site and the Civic Centre will permit the planners of the future to develop an amenity which will prove of value for all time" (*ibid*.: 138). The contemporary value and public potential of this space between Constitution Hill and Pieter Roos Park is analysed in chapter 8.

It took most of the 1960s to expropriate the properties required for the park development; expropriation involved securing public money, negotiating prices with property owners, and later the demolitions of acquired buildings (City Council, 1968). During this period, the interplay between conceptions of the space and perceptions of the space (Lefebvre, 1991/2004) continued to develop: new plans for the space clashed with the perceptions of the area held by some of its residents. Media at the time expressed this interplay, elaborating

imaginations of the park: “Empire Road, from Clarendon Place to the new park, will be made into a sylvan boulevard so that the residents of Hillbrow, Johannesburg's flatland, can take walks to the park in pleasant surroundings” (Sunday Times, 13.12.1964). On the other hand, the provincial and local governments “have undertaken to preserve as much of the natural beauty of Parktown as possible” (*ibid.*), further indicative of the tension between providing a park for high-rise Hillbrow and keeping the residents of suburban Parktown happy.

Parktown was densifying in the 1960s through the erection of blocks of flats and also losing some of its residential character to institutional use (Benjamin, 1972). In 1963 the Transvaal Provincial Administration expropriated 27 hectares of property for the Teacher’s college (now Wits Education Campus), and in 1968 expropriated the site of Hohenheim, Parktown’s oldest mansion, to make space for the new Johannesburg Hospital (*ibid.*). While these changes were on one level linked with processes of city expansion and modernisation that could be expected, the contestation that arose over the proposed park and rezonings also reflected the tension between English and Afrikaner white South Africans. Benjamin (1972: 31) characterises these expropriations and the rezoning of Parktown as

> the body blow struck by the Afrikaner politics and bureaucrats against a massive surviving symbol of ‘English’ influence. Some old Parktonians bitterly saw the destruction of their homes as the final act of revenge against the Randlords by Kruger’s political heirs in Pretoria.

Competing conceptions of the area around the park were thus built into its development from before it was laid out. This elucidates how a public culture of antagonism was built into its roots as a conceived space for white publics, determining aspects of spatial practices and shaped over time by the attempts of users to create symbolic, representational spaces at Pieter Roos Park, discussed below.

4.3.2 Pieter Roos Park: early use and continued contestation 1968 to 1990s

In 1968 the Parks and Recreation Department announced that “development of the park should now commence” (City Council, 1968). Most of the park was soon laid out. The contestation over the park development brings up irony that betrays the emphasis on private interests held by some Parktown residents. One such resident, whose property was expropriated for the park, complains that “the peace of a secluded park-like area” would be lost due to the development of a park (cited in Benjamin, 1972: 45). Benjamin (1972: 41)

questions the nature of Parktown's change in this context, summing up some of the pertinent questions left in the air: "the private, perfect world they created has all but vanished… Could Parktown have been saved? Was it worth saving?" This indicates an insular, exclusive public culture, and focus on space in terms of its private rather than public potential. These are important dynamic in Parktown's history that weaken framings of the urban as public under the right to the city.

Along with the material loss of old buildings, the sense of decay experienced by some residents relates to a perceived social decay that jarred with some residents' normative views of the neighbourhood rooted in its elite, English-speaking, suburban history: a "romantic image with its moral overtones of superiority" (Zar, 1972: 93). Their attempts to preserve this character conflicted with the City Council's provision for the needs of residents from neighbouring areas. The replacement of private properties with a public amenity represents a focus on public rather than private value. On an immediately local level, this was a move towards spatial justice. However, public amenities in apartheid cities were provided for white people only, thus deeply exclusionary, and so on a fundamental level could be deemed neither public nor just.

The naming of the park, after an Afrikaans former-mayor Pieter Roos, seemed to fit in with what Callinicos (2012: 10) describes: "in the second half of the twentieth century, public names also reflect the rise of Afrikaner nationalism and the relations of power during the era of official apartheid." It is an interesting irony that while the roads surrounding the park continued reflecting the history of British influence, the park was named after an apartheid mayor, though he had been a Parktown councillor before becoming Mayor of Johannesburg in the mid-1950s. The absence of public debate over the name of the park is indicative to some extent of its symbolic meaning as a Parktown space, in that it continues to pay homage to a Parktown councillor.

In the late 1970s, not long after the park was opened, some Parktown residents criticised it on the basis that it did not provide enough scope for activities: "Pieter Roos Park is a disaster, even though it is near one of the most densely populated areas in the city, because there is nothing to do there" (Loxton, 1979). The Parks Department complained in 1979 of a lack of resources, bureaucratic constraints, as well as vandalism, and requested help from residents to provide amenities, "as long as there are no strings attached" (*ibid*.). The request for help without conditions is an interesting example of the complexities involved in partnerships

between government and communities. Part of the outcome of this interaction, again lead in part by Parktown residents, was that the Parks Department redesigned the park to include a fitness-circuit (Our City, 1979).

In this same period, further disputes were unfolding between park users, Parktown residents, and the City Council. As mentioned, the original expropriation of the land aimed to lay out a park and set aside space for new roads. The City was intending to extend and widen the M6 road, which would cross through Johannesburg on an east-west axis. Parktown residents strongly opposed the plan as it involved covering over several open spaces, including the northern portion of the newly established Pieter Roos Park (RDM, 19.1.1981). This continued through the 1970s: "we fought desperately hard for … years [and] we stopped them finally" (Bird, int. 2018). Thus, the proposed freeway that would affect the park land did not occur. This meant that the park did not lose any of its original size. The location of Pieter Roos Park at the edge of Hillbrow and Berea undermined its use by residents of those areas (former JDA official, int. 2019). This remains one of the key sources of tension in the park: its location in Parktown gradually inculcated a feeling of ownership of the space by some Parktown residents, which increasingly clashed with its use by Hillbrow and Berea residents as intended by planners. I discuss this further in section 4.4.2.

Parktown residents were increasingly involved in the dynamics and activities of Pieter Roos Park into the 1980s and 1990s. Residents' associations organised for marches by the Transvaal Scottish Regiment, open air theatre and other events, partly due to a feeling that the park was too empty (Horowitz, 1981). As well as trees, water features, and sports amenities, Parktown residents also requested "peaceful areas, cheerful areas, and a place for exhibitions" (*ibid.*), despite the tense political climate at the time. The original conception of a park for Hillbrow and Berea residents shifted as Parktown residents participated in shaping the park's development, partly through lobbying for the installation of monuments memorials related to Parktown's history. This included the bandstand in 1992 as part of the Parktown Centenary Celebrations (see figure 4.1 below), and the anchor installed in the Park to honour a ship named after Parktown that was sunk during WW2 (Bird, 2000). Parktown residents thus created new representational spaces shaped according to their view of Parktown's history. 1992 also saw the installation of mining coco-pans as a public artwork to honour the relationship between Parktown residents and the mines on the Witwatersrand. There was no recognition at the time of what the relationship between wealthy white landowners, mining

corporations and black workers meant and might mean to the broader publics in Johannesburg, many of whom were legally denied access to the city until apartheid ended, a key marker of the spatially unjust city. During the transition out of apartheid, Parktown's representational spaces in the park began to clash with those of the inner city's residents, most of whom were by then black. I expand on this in section 4.4.4.



Figure 4.1: Parktown Centenary Celebrations in the new bandstand. Source: JHFA, PKT.PRPK.PVLN.Z_01 (with permission).

4.3.3 Late apartheid: secretly reflecting the changing city and nation

A student-led revolt in Soweto in 1976 started a period of increasing civic mobilisation, as well as political tension, international sanctions and economic decline, taking South Africa to the brink of civil war by the mid-1980s (Beavon, 2004). Thus, many aspects of the apartheid state began crumbling from the late 1970s. In the late apartheid period, people made public space through various forms of civic action, creating important representational spaces that challenged the spatially unjust conception of the city under apartheid. As well as civic action and protest, Mabin (2001: 248) shows that people were producing other forms of public space through appropriation: "During the 1980s, at the height of the struggle against apartheid in

the townships, 'Peoples' Parks' were created by large and small groups of organised citizens, mostly in spaces left over by public housing development in the townships." Throughout Johannesburg's history, despite strict spatial controls, people have claimed and thus generated genuine public space through creative collaborations, claiming aspects of a right to the city at different moments.

The path of Van Der Bijl Square followed aspects of the trajectory of city under apartheid. Parts of the downtown core began to desegregate residentially and commercially from the late 1970s, as influx control and the governance of the Group Areas Act were relaxed (Beavon, 2004). Relatedly, the bus service operating from Van Der Bijl Square had begun allowing Asian and coloured passengers along with white ones, but not yet black African passengers (RDM, 11.12.1978), revealing the unevenness of apartheid's demise. In line with disinvestment and decline of inner-city Johannesburg from the late 1970s, Van Der Bijl Square sank in social standing by the 1980s, suffering from dereliction, as did the Fort site, discussed presently below. As described by Itzkin (2008: 47), Van Der Bijl Square "became increasingly neglected and run down, adding to the general air of decay and deterioration in the central city area [in the 1980s and 1990s]. The bus terminus fell into disrepair, homeless people and street children made it their home, and the site became linked with petty crime." At the same time as racial desegregation, decentralisation of commercial headquarters and resultant destabilisation of Johannesburg's downtown core in economic terms, the narrative of inner-city decline was taking hold, associated with crime, disorder and over-crowding. However, section 4.4.2 shows how impulses towards regeneration were also emerging.

Concern over how to use the site increased over this period, with calls from various perspectives for preservation, unearthing its heritage value and other new uses including a suggestion to turn the Fort into a home for children living in the streets (RDM, 23.8.1990). The Prisons Department decommissioned the Jail at the Fort site in 1983 when they opened a new, larger jail in Soweto. Subsequent years added layers of sinister and obscure history to the site while parts of it deteriorated physically. Despite this, often characterised as a period of relative abandonment from 1983 to the mid-1990s (Segal, 2006), it is a much-overlooked period of the site's history that saw a variety of uses that are important in understanding the space, the changing city and nation. This history is not dealt with nor represented in the space in any detail, and I argue that this may be because history and memory can be instrumentalised in memorialisation practices according to political or other motivations,

signalling sometimes arbitrary control over the space's meaning and therefore its potential representational spaces. Control over representational spaces reduces the possibilities for broader public uses and cultures to emerge, significant for spatial justice and injustice.

Details of occupation by a variety of institutions and individuals that used parts of the Fort site during this period are beyond the scope of the chapter. Nevertheless, this section touches on aspects of these that reveal important layers added to the site's complex history, showing how the site embodied the tension and confusion of this late-apartheid period, reflecting details of the complex transition out of apartheid. The strong cultures of secrecy and violence of the time were thus embedded in the space, for example through the Civil Cooperation Bureau's (CCB) use of the Women's Jail as a base for their 'death-squads' in the late 1980s and early 1990s (Pauw, 1991). The CCB was a secret organisation operating under the remit of the state and South African Defence Force (SADF), and assassinated anti-apartheid activists including David Webster (*ibid.*). A Constitution Hill consultant (int. 2019) expressed the significance of this to the site: "the fact that you had a hit squad operating out of the women's jail … because it's so linked to death and detention and imprisonment, it's not a separate story, it's absolutely integral to the story of the site." This demonstrates continuity connecting the site's prison and post-prison histories: that of brutal injustice practiced by official institutions housed there.

It was only in the early 1990s that contestation over the status of the whole site in terms of national heritage declaration began to grow (see figure 4.2 below). In this period, the negotiations towards the end of apartheid began (Beavon, 2004), revealing of how wider national processes impact on specific places. Bird, who at the time was working for the NMC, describes her growing realisation of the importance of the site beyond the Fort, especially as a symbolically important space in the history of the struggle against apartheid. She suggests this was at odds with the NMC leadership at the time of whom many were Afrikaner nationalists: "we had to disguise our feelings about it politically" (Bird, 2005: 3). This dynamic made it difficult to advocate for the declaration of the whole site as a monument, and to legitimise its maintenance.

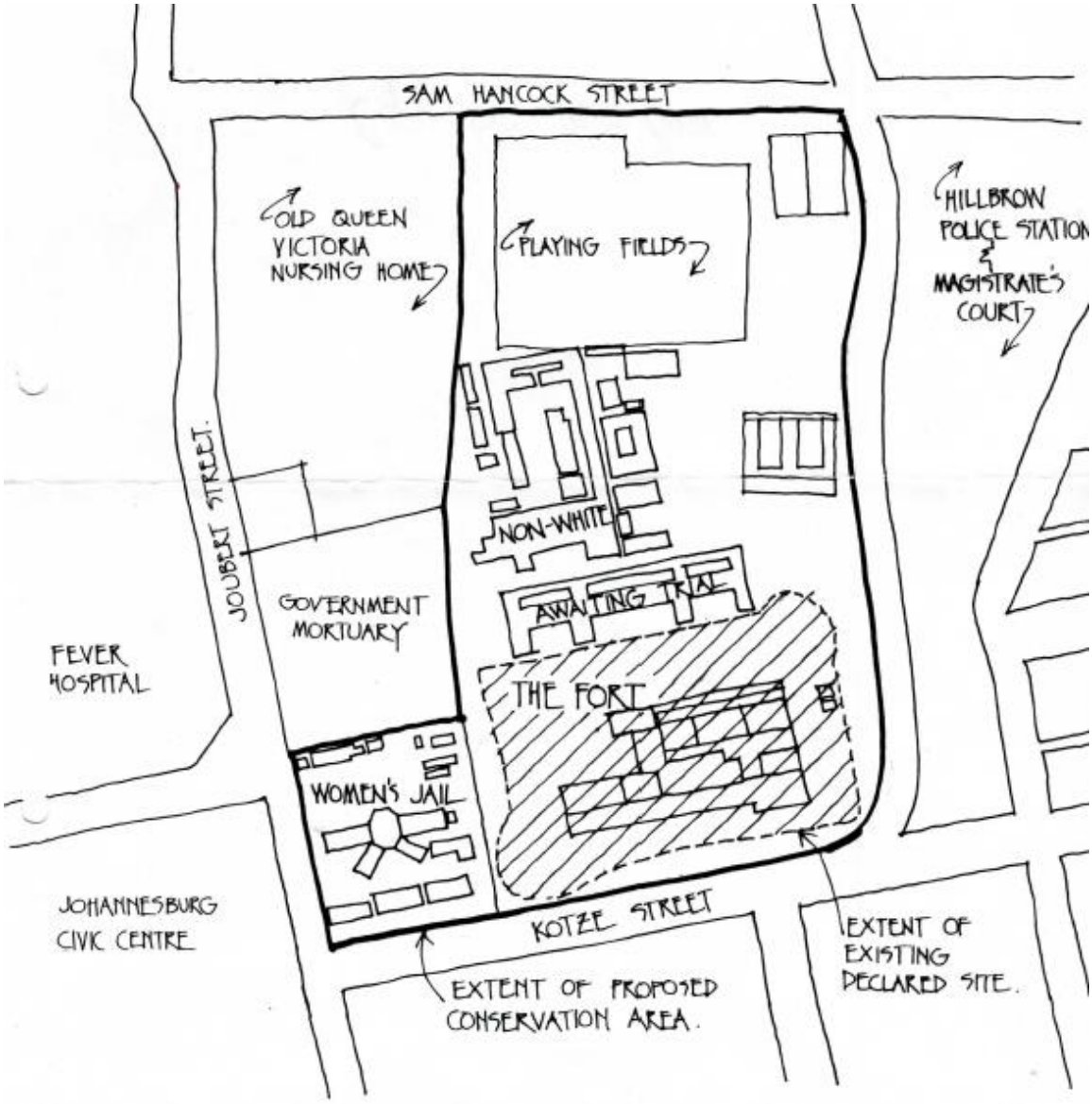


Figure 4.2: Map showing buildings on site at the time and proposed extension of heritage status. Source: JHFA, CNL.CONH.00.W_05 (with permission).

Tensions over heritage value correspond to competing representational spaces and indicate some of the lines around which South Africa's publics were fractured during the negotiations towards transition. Bird was realising the historic importance of the political prisoners of Constitution Hill before apartheid officially ended, but arguing this officially was difficult: "it was not the kind of significance we were going to be able to sell […] to our own regional committee, let alone to a wider public" (*ibid.*). This is an instance of how the broad shift from apartheid, premised on an exclusive white public, to a nation premised on an inclusive and coherent public, occurred unevenly and on micro-levels. For example, in the same period the CCB occupied the Women's Jail, the first meeting between the SADF and *Mkhonto Wesizwe*, the armed wing of the African National Congress (ANC), took place in 1993 at the Fort to

discuss integrating the previously opposing armed forces to form the new South African National Defence Force (Vos, 2005).

There were some efforts towards conservation and renovation in the Fort from the late 1980s which reflect contemporaneous assumptions about the importance of the site's heritage. Working with the NMC, a volunteer military regiment called the Transvaal Scottish organised the renovation of parts of the Fort and demolished some buildings for a parade ground, but the regiment never took occupancy. During their preparations, important graffiti was painted over, and some buildings were demolished, apparently without the correct permissions (Emery 1991; Fort Steering Committee, 1994). Thus, impulses towards conserving and using the site were contingent upon many things, including plans that were not carried out (RFB architects, 1992; Johannesburg / Southern Transvaal Plans Committee, 1992). As such, some memorialisation practices at Constitution Hill were to an extent arbitrary.

4.4 Democratic Transition early 1990s to early 2000s

The upturn in civic activism against apartheid state saw many apartheid laws and policies beginning to crumble, especially from the second half of the 1980s when influx control was abolished and mixed marriages were unbanned (Beavon, 2004). The transition from apartheid to democracy, the negotiations for which began in 1990, was indeed a gradual process building up to the election of the ANC and President Mandela in 1994. Therefore, this research contributes to 'decentring apartheid' from analyses, as called for by Nuttall (2004: 735). There have been, albeit protracted, symbolic and legal changes that impacted the nature of planning in Johannesburg through the transition. However, as the urban landscape is still reflective of previous planning eras in the cities' history, there are clearly significant continuities. Yet, for the purposes of this study, the shift from minority rule to democracy, signified by the moment of elections in 1994, is critical in how it signified a shift in national conception of the *public* in urban areas from white exclusivity to including all South African residents. Black South Africans now had full enfranchisement, as well as theoretical rights to tenure and use of public space, though there remained socio-economic barriers to their realisation. Nevertheless, this shift fundamentally changed the original conception of the city as a white space, creating new representational spaces. This section first traces the broader shifts in Johannesburg's spatial planning and development during and after the transition, and then focusses on changes to each case site during the democratic era.

These sites, especially Constitution Hill and Gandhi Square, are useful prisms into the nature of transition. They were redesigned, redeveloped, reconceptualised and renamed in the context of this transition, with conscious links between their own transformations and that of the country. On the other hand, while Pieter Roos Park wasn't redeveloped in line with the democratic transition, it remains a useful lens on the fine-grained dynamics of transition as one key large public place accessible by inner-city residents. Precisely because it was not planned as an active cog in the nation and city's transformations as the other two were, it offers valuable insights into how the transition has unfolded in unplanned spaces. Places like Pieter Roos Park both reflected and shaped aspects of change to do with the transition.

4.4.1 Johannesburg's spatial planning through the democratic transition

Many areas in Johannesburg have transformed during the transition in ways that are not all easy to apprehend, arguably more drastic and obscure in the inner-city from the mid-1980s. It has been a rapidly changing, dynamic, and powerful part of the city (Dinath, 2014: 236; Winkler, 2014), with increasingly rapid migration into the city's historic core, largely from black African people from within and outside of South Africa. The literature on this inner-city transformation features a narrative of decline, capital flight and crime-and-grime much more intensely than other areas (Murray 2011: 87-95; Bremner 2000; Chipkin 2008: 408-12). The narrative of decline and disorder has, however, been questioned, for example by Goga (2003) who outlines a deliberate corporate disinvestment, and by Matsipa (2014: 16), who argues that this narrative "also signalled anxieties about the presence of impoverished and raced bodies in the historically white inner city". Matsipa's contribution is important because it gets at how impulses towards controls over public space are often rooted in factors involving identity and belonging, aspects of public culture. Furthermore, controls over public space often tend towards exclusion, which undermines spatial justice.

Todes (2014: 85) notes how University of Cape Town urban planning academics Dewar and Uytenbogaardt's (1991) "critique of the impact of modernist planning principles in the South African context" became a "predominant discourse in 'alternative' planning circles," signalling how this drove attempts towards planning a compact, integrated city. The notion of spatial justice, and how it is defined by planners, academics, and municipal officials, is important in understanding the changing dynamics of Johannesburg spatial planning. While there are increasing efforts at promoting spatial justice (South Africa, 2016), the overall spatial development of post-apartheid Johannesburg has been capital and market-driven, and

public and private sector developers are not always aligned (Ahmad and Pienaar, 2014: 101; Murray, 2011: 181).

As argued by Dirsuweit (2009:77), much of Johannesburg's history involved planning for and aiming to normalise "disconnection", primarily through racial segregation and exclusion of black people from the city, whereas since the transition attempts are aimed at reversing this. South African cities are thus caught in between the legacies of racialised, discriminatory spatial planning, and mostly market-driven "transformative forces" along with differing degrees of political will for desegregation (Schensul and Heller, 2011: 78). During the democratic era, many regeneration efforts have targeted the inner city, largely in the housing sector, but also in public places, responding to the City of Johannesburg (2016: 150) perspective that public places have been suffering from "privatisation and neglect." Landman (2019: 152-5) suggests that in fact privatisation has often been a response facilitated by local public authorities to prevent neglect and deterioration. Landman (*ibid*.) characterises key drivers of public space change as the public sector, private sector and communities, suggesting that the latter is the weakest in most South African cities.

Post-apartheid interventions in Johannesburg's inner-city have ranged from basic infrastructure upgrades like pavements and street-lighting, to public-art interventions, to mega-projects intended to catalyse development and investment, which included Constitution Hill (former JDA official, int. 2019). Landman (2019:6) describes these mega-projects as "the upgrading of open spaces or the development of symbolic spaces to celebrate the new democracy" (Landman, 2019: 6), situating them as especially important sites of public culture. The multitude of actors involved in Johannesburg's planning and development mean that there are no overarching goals that tie together all different development projects, and of course, market forces will not always tend towards desegregation (Schensul and Heller, 2011).

Todes (2014) shows that the City of Johannesburg (CoJ) turned towards neoliberal urban policies following the wake of the 1997 fiscal crisis in Johannesburg, increasing the emphasis on attracting investment as a regeneration strategy. Madlingozi (2007) further suggests that the ANC's embrace of neoliberal economics on a national scale is largely to blame for increasing inequality in cities, a critique strongly applied to Johannesburg by Murray (2011). Focusing on Durban, Schensul and Heller (2011: 80) suggest a lack of social justice concerns or provision of basic needs to the urban poor. This argument has resonance when considering

the literature on Johannesburg (Dirsuweit, 2009). It is a conundrum that successive mayors and city strategists are yet to get around, aiming simultaneously to achieve world-class city status and to address the needs of the urban poor, which remains a significant challenge (*ibid.*; Todes, 2014; Robinson, 2008; Lipietz, 2008).

4.4.2 Conceiving Gandhi Square

Gandhi Square was produced as one of Johannesburg's first public-private partnerships for the management of public space. From the late 1980s and 1990s, Gerald Olitzki initiated the process that became the production of Gandhi Square, the naming of which is discussed in section 4.5.4. He founded Olitzki Property Holdings (OPH) in 1989 when he bought his first building on what was still Van der Bijl Square. The square, like other parts of the CBD, was suffering from neglect, physical deterioration and increasing crime (former JDA official, int. 2019). Olitzki began in the early 1990s to request a lease from the City Council for the square on the basis that he would clean and secure it, though the City replied, "that can't be true, it's public space, it's our job" (*ibid.*). Despite this, Olitzki convinced the City to grant him a 45-year lease for the square,

> and his plan was if you fix up and secure and clean it and buy up all the buildings around it while they're still derelict and cheap…, then you can reinvest in every building and make a lot of money, and that's exactly what he did. (former JDA official, int. 2019)

A top official of OPH describes Olitzki as a "visionary" leader: "he had experienced the decay that was happening in Joburg and I think he was optimistic and positive … enough to know that he would turn it around" (OPH official, int. 2019). A member of the Johannesburg Inner City Partnership (JICP, int. 2018) attributes the success of Gandhi Square to Olitzki's "obstinacy". His determination and enthusiasm are widely regarded, and it is a compelling story of transformation in the 1990s, a complex and rapidly changing period of Johannesburg's history:

> Van Der Bijl square was a shocking place in the day, … you couldn't walk through. He had a vision of just opening it up. … [and] … was a bit of a spark for urban regeneration at a time when there was just a mass exodus from the city. (*ibid.*)

CIDs were started by the Central Johannesburg Partnership (CJP) run by Neil Fraser with the Central City Improvement District CCID in 1995. Initially covering just 8 blocks, the CJP partnered with the Van der Bijl Square Consortium (led by OPH) to fund the redevelopment of the square in 1998-9 as part of a wider CCID covering 25 blocks (Itzkin, 2008). Despite its importance as one of few large public places "within this heavily-used area", the lease agreement banned informal trade, restricting and excluding certain types of use and thus undermining the extent of Gandhi Square's publicness (*ibid.*: 116).

It is estimated that CIDs in Johannesburg collect over ninety million rand annually from property owners in levies that go towards "the provision of supplementary services to the public space" (CID Forum, 2016). This is significant and represents an important shift from inner-city disinvestment in the 1990s (Goga, 2003). Despite the contributions of the CIDs, and Gandhi Square in particular, OPH admits that CIDs do not do enough in moving towards spatial justice in Johannesburg (OPH official, int. 2019). This adds to dialectical critiques of CIDs that recognise their contribution but criticise them on the basis of underlying private interests in public space (e.g. Peyroux, 2012). One example of this is the bias in property ownership towards white owners, whereas "there needs to be a spread of ownership… we are trying to allow black property owners to own and manage buildings, because … the current ownership in the city is … not sustainable" (OPH official, int. 2019). This indicates the impact of historical economic inequalities that impact on the nature of urban regeneration and its consequences for public places. It is important to hold the benefits and drawbacks of privately managed public places in a dialectical relationship. This aids in understanding how both private and public interests shape the positive impacts of CIDs in providing safety and attracting investment, as well as the negative impacts that manifest through the denial of informal trade, which limits opportunities for appropriation, and the struggles to transform racial imbalances in property ownership, which contributes to enduring spatial injustice.

A key aim of the redevelopment was to make Gandhi Square more accommodating of pedestrians. This in some ways mitigated the aforementioned spatial injustice of developing over the square in the late 1940s by re-opening the space fifty years later. While Olitzki's determination drove the regeneration of the square, acquisition and renovation of adjacent buildings, the acquisition of buildings involved negotiated evictions of people that had been living in them, critically analysed in chapter 5. Relatedly, one urban designer (int. 2018) argues that the space is dominated by the "private interest[s]" of Olitzki and only "masked

[as] good", which makes the space feel predictable. A JICP member (int. 2018) agrees that he is driven by self-interest, but ultimately characterises the tension in a more positive manner:

> he tells everybody this is how it's going to be. …[but] it's a happening place. Now, if there was more collaboration, it might be happening in a different way, but … buses can come and go, … there are lots of shops there, there are even some seats out on the street. … I know a lot of academics hate it, but it's got an element of vibrant public space.

Depending on how one defines public space, this model for public space management can be seen on one hand as private interests merging with public ones to produce an open, accessible, clean and safe space. On the other hand, however, following a centring of public space in the spatial justice discourse presented in chapter two, users *must participate* in decisions over the space, which is key to the right to the city, and use it in a reciprocal way (urban designer, int. 2018). Furthermore, Gandhi Square limits types of use beyond those envisioned by OPH and focusses on basic management. Therefore, it also limits emergent, creative public behaviours, which Purcell (2013) argues need to be extrapolated as part of a broader move towards the type of transformed urban society in which the right to the city is claimed and manifests, as envisaged by Lefebvre (1968/1996). Lipietz (2008) calls for a re-evaluation of the role of local government towards models of participation in which the marginalised urban poor are substantively involved in all stages of planning processes.

4.4.3 Conceptualising Constitution Hill

The development of Constitution Hill, in which the precinct was consciously transformed from a prison complex into a human-rights precinct, symbolically reflected the democratic transition in the architecture and intended uses of the space. Debates and contestation over the meaning of Constitution Hill, as well as those over the other case sites discussed in this chapter, are important aspects of spatial justice in how they play a role in determining belonging in these spaces. The history of Constitution Hill's development is well documented by Segal (2006), who points to the intensity of emotion and energy that underpinned the development and how a variety of impulses coalesced to produce a unique space. In my own earlier work on the precinct, I looked at how the complexities of planning and development, due to multiple stakeholders and imperatives, resulted in ambiguities in the vision for the space and thus in its contemporary uses (Middelmann, 2016, 2019b). In this section, I focus

on disputes over heritage value, which are important as they have shaped the contemporary meanings and uses of the site, discussed in chapter 6. Interestingly, given the historical links between the sites, the redevelopment of the Fort site coincided with the redevelopment of what became Gandhi Square in 1999 in the context of concurrent drivers of inner-city change: regeneration and unearthing heritage that had been silenced during apartheid.

The Department of Justice, having set up the new Constitutional Court to protect the democratic Constitution, decided with the Court Justices to erect the Court building on the site in the mid-1990s. This was because the symbolic intensity of proximity with former prisons was a generative and transformative concept (Fraser, 2005). While some Court Justices involved in the process thought other spaces were more appropriate, including Pieter Roos Park, the Fort site was chosen for its historical significance, recognising it as a key site of Johannesburg's public culture. By then, in the newly democratic state, those involved in redevelopment plans generally agreed that declaring the remainder of the prison complex as a national monument was very important. The Department of Public Works (DPW) decided that no construction tenders would be awarded until the whole site was declared (DPW, 1999). However, soon afterwards, the planning and construction process was delayed, partly because different spheres of government owned different parts of the land. Thus, plans to declare the whole site seemed to fade away, partly due to the urgency of starting construction, and perhaps also for making demolition permission easier to attain for buildings that were preventing new construction. Tense negotiations between the JDA and the DPW over who would run the project saw the City reverse a deed of donation of the land for the court building to the DPW (Reid, 2005). Reid suggests that in this tension and rush to advance construction, the proviso to declare the site a national monument may have been lost or discarded (*ibid.*).

As mentioned above, a variety of institutions were involved in different plans for the Fort site before it became Constitution Hill. A volunteer military regiment called the Rand Light Infantry took occupation of the Fort from 1993 to 2004 due to its military origins (Vos, 2005). According to a member, "the buildings were secured, vagrants [were] removed and repairs and maintenance commenced" (*ibid.*), demonstrating a narrow focus on the buildings and showing that people who had appropriated space there were evicted having been framed as a problem. Until the plans for Constitution Hill gathered momentum in the late 1990s, nobody had yet made a "coherent plan … that did justice to the history of the site"

(Constitution Hill consultant, int. 2019). This meant that when consultants were hired to interpret the site for the museums, it was an "impossibly pressurised project" to interpret the wide-ranging significance of the site's history and develop the museums precinct site in time for the opening of the court (*ibid*.; Kitto, 2002), despite the delays discussed below.

Decisions around which buildings to keep or demolish and whether to move a certain tree were contingent on inter-related processes, which shaped the narrative of public history presented through the design of the site. This has implications for public culture as well as the nature of contemporary uses, discussed further in chapter 6. During Constitution Hill's interpretation and redevelopment, decisions tended to focus on the importance of buildings regarding their histories, also influenced by new heritage concerns at the time that focussed on the struggle against apartheid. However, interviews with people formerly imprisoned there also show that the heritage value of the site was not necessarily captured in any building, but in a part of a wall, an experience, sound, or memory. This is demonstrated by artist Clive van den Berg (2005) who was involved in interpreting the site for the museums: "one of the most constant laments is from prisoners who come back to the site and literally want to locate a memory … literally find the space, the piece of dirt or concrete where they slept or ate." In the case of the Women's Jail, "the destruction of cells in the northern courtyard was an event which caused enormous trauma for people coming back" (*ibid.*). Memory and memorialisation practices are contingent, and their outcomes can be unpredictable.

The delay in the Constitution Hill project owing to a lack of funds and intra-governmental disputes allowed more careful conservation thinking in the late 1990s and first years of the 2000s (Bird, 2005). However, the construction of the Court in the early 2000s required demolishing the heralded Awaiting Trial Building and the black wardens' quarters, each with their own traces of the nation's past, notwithstanding some contestation over all buildings on the site (SAHRA, 2001; Mills, 2002; see figure 4.2 above for layout). And yet, as revealed in the debates over the mortuary building, exploring the social history of these buildings, which as structures are relatively unremarkable, does not necessarily rely on their continued presence. Planners also drew on this fact by using the bricks from the Awaiting Trial Block in the construction of the Court Chambers and the Great African Steps, discussed in the next chapter. The inherent subjectivity of both public memorialisation and private remembrance complicates these processes.

By the time Constitution Hill's construction was genuinely underway at the start of the 2000s, tension between interpretation, development and ruin resurfaced. This was expressed by the Historical Task Team (2000: 2) as follows: "Do as much is as necessary and as little as possible". Different individuals involved in interpretation each brought their own perspectives, with one suggestion to leave the buildings to decay for future generations to watch (Segal, 2006: 117). An architect in the Heritage and Education Team argued that the deterioration of the site had been "reflective of our society", thus the "decay was very powerful" (Essa, 2005). Albie Sachs (2005), a Constitutional Court Justice at the time and closely involved in the development process, saw the value in this, but erred on the side of intervention:

> It had a totally ruined, derelict character [see figure 4.3]. … [I]t was the worst of all worlds, because it wasn't ancient enough to be a real ruin which has its own mystery and magic, and not pristine enough to look like a useable contemporary area. […] It was the knowledge of what the hill represented and the recall through imagination of those who had been there, with its potential as a site for renovation and resurrection – renaissance – that was so captivating.



Figure 4.3: Site visit to the Fort during planning. Source: JHFA, CNL.Fort.00.Z_12 (with permission).

It was a genuine struggle by those involved in interpreting the site; "the big problem was not to sanitise this place" (Essa, 2005). The museum interventions were careful, and evocative of the intensity and brutality of prison life. However, decisions around the uses of the site weren't able to overcome key tensions in public memorialisation because of the dual role of memorialisation sites as public places. Attempts to create a publicly accessible and open space can sit uneasily with attempts at memorialisation. As noted by a heritage official in debates over how to construct the new precinct: "The architects are trying to make it a friendly place which goes against its historical record. The site was always kept invisible for several reasons and the drive to make it pedestrian friendly goes against its history" (Beater, 2001: unpaginated). Contestation related to multiple imperatives in the planning for Constitution Hill resulted in some ambiguities of use and meaning (Middelmann, 2019b), expanded on in chapter 6.

4.4.4 Pieter Roos Park during the transition

Pieter Roos Park has continued to be a contested space during the transition to the democratic era. Its history as a space where marches either start or finish is important both practically and symbolically. Having hosted many marches and political gatherings over the years, Pieter Roos Park holds symbolic value as a representational space in Johannesburg's public cultures of activism and protest. One example of this is the Gay and Lesbian Association (GALA) pride parade, which until recent years has either started or finished at Pieter Roos Park. In 1990, the first ever of these parades, indeed the first in Africa, finished with a gathering at Pieter Roos Park. Bart Luirink (2006: 32), who attended, relates his experience:

> The march ended at the Pieter Roos Park. ... Simon told us to hold hands and to turn and kiss our neighbours. I found that extremely frightening, being quite shy at the time. I did kiss someone, though I just wanted to die. The kissing was an act of defiance as not only did South African laws criminalise homosexual acts, but white and black people found themselves kissing each other as well.

This indicates how the space has facilitated the emergence and consolidation of new social identities, producing difference in a way that broadens the idea of an inclusive public as well as posing a challenge to state rule and power (see Lefebvre, 1991/2004). In this case, the challenge was posed to the discriminatory nature of apartheid rule and law. Zodwa Shongwe (2006: 102), relates how after apartheid ended in 1994 the pride march was an important

space in which new identities cathartically challenged some of the pain and hurt of being denied the freedom to express oneself:

> we marched to Pieter Roos Park. The atmosphere was electrifying to me. I had never seen so many gay and lesbian people gathered in one space – so many gay black people in particular. … For the first time I felt like I was part of something bigger. …

The opportunity to display open, gay, black and inter-racial love in Johannesburg's public spaces was an important part of a radical shift in the city's representational spaces. These representational spaces had been repressed for decades in Johannesburg, so the pride parade was an opportunity to go beyond this publicly: "To be at Pride expressing myself was fulfilling who I was as an African person. I experienced freedom" (*ibid.*). The openness of Pieter Roos Park to a variety of uses has been the case across time since the late 1980s when influx control and other apartheid laws were repealed (JCPZ official 1, int. 2019). This has deepened the park's publicness over time.

4.5 Into the 2000s: transitional dynamics settle

Johannesburg's public culture remained marked by contestation during and after the democratic transition, though it continued to change. This section focusses on Johannesburg's history following the consolidation of the municipality into one metropolitan area in 2000, which meant that CoJ then had to manage a much large area. Dirsuweit (2009: 81), shows how struggles to cater for Johannesburg's urban poor have resulted in the "city … [seeking] to generate [inclusive] public spaces through public-private partnerships" and "new urbanism or neo-traditional planning." Dirsuweit (*ibid.*: 82) argues that these strategies are exclusionary of the poorest Johannesburg residents and therefore deepen spatial injustice, demonstrating how the privately owned, managed and run 44-Stanley precinct, which is positioned by developers as publicly accessible, instead is tending towards the creation of 'homogenous, exclusionary territories.' These 'territories' are what Lefebvre refers to as abstract space, in which homogenisation, domination and the destruction of difference are emphasised (Lefebvre, 1991).

The tendency towards privatisation of public places and services in Johannesburg has contributed to fragmentation and is linked to global trends of over-management (Dirsuweit, 2009; Landman, 2016). Yet, it is also critical to be open to the successes of private investment and public-private-partnerships in developing places in the city that hold value for

at least some publics. For instance, the injection of money into the inner-city rose significantly since the 1990s, from R23 million in 1998 to R351 million in 2005 (Fraser, 2008). The JDA (2015) has estimated that in the period 2009 to 2015 the inner-city received over R25 billion in private sector investment. In addition, in 2013/14, the City of Johannesburg budgeted over half of its capital expenditure budget on the inner-city, amounting to just under R2,5 billion (*ibid.*). In the context of public space development aimed at driving economic growth, CoJ places weighty expectations on it "to generate opportunities for social inclusion and economic activity" (Landman, 2019: 5), though it is clear that the City expects to continue working with the private sector to realise this.

Despite the importance of more balanced analyses of CIDs and privately managed public places, these must still be measured against the transformative potential of the right to the city (Lefebvre, 1968/1996). The right to the city includes prioritising use over exchange value, which I outline in chapter 2 as implying an emphasis on urban space as public, which is fundamentally threatened by private control. Houssay-Holzschuch and Teppo (2009: 361, citing Vincent, 2008) acknowledge in the context of privately managed public places "that even where interracial encounters have increased, they do not necessarily lead to greater racial integration, as they often occur within a context of unequal power relations".

Although many public places are still shaped by a culture of whiteness, places such as the V&A Waterfront in Cape Town do provide "a safe and accessible haven for expressing new social identities" (*ibid.*: 366, 371), albeit almost exclusively amongst the middle-classes. As places of racial integration are scarce in South African cities, it is important to consider the dynamics of places that facilitate any form of publicness, including spaces driven by strict ethics of consumption (e.g. shopping malls) or other forms of exclusion. Mitchell (2003: 219) thus argues that "an appreciation for *power* [is important] when considering how public spaces are to be ordered and policed: we must always be aware of who benefits from social order and who doesn't, whose interests are served and whose are not". Unbalanced power relations, which in part determine the nature of exclusion, are driven by the high extent of socio-economic inequality in South Africa, and so the trends towards private ownership and control over public places cannot be ignored due to the risk that this trend may exacerbate spatial inequality and injustice.

Matsipa's work on the urban renewal processes in the post-apartheid era highlights how "the rhetorics of the World Class African city" are tied to attempts "to manage and restructure the

inner city according to the logics of global capitalism and through a new regime of representation that purports to break free of apartheid era racial binaries", despite seeking "to define, categorize, and project *order* onto certain aspects of the social and physical realm of the city that reproduce exclusion, spatial and social fragmentation" (2014: 9, emphasis added). The historical and ongoing issues of representation Matsipa highlights are crucial in understanding the production of public space in Johannesburg, especially concerning spatial justice. Landman (2019:28) argues from this context that the main drivers of urban change in South African cities are "rapid urbanisation, inequality, insecurity and limited resources" which has led to an "increase in fear" in people's perspectives on public space. The increasingly fearful public culture that characterises Johannesburg, captured in the title of Martin Murray's (2020) book titled *Panic City*, is argued in this thesis to undermine the potential for public places to be more open and inclusive. As put by Landman (2019: 120), this fearful culture leads to the implementation of boundaries as part of increased "social and spatial control …, which results in exclusion or inclusion, based on whether you are inside, or part of the group, or not." Landman (*ibid.*) goes on to claim that often those who are excluded through these controls are the poorest city inhabitants, who are most in need of public space.

4.5.1 Contesting post-apartheid public culture through Pieter Roos Park

Johannesburg's changing public culture was shaped and reflected at micro-levels across different spaces, including Pieter Roos Park. In the 2000s Parktown Association (PA) argued that too much of the park was being used by soccer teams from Hillbrow (Rosebank Killarney Gazette (RKG), 16.9.2005). The resulting conflicts between the mostly black, Hillbrow-based soccer teams and mostly white, Parktown-based park users demonstrated how tension between inner-city residents and Parktown residents manifested in and through Pieter Roos Park. As a proposed solution the PA advocated for landscaping to create bumps that would reduce the possibility of soccer games. By 2005 Johannesburg City Parks and Zoo[5] (JCPZ) had acted in the favour of Parktown residents, despite the park being largely intended to serve Hillbrow and Berea. JCPZ landscaped the park with mounds to prevent soccer, though soccer teams continued using the park (*ibid.*). A PA member claimed that the

[5] Formerly known as the Parks Department and then the Parks and Recreation Department during segregation and apartheid, it changed to Johannesburg City Parks in the democratic era until their remit started including the Johannesburg Zoo and it became JCPZ.

teams were “made up mainly of older youths drawn from Hillbrow, the inner-city and Braamfontein” going on to pose their use of the park as a problem on multiple levels: “It’s not only that we want them to go, but the park cannot take such constant abuse, and it’s also dangerous for pedestrians” (RKG, 30.03.2007). The PA’s use of us-and-them language displays an insular, exclusionary public culture, and demonstrates that their desire for the removal of soccer players goes beyond the issue of impact on grass and pedestrians. The PA member’s statement “we want them to go” implies exclusion, especially of inner-city youths, firstly from the park and in turn from being part of the public.

The uses and redevelopments of Pieter Roos Park have been uneven and beholden to power. In some senses this undermines spatial justice through the City provisioning for the desires of relatively wealthier Parktown residents over the needs of relatively marginalised inner-city residents. This continued to an extent with this JDA upgrade in 2008, though there was by this time an increased focus on the park as being for everyone in the area. The 2008 upgrade also responded to the increase in crime resulting from the 2005 installation of the berms which created hiding spots (JDA, 2008). When the JDA upgraded the park in 2008, they kept some of the mounds, referred to as berms, to appease the PA. However, they also aimed to make

> the park more aesthetically pleasing by forming the berms into undulating hills and … to lower berms, as this is a security issue…. A couple of berms have however been removed to accommodate a slightly larger children’s play area. (*ibid.*).

This demonstrates some of the complexity of apparent trade-offs in urban development and management. As the JDA (*ibid.*: 1) admitted: “Naturally it is not possible to accommodate everyone’s wishes,” though the JDA attempted to provide both for inner-city residents and Parktown residents. This included the landscaping mentioned above, a new exercise path and artificial soccer field, the installation of lighting for safety, fencing off the canal, new benches, and public artworks. However, the JDA did accede to some of the PA’s other demands: “We will be installing benches and have noted that said benches must not be conducive for sleeping on as requested” by the PA (*ibid.*). This shows how residents as well as designers of the revised park intended to prevent people from sleeping comfortably in the park, representing an inherently exclusionary conception of space. This is also example of hostile architecture that reflects a harsh and insular public culture. The design and intention of the benches seems to clash with the description of one of the new artworks: “As a

welcome into Hillbrow and Pieter Roos Park…, this sculpture presents a figure that, in his welcoming gesture, can be seen from all sides. With a base for people to sit on and surrounded by the park environment, it becomes a welcoming experience" (JDA, 2009; see figure 4.4 below). This indicates how the interplay between motivations and symbolic meanings defined the conceptions for Pieter Roos Park, partly circumscribing opportunities for the appropriation of space through attempts at spatial control (Lefebvre, 1991/2004).



Figure 4.4: Photograph of welcome sculpture. Source: JHFA, PKT.PRPK.ART.F_05, JDA, 2009 (with permission)..

As in earlier periods of the park's history, processes determining representations of the park were partly contingent on the power of Parktown residents' groups to participate in key decisions. This was largely due to their agitation towards the City, the Parks department, and the media. And yet, while in one sense the soccer teams were carrying out a spatial practice in line with the park's original conception for inner-city use, in another way this represents an important new representational space through black use of a space originally conceived for exclusively white use. This relates to the shifting demographics of adjacent areas and a broad shift from the exclusionary conception of city-space under apartheid and segregation to a more inclusionary city-space as a whole, though this was and remains uneven. Morris (1999) shows how the increased proportion of black residents in Hillbrow from the 1980s onwards created a racialised moral panic amongst white people, articulated through a narrative of

crime, grime and decay. This suggests the insular public culture displayed by some Parktown residents remains based in the city's history of racism.

It is important to note that these conflicts cannot be simply explained by the division between the wealthy north and the marginalised inner city. This is shown partly by differences of opinion and approach by different residents of Parktown. For example, Bird (int. 2018) appreciates that as the inner city changed, the park became increasingly well-used: "there are a lot more people in the park". However, she laments the lack of amenities to serve the dense populations of the adjacent areas (Bird, int. 2018). The complexity of contestation over the park over time is also shown by the agency of inner-city residents to make use of the park. Also, while different officials and agencies of the city have at times come down in favour of Parktown residents' groups, at other times, including the very provision of the park, amenities have been provided that do serve the dense populations of Hillbrow and Berea. One example is the park upgrade implemented by the JDA in 2008 which included the development of the artificially turfed soccer pitch, partly as a reaction to the earlier decision of City Parks in favour of Parktown residents which tried to limit soccer. Such interventions are important in advancing a variety of uses in public places, often considered important for site-level spatial justice.

4.5.2 Constitution Hill's early years

Following the delays to construction noted in section 4.4.3, Constitution Hill opened in 2004 to coincide with South Africa's Human-Rights Day on 21 March. Since then, the prison-museums, Constitutional Court and events spaces on site have all been increasingly active (see figure 4.5 below). However, private development, despite its alleged importance for the funding model of the precinct (Kitto, 2002), has been repeatedly denied throughout its recent history (Constitution Hill consultant, int. 2019). The initial years after opening brought excitement:

> in that first phase [from 2004 to 2008], there was really a sense of partnering with organisations in Hillbrow and Braamfontein that took ownership of the site, … and people were so excited about this new space that had opened up for organisations to engage in … public programmes. There was a palpable energy around using the spaces that had now been born into the public realm of Johannesburg. (*ibid*.)

This demonstrates some of the potential of Constitution Hill for connecting material public places in the city with the public realm. The euphoria of democracy, the new Constitution, and hope for the future framed the conception of the initial development of Constitution Hill, and it became an active space of remembrance, self-branded as a "living museum" (Constitution Hill, undated: unpaginated). However, following the initial energy on the site, the aforementioned "partnerships [between Constitution Hill, civil society and spheres of government] seemed to die, and there wasn't the same energy brought onto the site from the outside" (Constitution Hill consultant, int. 2019). This indicates an extent to which the precinct's own path has been tied to those of the city and nation (Middelmann, 2019b).

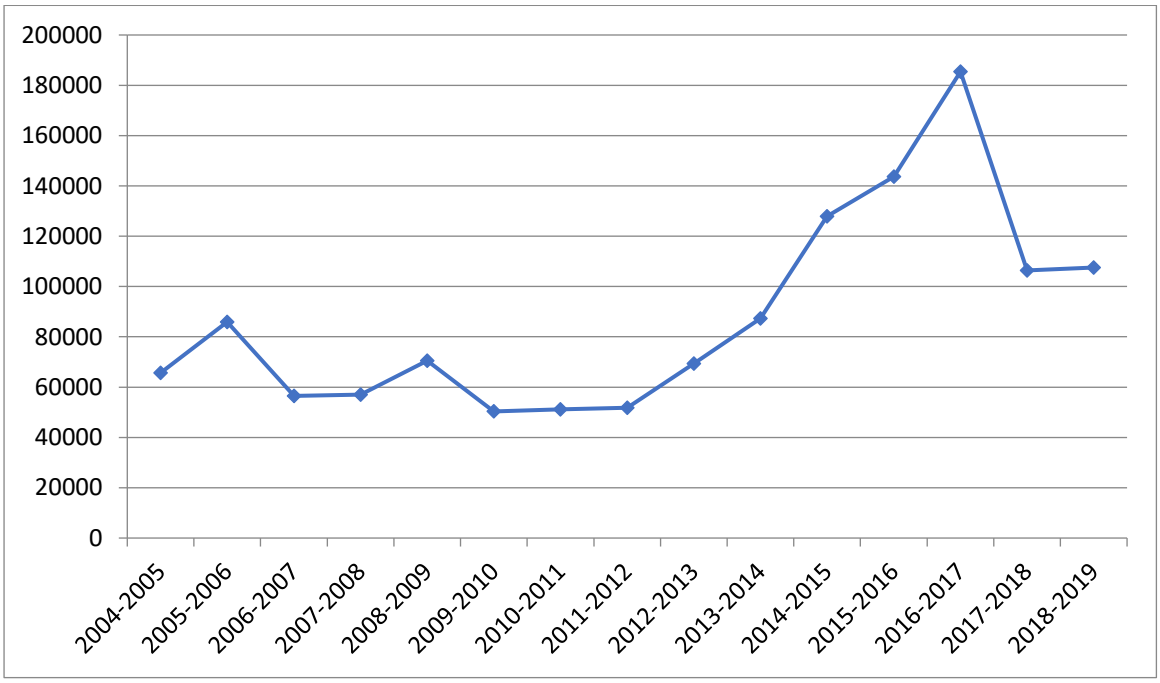


Figure 4.5: Graph showing visitor numbers to Constitution Hill. Source: Constitution Hill Development Company, Footfall Trend Analysis (with permission).

The positive energies driving development and early programming seemed to fade as the rainbow nation increasingly became regarded as a myth (Msimang, 2019). This was reflected in microcosm at Constitution Hill, thus partly undermining its conception which was closely tied to the moment of democracy's onset (Middelmann, 2019b). However, the civic, public and political potential of the site remains, and the fact that its development created a newly accessibly open, public place is on some levels a move towards spatial justice. The civic potential of the precinct manifests through the work of the institutions which it hosts, at events and festivals, and in people's meaningful experiences of the space. Despite enduring uses and meanings of the space, Constitution Hill embodies blurs between public and private,

discussed in chapter 6. Notably, when Constitution Hill opened, security was managed by Kagiso Urban Management (KUM), formerly the CJP. Therefore, it has always been a public place managed through partnerships with the private sector that involve private security, much like the CIDs originally initiated by the CJP in Johannesburg in the 1990s, as mentioned. However, the founder of the CJP, Fraser, was not involved in KUM after the CJP was disbanded, and has critiqued the new management (Fraser, 2005).

There is a feeling amongst many involved that the precinct continues to under-fulfil its potential. For instance, a Constitution Hill consultant (int. 2019) suggests that since 2008 the focus on the site's original vision was diminished. This involved "a bureaucratisation" where managers "became focused on making the site work as an events and venue hire space" (*ibid.*). While Dawn Robertson, the CEO of Constitution Hill is regarded by many as a visionary deeply on board with the original ideas for the precinct (*ibid.*; Albie Sachs, conv. 2018), some of these visions are not being realised and implemented. It has been suggested that this bureaucratisation has in fact *continued* under the current CEO (Bird, int. 2018). The shift from "museum making … into public programming and space making," (Constitution Hill Consultant, int. 2019) further demonstrates the tension between aiming to be a heritage site, vibrant public space and human-rights precinct. Many of the events resonated with the site's vision, though over time this resonance decreased for some events, through which some of the history and symbolism – the "heart and soul" of the site – became side-lined.

The site was finally declared a national monument in 2017, thirteen years after the precinct was opened. Long-term contestations over the heritage value, discussed above, expanded from emphasis on the site's military history and that of housing common criminals, to include the social history value in the context of oppositional politics, both before and during apartheid. However, while it has been used as an important site of oppositional politics in the post-apartheid era, this is not signified on the site other than through its use for civic action. During the original planning for the precinct, the Women's Jail and Number 4 were regarded as the most important stories to be told on the site. This was partly to recognise the previously silenced importance of the space in the context of the struggle against apartheid, and to move away from decades of official recognition *only* of the importance of the site's military and ZAR history (*ibid.*). However, the Women's Jail and Number 4 museums have ticket prices that are prohibitive for many South Africans. Furthermore, the main freely accessible

historical exhibition on the site, installed on the Fort ramparts in 2018, returns focus to mostly the military history.

4.5.3 Constitution Hill development: progress and hamstrings

As alluded to above, the original funding model for the precinct never materialised. The western portion of the site was prepared with foundations for private development, with expectation of rental revenue for the precinct. This revenue was intended to fund the eastern portion of the site, i.e. the heritage aspects and museums (Constitution Hill, 2003). In the view of a former CoJ official (int. 2019), this process was linked to "South Africa's very own neoliberal move, … where we started to think of government as a commercial enterprise" (*ibid.*). This meant that on some level "the space was provided as a public contribution, as an incentive … for the private sector to take up the opportunity to build offices" which would "yield a return" as well as funding the remainder of the site (*ibid.*). However, tensions within this vision prevented development proposals from being taken up, partly due to "intra-governmental contestation [which] was predicted early on as a possible weakness" in the model for the precinct (Middelmann, 2019b: 13). An urban designer (int. 2018) argues that failing to secure the planned funding model has condemned the precinct to "financial life support, … we are throwing provincial national and municipal money at this thing all the time. Is that good public space?" A consultant to Constitution Hill (int. 2019) suggests that the "financial vacuum" caused the allowance of events that didn't resonate with the vision: "you can't be as strict in your mandate when you need money."

The complexities involving the mix of participating state entities are important to regard, though some of the falters in development progress in the precinct must be looked at critically. For example, Constitution Hill's "title deed says that … when it closes as a prison it … goes to the City of Johannesburg for the recreation of the citizens" (Bird, int. 2018). This indicates some level of public spirit in the conceptions of the space that has been undermined by falters in development plans. Part of these dynamics relate to the lack of engagement between different institutions on site: "there's the Court and there's [Constitution Hill's] educational program … and their venue hire and … often they operate as silos" (Play Africa employee, int. 2018). Despite this, there has been development progress in recent years, including the new exhibition in 2018, mentioned above the ramparts, as well as new spaces being developed for a restaurant and more exhibition space.

The intended development of the precinct's western portion continues faltering, which has a variety of spatial justice implications. The building at the precinct's north-western corner, which was originally built in 1943 as the Queen Victoria Maternity hospital, continues to stand vacant, bemoaned as the neglect of an important heritage building (Heritage Portal, 2017). A Johannesburg heritage activist (int. 2018) criticises the lack of development which undermines the potential to contribute to alleviating the spatial injustice of a lack of centrally located affordable housing: "the Queen Vic was last used as flats, surely they could have gone on using it as accommodation. This is something we are desperately short of and yet they don't use it". The current Constitution Hill CEO Dawn Robertson has continuously assured progress in re-development. In 2016, her first year as CEO, Robertson (2016) admitted that on-site development had been "stagnant" for "the last four to five years", but claimed that "Gauteng Provincial Treasury has given us the funding to build a Visitor's Centre, and we are out on PPP on the rest, so it's all systems go again."

Constitution Hill has since continued announcing the imminent construction of the new Visitor's centre, but the space earmarked for its development at the western edge of Constitution Square remains empty (see figure 6.1). A consultant on the project suggests it will bring a much-needed "sense of arrival" to the precinct and "substantively elevate the visitor experience" (Constitution Hill consultant, int. 2019). The spread of land ownership on site between spheres of government has resulted in delays, but Constitution Hill's CEO has facilitated different state entities to provide permission and money for the development. However, the date for the start of construction continues to be pushed back, without further reasons. In the meantime, the old Queen Vic building continues to deteriorate, and the foundations prepared in the precinct's original development stay untouched.

At the north-eastern corner of the precinct lies a patch of earth intended throughout the planning process as recreation facilities for local communities (OMM Design Workshop/ Urban Solutions, 2001). Prior to the Constitution Hill development, this earth *was* soccer fields, and developers promised that they would be kept or replaced (Bird, int. 2018). However, it has been fenced off for almost the entirety of the precinct's existence since opening in 2004. And yet, it was labelled, from late in 2017, as We the People Park on Constitution Hill's information boards, implying a conception of the space as public and inclusive (see figure 4.6 below). However, from what I established through interviews and archival research, it has only ever been used for the Afropunk New Year's Eve Festival,

which costs R600[6] per day to attend (Afropunk, 2019). Notably, 50% of households in South Africa live off less than R3200 per month (Stats SA, 2011), showing the scale of financial exclusion in this case. It is now labelled on the signage as We the People Park *Events Space* (my own emphasis), indicating a crucial shift in the conception of the space, implying a neoliberal underpinning and a prioritisation of exchange over use value, undermining publicness and spatial justice.

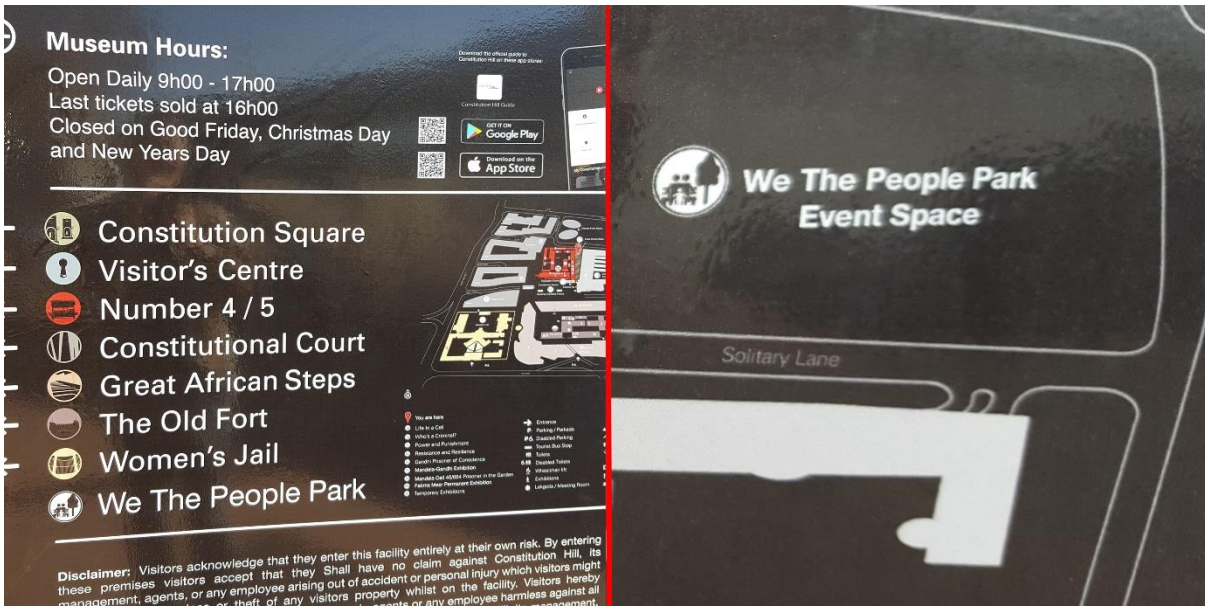


Figure 4.6: Changing conceptions. Photographs by author. Left: 7.2.2018; Right: 6.2.2019.

While tenders have gone out in recent years to develop the space into a useable park, these have not materialised into development. This is problematic on several counts. It was designated recreation space for local communities, who are in serious need of "open space" (PlayAfrica employee, int. 2018), even with Pieter Roos Park nearby. Relatedly, the fencing off also undermines the intention of planners to "address the linkages of the complex to Hillbrow and the possibility of further linkages to Pieter Roos Park [and other nearby spaces]" (Stark, 2001). This is expanded on in chapter 8, which also discusses how the schools immediately north of the new park's intended location lack open space, and thus the schoolchildren play on the street, discussed further in chapter 8. The conception of this space has shifted from recreation facilities for locals to an elite events space, an instance of an unjust conception because of how it excludes many potential users that it was originally

[6] R600 is about 35USD

intended to serve. A local resident and urban academic suggests this is another instance of the precinct wanting to keep aspects of the inner-city out: “they’re probably extremely scared of making a park, it’s gonna end up like [other] parks in the inner city” (PSU23, int. 2019). Tensions over accessibility, safety and the symbolic integrity of the precinct have driven decisions to keep aspects of the inner-city out (Middelmann, 2019b). JCPZ themselves admit the difficulties of how social problems related to broad spatial injustice manifest in inner-city parks (officials 1 and 2, int. 2019). Often, as in the case of Constitution Hill, such fears of the issues that manifest in open public places drive the implementation of exclusionary spatial controls like fences and security. This reflects an exclusionary public culture and undermines spatial justice. These are all examples of how an inability to achieve developmental goals on site has undermined the potential of the public space there.

4.5.4 Gandhi: A tepidly contested icon

At Gandhi Square, regeneration and heritage representation were conducted as a public-private partnership, implying a blur between public and private interests undergirding its production. OPH completed the development of Gandhi Square in 1999; it was the “first major public space to be re-named in Johannesburg” in the democratic era (Itzkin, 2008: 29). The square has on the surface shed layers of its history with several name-changes. These changes also reflect the changing tendencies of remembrance and memorialisation tied to political legitimisation practices. While the most shift from Van der Bijl to Gandhi might have been seen as replacing a white, colonial, segregation-era personality with one involved in struggles against oppression, the conversation has again shifted. The consortium that renovated the old Van der Bijl Square initially preferred to rename it Renaissance Square. However, the proposal from the historical museum in Newtown, Museum Africa, to name it Gandhi Square, was accepted by the City (Itzkin, 2008). Nonetheless, a senior employee of OPH relates the desire to name it Nelson Mandela Square, lamenting that Sandton had beaten them to it, alluding to the competitive edge the name Mandela might bring to a commercial space (OPH official, int. 2019). Ironically, Nelson Mandela Square is situated within an elite shopping mall complex, reducing its public accessibility.

It is interesting to note that the name was changed not because of a public outcry against Van Der Bijl, who as mentioned was an electrical engineer. In fact, a small town in Gauteng still bears his name. This demonstrates some of the arbitrariness in how names and iconography are used, discarded, changed, remembered or forgotten. As mentioned by a local heritage

activist, the name Van Der Bijl “didn't really have a huge meaning, I think Gandhi is a better name [because] it's something more that we would rather like to have than Van Der Bijl who I don't think we liked” (Bird, int. 2018) showing how sometimes these decisions can be made without strong argumentation.

A member of both the City Council and the Gandhi Centenary Council, who aimed to “promote his legacy,” gave support to using Gandhi’s name (Itzkin, 2008, 53). Part of the political background is that the Indian Consulate commissioned Museum Africa to research Gandhi’s time in South Africa, a task undertaken by Itzkin while he was working for the museum. In line with this, a statue of Mahatma Gandhi was installed in 2003, representing him as a lawyer in front of the only building that remains from the original Government Square, reflecting Gandhi’s time working there when the Square housed municipal courts, mentioned above. Itzkin, who by then was working for the City of Johannesburg, drove this process as a forerunner to Johannesburg’s 2006 Public Art Policy. While Gandhi’s statue and other artworks linked to this programme have aimed at “speak[ing] to the public”, reception of such artworks has often been ambivalent (Harrison and Phasha, 2014, 15). There is further discussion on the reception of the statue in the next chapter which examines Gandhi Square and its contemporary uses.

Gandhi is no longer a figure of straightforward adoration. The emergence of racist quotes from Gandhi’s early years in South Africa resulted in the removal of Gandhi statues elsewhere amidst global debates which have also addressed his glorification at Gandhi Square (Etheridge, 2015; Burke, 2016). Debates around problematic iconography have been expressed at Gandhi Square through contestation over the statue of Gandhi erected there in 2003. Public debate erupted in 2003 when the statue went up (Itzkin, 2008), but has been sporadic since then. One instance was in 2015 when a man was arrested after painting parts of the statue with white paint, with boards alongside that read ‘Gandhi Statue must go’ (Etheridge, 2015). Since 2015 then there have occasionally been heated debates on social media with some calling for the statue’s removal (Friedman, 2018). Itzkin (2008), involved in the renaming of the square and putting up the statue, admits the validity of these critiques, though argues that proper contextualisation of Gandhi’s racial comments is crucial to mitigate negative views of his character. However, in the contextual plaques around the statue, there is no mention of his racist remarks or his changing character over his time in South Africa, an example of what Murray (2013: viii) describes as an “ongoing tension between collective

memory and selective amnesia". This kind of conflict over "cultural expression" is important for spatial justice because "cultural contestation is about inclusion and exclusion from a society's symbolic landscape and that such inclusion and exclusion tells us about the politics of acceptance, rejection, and access to a society's resources and opportunities" (Ross, 2011: 1).

While some argue the statue should be kept to avoid white-washing history, they are silent on the white-washing of Gandhi's racial attitudes during his early time here. What can be remembered and forgotten has important political underpinnings. As such, many are less forgiving: "The point is not that someone born in the 19th century should be expected to have 21st-century racial attitudes: it is that, even by the reformist standards of his own time, he was regressive. Gandhi's blanking of Africans is the black hole at the heart of his saintly mythology" (French, 2013). The point here is not a conclusive debate around whether Gandhi was racist or a good person, and his significant influence on peaceful protest and decolonisation in South Africa and worldwide is noted. Rather, I argue that his legacy will always remain contested, continuing to create offense and exclusion. Exclusion indicates a significant form of spatial injustice and is suggestive of the persistence of fractures amongst publics in Johanesburg. Practices that glorify *any* figure may thus provoke contestation, though such contestations are always contingent on multiple processes.

The changing relationship of Gandhi to South Africa and its indigenous inhabitants is expressed in the following passage related by Justice Albie Sachs, describing Gandhi's period of incarceration at the Fort prison, now Constitution Hill:

> They were ordered to wear caps, like the black prisoners. [Indes Naidoo's] grandfather objected and Gandhi said 'No, we must experience life as the most humble amongst us do and we will wear that cap as a badge of honour,' and when he went back to India afterwards, he took the cap with him and the Gandhi cap became the symbol of the Indian independence struggle. (Sachs, 2005: 2)

Sachs thus suggests that this "prison played a big role in [Gandhi's] transformation" (*ibid*.). However, Gandhi is quoted as saying of his time in prison, "Many of the native prisoners are only one degree removed from the animal and often created rows and fought among themselves" (Carroll, 2003). It seems unlikely for the diverse publics of South Africa to agree on the implications of Gandhi's statements and his changing sentiments, and contestation

around his iconography continue. For example, as his legacy is discussed on a radio show in 2019, one caller comments "of course Gandhi must fall … he didn't take back his comments" (702 radio station, 17.4.2019). Twitter is also regularly updated with debates over Gandhi, often centred around the naming of the square and statue itself (see figure 4.7 below). This demonstrates linkage between digital public discourse and material public places.



Figure 4.7: tweets from 2018 demonstrating wide-ranging public debate on Gandhi, strongly based in perceptions. Source: https://twitter.com/Kwena_phoka/status/1011275420891865088 [accessed 21.7.2020].

As mentioned, these debates are not unique to South Africa. This statue and others have prompted an international debate around how Gandhi is remembered and honoured. A statue of Gandhi was removed from a university campus in Ghana in 2016 due to a petition citing his racism and the importance of honouring African leaders (Burke, 2016). Similarly, in Malawi in 2018, a court stopped construction of a Gandhi statue as part of a convention centre development to be named after Gandhi (BBC, 2018). The statue was a condition of the development agreement, again showing the blur of heritage practices with both public and private interests. This also displays the increasing heterogeneity in the concept of publicness through the trend towards private control or management of public space which undermines spatial justice (Soja, 2010). These moments linked the Gandhi statue debates to ongoing discourse and activism focussed on decolonisation and iconography more broadly. In South Africa, these were ignited by activism under the banner of Rhodes Must Fall in 2015, which

spread to Oxford in 2016, partly inspired by the public action of the Arab Spring from the early 2010s.

The sporadic nature of challenges to such iconography begs the question, why only these statues? Gandhi statues stand all around the world, and statues of Cecil Rhodes and Jan van Riebeeck, both figures of brutal colonialism, still stand in South Africa and elsewhere in the world. Part of the answer may be in the fractured nature of South Africa's publics and society. In line with this, more statues of Nelson Mandela are built around South Africa and elsewhere at the same time as his legacy is contested in increasingly complex ways, especially by younger people in this country (Msimang, 2019). I argue that persisting to erect statues of iconic figures is due to political and economic motivations more than careful deliberation of how heritage sites or monuments might be used or felt. If monuments inculcate feelings of offense and hurt, they create forms of exclusion from the public spaces in which monuments are located, thus undermining spatial justice. However, mobilisation in response to these symbolic exclusions can produce genuine publicness in space.

This speaks to how the idea of collective memory takes on a fractured nature in countries with many publics. The choice to privilege a memory of Gandhi in the space signals the obscuring of other aspects of the site's history. Privileging and honouring Gandhi in this way represents "a selective appropriation of the usable past, and not necessarily an empirically reliable mastery of history" (Murray, 2013: ix); in this case the construction of a memory-marker was done by property developers in the service of their business plan. Itzkin (2008: 11, 81) suggests that Gandhi Square's "heritage imagery [was] meant to promote spatial justice and social inclusion in a prominent central city public space." However, he also admits that signage "alludes only obliquely to other groups who stood trial at the same site. In particular, … countless Africans whose stories have never been recorded, let alone commemorated". This undermines some of the potential here for social inclusion given that Johannesburg's population is over 80% black African (Stats SA, 2016). Gandhi Square, and as shown by Baro (2017: 14), the area to the south and west, are both marketed as modern African spaces, but the representations displayed in the area focus on "the Euro-colonial history of Johannesburg". Bunn (1999: 100) argues that this connects to a wider dynamic: "[t]he absence of any engagement [in the South African architectural tradition] with questions of black citizenship means that no monument can claim to represent 'nationhood' fully." One user of the space remarked with surprise, given the above, that there hasn't been as much

contestation over the Gandhi Statue as over other names and spaces such as Rhodes (PSU7, int. 2019). This is attributed to the fact that Gandhi Square and the surrounding area is used mostly by black people; she argues that young black people will increasingly see Gandhi *only* through his racist quotes (*ibid.*).

The process of monumentalising Gandhi in the square shows the importance of individual championing, political motivation and marketability in memorialisation and public art practices. In this case, the name-change was more of a marketing strategy for the development rather than a response to public opinion. It also indicates how the personality and related bias of someone involved in researching Gandhi's life in Johannesburg played a role in instituting the figure of Gandhi as prominent in the Johannesburg heritage landscape. This is an important instance of how private and small-group interests can have disproportionate control over public memory, heritage and culture (Zukin, 1995), notwithstanding the endorsement of local government. This small-group control over the meaning of Gandhi Square undermines the place's publicness.

Itzkin (2008, 77) suggests that "Gandhi Square offers a malleable terrain where multiple narratives contend for recognition and influence." In this way, statues can become valuable sites of public discourse and political mobilisation. However, such mobilisation runs the risk of polarising debates in a moment in the world where people who disagree seem to move further from each other's viewpoints at the same time as they cling more rigidly to their own (Carothers and O'Donohue, 2019). This discussion of Gandhi Square brings up the contingent nature of history and of remembering, highlighting tension between symbolic reparation as opposed to redistributive justice (Marschall, 2010), though not necessarily in straightforward ways.

4.6 Conclusion

This chapter details the histories of Constitution Hill, Gandhi Square and Pieter Roos Park and how they changed in line with the city as well as in relation to each other. The exclusive conceptions of the city as a white space for much of its history undergirded the meanings and uses of public places over time. Civic mobilisation against this exclusion, represented most directly by the apartheid system, produced moments of genuine publicness during Johannesburg's history.

The transition out of apartheid involved a wholesale re-conception of *the public* as including all South Africans, which had important implications for the city that suddenly was legislated to provide equally for all citizens. Part of the drive to do so involved the development and transformation of public places to reflect the transition, which saw Constitution Hill and Gandhi Square opening early in the democratic era. The formation of different publics and the resultant conflicts between them have over time produced a public culture of contestation that is embedded in Johannesburg. The next chapter focusses on the contemporary management and use of Gandhi Square, building on the historical grounding above.

5. Straddling public and private: Gandhi Square and unsettled binaries in public space management

5.1 Introduction

Gandhi Square is an important hub in inner-city Johannesburg. It is a key transport node and public place in a central area. In the context of inner-city regeneration, discussed in the previous chapter, it is part of a wider process of redevelopment and investment as part of the strategy of Olitzki Property Holdings (OPH). It is a significant instance of a privately managed, open public place, both because it is one of the earliest such models in the country, and because in this case the space is leased to OPH rather than just managed by them. It is an important and widely used public place, despite its private ownership which underpins the conception of the space. Gandhi Square is also positioned officially as a heritage site, the meaning of which continues to be contested. Due to the intersection of city-wide processes, contestation over meaning, multiple uses and diverse users, it is a complex space that interacts with processes of spatial (in)justice in a multi-faceted and dialectical manner.

This chapter begins by situating Gandhi Square in its inner-city context. It then turns to an examination of the rhythms that intersect in the space, as well as disruptions to these rhythms. The next section discusses patterns of use in relation to the management approach of the square, focusing on how this relationship determines aspects of (in)justice in the context of tensions and resonances between public and private interests. I then hone in on OPH's approach to development and acquisition of buildings, examining eviction and displacement, before turning to a discussion of protest and civic action at Gandhi Square.

5.1.1 Form and context

Gandhi Square is in Marshalltown in Johannesburg's Central Business District (CBD) (see figure 5.1 below). It is mostly paved, rectangular, and one of relatively few large open spaces in the inner city. During my fieldwork, a variety of shops and fast-food outlets at the ground level of multi-story buildings faced onto the space. During the daytime, Gandhi Square was an intensely active hub in Johannesburg. In 2008 the Metropolitan Bus Company (Metrobus) estimated eighty thousand people pass through Gandhi Square each weekday (Itzkin, 2008), though a senior OPH official (int. 2019) suggested the figure in 2019 to be approximately two-hundred and fifty thousand. The intensity of use demonstrates the square's importance as

part of many public space networks in central Johannesburg. The square is bounded in the west by Rissik Street and the east by Eloff Street. It is bisected from east to west by the bus access roads: New Street north and New Street south, which continue beyond the square in either direction as Main Street.

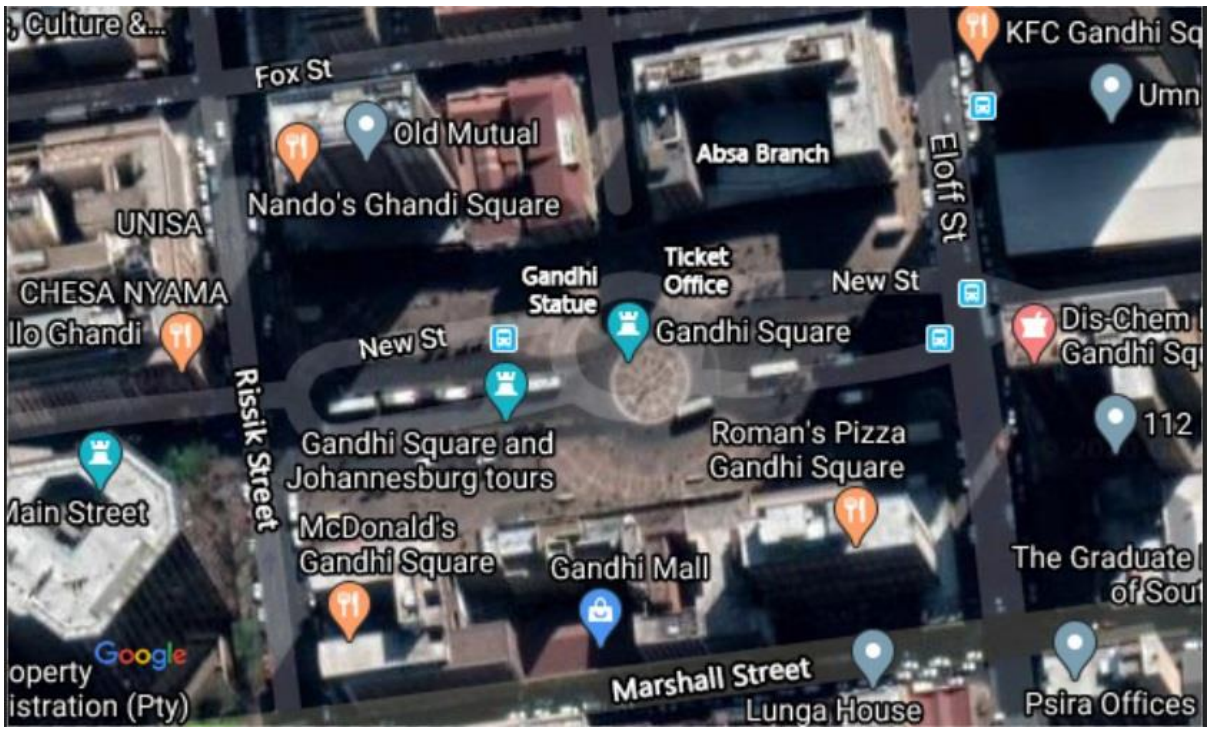


Figure 5.1: Annotated map of Gandhi Square. Adapted from Google Earth, 2019.

During my research, the north and south edges of the square were lined mostly by office buildings with retail outlets at ground floor and on the southern edge's first floor which has a balcony overlooking the square (see figure 5.2 below). Beyond the northern row of buildings is Fox Street, a one-way street heading west through the southern CBD. Beyond the southern row is Marshall street heading to the east. While fast-food outlets were most common at Gandhi Square, there was a branch of one of South Africa's largest banks, Absa, at the north-eastern corner. A government department focussed on skills development, the Education, Training and Development Practices: Sector Education and Training Authority, was located at the south of the square. The square also housed the ANC Johannesburg regional office. There were other small businesses accessible on the square, including a salon, music shop, financial services, a Christian bookstore, cell-phone network outlets, bank withdrawal machines and a florist.

Forty percent of the square is road surface, with exclusive access reserved for the Metrobus service (CJP, 1999). The remainder of the space is largely flat and pedestrianised. The Gandhi Statue on its large plinth slightly north of the square's centre is abutted by benches on each side (see figure 5.5 below). Metrobus sold bus passes from a small office about twenty metres east of the statue. There were several planters interspersed within the square, but vegetation was limited to a few small plants in pots, contrary to many of the renderings and drawings that appeared in media at the time of the square's construction. The square was spacious enough that one could see most of the space when standing in almost any position within it, though site-lines were obscured by the bus shelters and parked buses.

5.1.2 Rhythm and disruption in a city nexus

Gandhi Square was linked to rhythms that connect the entire city. The space was one of movement and connection. Due to its articulation of the linear, economic rhythms of the working week, Gandhi Square was busier in the early mornings and late afternoons. The size and openness of the square means that it often feels relatively spacious even at these busier times (see figure 5.2). It was most intensely used between 6 and 7am, though there was still a heavy commuter presence until after 9am. The flow of commuters during the afternoon rush hour was more spaced out than in the morning, with some school children and students travelling through from early afternoon. Commuter density was more pronounced density between about 4 and 530pm, when the final buses departed. In the winter months, from June to August, this is when it begins getting dark. It was well-lit at night, which along with the presence of private security guards assisted in promoting safety. Despite being less active overnight than during the day, lighting and security mean that Gandhi Square was relatively well-used at night compared to the rest of the CBD, which Beavon (2004: xvii) has argued is "effectively dead at night." This is due to the continuity in rhythms of use of Johannesburg, explored further below.



Figure 5.2: Gandhi Square during Friday afternoon rush-hour: busy yet spacious. Photograph by author, 2019.

The general thrust of movement seemed to echo something of Johannesburg's spatio-economic dynamics and its history covered in the previous chapter. In the mornings at Gandhi Square, many commuters were on their way north, towards Johannesburg's wealthier areas of economic opportunity. This was reflected through the large number of pedestrians disembarking buses and heading out of the square to the north, often up Rissik Street, a route I discuss in chapter 8. It was also demonstrated by the length of queues for the bus routes north to areas like Sandton. The long, winding nature of the queues means they were colloquially referred to by some commuters as the 'snake park'.

Late afternoons saw many people entering the square from the north, returning to their homes on the outskirts, manifesting the linear rhythms of the working week. For many, this passage through Gandhi Square is reminiscent of how Johannesburg was used by black people during the colonial and apartheid past: either as a thoroughfare or as a space of work where full rights of use were denied. Sharlene Davis (int. 2018) was commuting daily from Protea Glen over 30km south-west of Gandhi Square, to Sandton, almost a further 20km north. She lamented that to get to work via Gandhi Square, she had to wake up before her children, and returned home after they fall asleep. Gandhi Square was thus a space where she felt proximity to other commuters, but where she felt distance from her family resulting from the city's spatial injustice. Davis appreciated Gandhi Square, the bus-drivers and her fellow commuters (*ibid*.), but the spatial reality of apartheid that has endured was still shaping her daily life.

The linear, economic rhythms that have aligned current to past uses of the city, with parallels to post-colonial cities elsewhere, have also been disrupted in important ways. Black residence in the city, denied during Johannesburg's apartheid history when Gandhi Square was still named Van Der Bijl, has been increasingly permanent since the 1980s. However, residential tenure has often been insecure, and Simone (2003) has shown that for many, inner-city Johannesburg has been a place of impermanence and precarity. And yet, one local resident of Marshalltown mentioned the high proportion of "young black professionals … who live here, work at the banks [and] walk to work every day" (PSU3, int. 2019). Increasing black permanence over time, even though the inner city is largely a rental sector, represents a significant shift in the city's spatial dynamics and how its publics are composed. This is another example of how the space both shapes and is shaped by longer rhythms and historical processes, demonstrating some of the complexities of continuity and change from apartheid to democracy.

Weekdays at Gandhi Square remained lively throughout the day. Some people take their lunchbreaks in the square, and there was a constant flow of people walking around and through the square. Some people sat on the benches beneath the Gandhi statue, or on some of the other available seating space. The intensity of activity reduced after the morning rush, with fewer people waiting or in a noticeable rush. Despite this, due to Gandhi Square's proximity to a variety of government offices, shops, businesses and other transport hubs, the space was home to continuous connections, a symbolic site of arrival in Johannesburg. For example, one day I saw a man posing in front of the Gandhi Statue, but his photographer faced away from the statue, honouring his request to get buses in the background of the picture. It was also a hub for other functions; I regularly witnessed someone clutching a plastic folder as they prepared to negotiate a bureaucratic task, holding a take-out box as they met a friend for lunch, or finding a moment of quiet on the square amidst the city's busyness. Because it is a central transport hub and near a variety of spaces and services, it has been home to a variety of different publics over time, composed according to these rhythms and their disruptions.

Gandhi Square also hosted and refracted weekly rhythms. On Saturdays the bus service ran only in the morning. Much like the surrounding CBD, Gandhi Square was very busy on Saturdays. On Sundays it was less intensely used as the bus service did not run, many of the bigger shops around the square were closed, and the city was in general much quieter.

However, Gandhi Square was still lively for some users: "there's still people around … it doesn't die" (PSU3, int. 2019). Also, from Thursday afternoon into the weekend, some of the businesses around the square, notably the *Chesa Nyama* [grilled meat fast-food franchise], became more intensely active, hosting DJs and dancing and serving alcohol. These parties and socialising mean that the space in and around *Chesa Nyama* has had "a really crazy cool vibe" (*ibid.*). The party there on Sunday afternoons was so popular that people travelled from as far as Tembisa[7] to attend it (*ibid*.). Another user of the space, whose experiences of Johannesburg's public space are discussed in chapter 8, spoke about the partygoers "either blocking the road, or dancing in the road", an instance of how a semi-private space spills into the public space beyond (PSU2, int. 2018). This also demonstrates how the property regimes that front onto public space affect the nature of the public space (Harvey, 2006); the interface between public and private is permeable according to the interplay between management and use. While the description of "blocking the road" seemed to imply a problem, the increased presence of people at night also added to a feeling of safety on the square (PSU16, conv. 2018).

Seasonal rhythms also affected the flows and use of Gandhi Square. As mentioned above, cover from the rain was limited to small shelters at each bus stop and the space below the balcony on the southern edge. During the summer months, when heavy thunderstorms are common, the volumes of commuters far outweighed the available shelter from rain or harsh sun. During winter, densities of people seemed to follow the available sunlight as it moved across the square through the day. These cyclical, seasonal rhythms thus created disruptions in the linear, daily rhythms of the space; the weather altering people's patterns of movement through the square.

The rhythms of Gandhi Square were shaped and disrupted in a variety of ways. Occasionally the flow of buses was disrupted by other vehicles parking in the roads traversing the square. The most common disruptions I observed in this regard were caused by the Metropolitan Police (JMPD) using Gandhi Square as a temporary parking base to prepare for policing operations elsewhere in the area. This caused disruptions to the flow of buses as well as

[7] Tembisa is a large township approximately 40 kilometres north-east of Gandhi Square. It was established by the apartheid government in 1957 to relocate black people from more central areas in Johannesburg to be reserved for white residence.

pedestrians. As discussed further below in sections 5.6 and 5.7, the rhythms of the space were also sometimes disrupted by protest activity, either occurring on the square itself, or elsewhere in the city with an effect on the functioning of the buses and thus the square.

5.2 Organisation, management and security: private interest and public value

Gandhi Square has been managed through the Gandhi Square Consortium led by OPH as part of the Central City Improvement District (CCID). The Gandhi Square Consortium has had a lease over the square in a deal with the city similar to those governing other CIDs. The Improvement District itself has been managed as a non-profit entity on behalf of the property owners. The CCID has then hired other companies to provide the services agreed upon in the lease, primarily cleaning and security (OPH official, int. 2019; CCID manager, int. 2019). While the nature of small-group control over the space puts the square's publicness under threat, and there were important exclusions at play, it has avoided feeling like a dominated space like some privately managed public places. Lefebvre (1991/2004) describes dominated space as tending towards homogenisation and induced, rather than produced difference, though this has been mitigated partly at Gandhi Square because of the variety of users and multiplicity of uses.

Despite a variety of uses, Gandhi Square's management arrangement has disconnected many of the users from decisions about the space. This has undermined the potential for the square to facilitate localised claims on rights to the city by denying participation. The CCID in which Gandhi Square is located was accountable to the property owners, chiefly OPH, and then to the City Council. Thus, there has been one layer of removal of ordinary citizens from the elected officials of the because the CCID is not directly accountable to citizens. Relatedly, until recently a majority vote by property owners in favour of the CID allowed one to be instituted. This meant that those opposed to the CID were forced to pay the added levy or leave, while non-payers continued to receive the benefits of the CID (CCID manager, int. 2019). Importantly, this was found to be unconstitutional in 2015, and since then all CID levies in Johannesburg are voluntary,[8] though accountability to the public remains unclear.

Gandhi Square was one of the earliest public-private partnerships in Johannesburg for public space management, as part of the first CID in the country and holding the first private lease

[8] *Randburg Management District v West Dunes Properties* (451/2013) [2015] ZASCA 135 (30 September 2015)

for a public place in Johannesburg (Peyroux, 2012). Some feel that the interests of the property owners in the area have genuinely coalesced with the interests of wider publics to produce a much needed, safe, clean and largely functional public place (Bird, int. 2018). This shift, described also as a "brilliant plan", is argued to have been achieved simply through "ensuring basic management", representing an example of "the right kind of capitalism", and even referred to as "enlightened investment" (former JDA official, int. 2019). An OPH official (int. 2019) suggests rather that they have worked towards "responsible capitalism". However, a former JDA official (int. 2019), suggests that the City Council granted the lease for "far too long", that it lacks enough checks and balances, and that more pressure should be put on Olitzki and OPH: "they don't actually hold him to account at all."

The above relates to the inherent dangers of private control based on a profit-motivated bottom line that undermines spatial justice (Staeheli and Mitchell, 2006). An official from OPH (int. 2019) claimed that their lease has "more obligations than benefits." However, they refused to provide me with a copy, suggesting that they may have more control than they are willing to admit. A JICP member (int. 2019) described the basics of the arrangement:

> Gandhi Square was funded through the improvement district primarily because all those property owners were comfortable with that. … Gandhi Square Consortium had the … 45-year lease. It basically says we the private sector will upgrade the infrastructure to a standard that you the city find acceptable. The place will be accessible to your services on a 24-hour basis, it will be inclusionary, but we will maintain the infrastructure.

The fact that a document governing the terms over control of a public space is not open to the public represents a denial of information and participation in the production of the space, denying possibilities for manifesting important aspects of a right to the city (Lefebvre, 1968/1996; 1991/2004). Furthermore, while the arrangement may have been largely beneficial to multiple groups and individuals thus far, it has excluded others. Noting the length of the lease coupled with private control and a perceived lack of accountability to the city, the motivations and actions of OPH may change over time.

As discussed in chapter 2, models of private management for public space, such as the CID, have been critiqued as exclusionary and paternalistic (Bénit-Gbaffou, 2008; Paasche, 2012; Staeheli and Mitchell, 2008). Relatedly, the style of policing inherent to privately managed

public spaces such as CIDs has been argued to be reactionary and dealing with only symptoms but not causes of crime (Paasche, Yarwood and Sidaway, 2014). In line with this, there are arguments that show CIDs to fragment the provision security services in the city (Bénit-Gbaffou, 2008; Clarno and Murray, 2013). At the same time as they may make one area safer, they exacerbate crime in other areas. Officials both from OPH and from CCID management (int. 2019) admitted that they displace, rather than solve crime. It was accepted as a problem, but this raises the question of whether it is entirely their fault that securitising one area has adversely affected another. An OPH official (int. 2019) argues that "we're a very a small part of the city … we can just try and change our little part … and try make a difference." This highlights the dialectic within the interactions with spatial justice and public space: because these interactions manifest on multiple levels and scales, processes that inculcate a level of spatial justice in one place or area may exacerbate the effects of spatialised injustice elsewhere.

5.3 Spatial ecology and use: surprisingly diverse yet apparently coherent

While its primary functions involved transport and connection, Gandhi Square has also hosted other uses. My observations revealed that people used the space as a landmark, meeting spot, for dates, relaxing with friends, for a moment of relative quiet and calm, to see the statue and learn some history, and even just for people-watching. One user enjoyed the wide range of people that use Gandhi Square, claiming that this activity makes her more "self-aware" (PSU7, int. 2019). It was also described as "perfect for a date" because of its accessibility and the range of food available there (PSU1, int. 2018). Another described it as "clean and it's pleasant to walk through" (Bird, int. 2018), and another regular user observed a similar dynamic: "it's a space that people just … walk through if they're just hanging out, not necessarily going somewhere but if they live in town" (PSU3, int. 2019). While a place that is "pleasant to walk through" may seem trite, it is valuable when compared to the "general air of menace" experienced by some in other parts of inner-city Johannesburg (PSU4, conv. 2018).

Experts and users claimed the safety provided at Gandhi Square was uncommon, needed, and thus central to imaginations of safe space in the CBD, important for spatial justice. For example, many users have cited the opportunity to safely withdraw cash at night as one key benefit of Gandhi Square. While some emphasised its importance as a calm space of relaxation, others felt that the functioning bus terminus prevented other important public

space uses: “it certainly isn't the kind of open space that anyone can play in and not even really … relax in” (Bird, int. 2018). This is a further indication of how different users, based on a variety of factors, experience spaces differently. As put by one user of the space, “Gandhi Square resonates differently to different people” (PSU7, int. 2019). This complicates the tasks of designers, planners and managers for creating public places that can fulfil the diverse needs and desires of Johannesburg’s fractured publics. This makes both designing for and measuring publicness and justice deeply complex and requiring of dialectic thought. Spatial justice, as a continuous process, is inherently dialectical (Dikeç, 2001), and in cases like this, seems to imply trade-offs.

Many users described the space as beautiful, though it was often unclear as to which aspects of the space they were referring to in this way. Some seemed to attribute its beauty to its cleanliness (PSU2, int. 2018). Others felt its beauty through it being relatively quiet and peaceful relative to the busyness and chaos of the CBD (PSU1, int. 2018, PSU8, conv. 2018). Tourists from abroad often seemed distinctly underwhelmed by the space, and yet they regularly described it in similar ways, like one North American visitor politely stating: “oh… it’s nice, it’s beautiful.” One local user went as far as describing the space as “perfect”, citing safety and connectivity as beneficial factors: “You can go anywhere in Joburg from there” (PSU1, int. 2018).

Gandhi Square’s connectivity and accessibility have been strongly appreciated qualities, also relating to its importance as a landmark for directions meetings: “it’s very useful. … it’s such a great spot to be like listen I’ll meet you at Gandhi square, cos *everyone* knows where that is” (PSU3, int. 2019). Other users, for example a group of elderly white men who “grew up with these buses” during apartheid, found that the redeveloped square lacks seating and shelter: “If it rains, you have to stand in the rain or squash together under a small shelter” (PSU11-13, conv. 2018). Basic amenities such as shelter are important aspects of spatial justice at site level. The three men continued their complaints by describing how people are not always allowed to sit on the concrete bollards around the square (see figure 5.3): “Are they holy? Are they gold? As soon as somebody sits on there the security tells you to get off.” However, according to this man, the security allowed black people to sit on them more often, before assuring me “it’s not a racial thing, it just makes you think”.



Figure 5.3: Photograph of Gandhi Square's usual activity; bollards right of picture. By author, 2018.

It is worth noting that the assessment by the group of men above clashes with the profiling of young black men by security guards as threats, especially in CIDs, as discussed in chapter 4 (Paasche *et al.*, 2014). And yet, continued insistence that their attitudes are not racialised, that the space and bus service were better in 'the old days', along with comments about preferential treatment of black people, implied that the fond memories these men held for Van Der Bijl Square were tied up with fond memories of the apartheid city. They may indeed have felt victimised by a shift from a city that was conceived *for them* as white people, perceiving unfair treatment under the new dispensation. While many users echoed their complaints about a lack of shelter, others suggested that there is enough seating and that more would reduce spaciousness (PSU7, int. 2019; Padayachee, 1999). Regarding the bollards, I never observed anybody of any race either sitting or being chased away from them. In my experience of testing that boundary, I was allowed to sit for up to half an hour on occasions, sometimes moving away of my own accord, sometimes being chased away by security guards. The ways people use and relate to public places are layered and complex, especially regarding perceived inconsistencies in management.

Symbolic engagements with the site's heritage, explored in chapter 4, have had a limited, though not necessarily insignificant, impact on the patterns of daily, public use. Though many passed the statue of Gandhi ambivalently, others regularly engaged with it in various ways. Many walked past without looking up, either oblivious, uncaring or simply busy; people sat

at the benches facing out from around the statue with their backs to him; others still, though by no means a critical mass, have tried to campaign for another change. I also witnessed people taking photos with the statue and reading the Johannesburg heritage plaques that detail aspects of the statue and the site's history. Less frequently, but significantly, I witnessed a bus load of Indian tourists arriving, making one of the essential stops in Johannesburg for learning about Gandhi's life here, some complaining about the allegedly neglected condition of the statue.

Qualities of the space that users regularly raised, especially safety, connectivity and accessibility, also resonate with key indicators of just public space (Low and Iveson, 2016). Safety, however, was by far the most commonly cited factor in conversations about what users like about Gandhi Square and need in public space more broadly, evidencing the strong perceptions and realities of crime in Johannesburg as much as the public culture of fear (e.g. Murray, 2020). Fear tends to promote closed, hardened public cultures. Thus, the safety experienced by many users at Gandhi Square has provided rare and important opportunities for interactions with others that are less bound up with fear, thus more likely to encourage social integration and reciprocal, inclusive public cultures and behaviours. One user connected several of these factors in their perception of the space: "cleanness also comes with the perception of safety; it also comes with the perception of more opportunities" (PSU2, int. 2018). Thus, the linked perceptions of cleanliness and safety, critiqued in global CID literature (e.g. Mitchell and Staeheli, 2006), promoted wider use and accessibility, enhancing attempts at spatial justice. Sharlene Davis, a regular user of the square mentioned above, described some of how this manifest here: "People have respect for each other at Gandhi Square. It's a peaceful area. It's safe" (int. 2018). That she related mutual respect with the peace and safety of the space demonstrates a link between safety and inclusive public cultures. I argue here that elaborations of inclusive public cultures make spaces more public, partly, as shown here, by increasing safety, which situates such spaces as contributors to spatial justice.

The diversity and mutual occupation by difference in Gandhi Square has been appreciated as rare and valuable by many users. This links to wider desires for integration in South Africa's public space (CoJ, 2016) and to public space theories that include interaction with difference as an important characteristic of publicness (Fraser, 2008). As put by one local resident: "it's a really dynamic space, cos there's people from all over the city, it's the central spot, … it

just feels really cosmopolitan, it feels like a … a good cross-section of society and … you don't see that a lot in south Africa" (PSU3, int. 2019). Beyond the fact that different types of people have shared the space, it has also somehow promoted conversation and interaction. While Gandhi Square has in many ways been a place of movement, it has also been a place of waiting. Often, while waiting for a bus, people struck up conversations with others. Desired by planners and officials for many years (e.g. CoJ, 2016), this social integration is significant, and part of many people's imagination of what spatial justice might look like. I regularly observed conversations developing across race, gender and generation. These conversations occurred with only the social lubricant of a relatively unreliable bus service and safe surroundings. More so than I have experienced in perhaps any other public place in Johannesburg or South Africa, these dynamics allowed me naturally into interaction with a wider variety of people than in Pieter Roos Park, for example. These types of interaction that I experienced or observed, for example across racial lines, which were illegal for long periods of Johannesburg's history, demonstrate inclusion on a broad level, and as such are evidence of significant shifts in sociability and thus the public culture of the city. This indicates the emergence of broader, more cohesive and inclusive publics. However, there are other spaces and levels at which publics remain fragmented and segregated. This research argues that the development of inclusive public cultures is an important part of the process of moving towards spatial justice.

Despite the apparent diversity of users, one resident of the area expressed surprise that there wasn't a wider variety of food options on the square. "There's definitely not a lot of like fresh food options. It's all … fast food, like unhealthy stuff, the spar isn't … stocked with … a lot of veggies" (PSU3, int. 2019). Other users celebrated the fast-food options and shops that increase convenience (PSU9, conv. 2018; PSU1, int. 2018), and as a transport hub it makes sense that the most readily available food options were take-aways. While older users of various races remembered the bus service being better "in the old days," some recognised the improvements to the infrastructure resulting from the redevelopment in 1999, highlighting the persistence of contradiction in perceptions of public space (PSU9, 11-13 conv. 2018). It has been a hub through which thousands of "new" South Africans pass through daily, and my conversations with users resonated with media reports that the renovated space is much more pleasant and user-friendly than the previous incarnation of the bus terminus at Van Der Bijl Square (Mail and Guardian, 15.4.2016). One user related this shift: "I can only really remember it as being a hell hole of buses which was very intimidating and [confusing], at

least now it's much clearer and easier to find where you're going to catch the bus" (Bird, int. 2018). While there have been limits to the variety of uses at Gandhi Square, as discussed in the next section, the variety of users connected by common activities in the space promoted forms of integration that align with those described in policy documents as part of local attempts at spatial justice (CoJ, 2016; South Africa, 2016).

5.4 Informal trade: public space for who?

Informal trade has not been permitted anywhere on the surface of Gandhi Square. It could be argued, given the context of Johannesburg's inequality and unemployment, that this is a prohibition of survivalism that management of public places should instead nurture. Therefore, the prohibition of informal trade can be seen as a site-level spatial injustice: an unjust marginalisation of disadvantaged people. However, OPH also argued that the square was intentionally kept spacious and open to promote mobility in terms of one of its primary functions as a transport hub. And yet, the prohibition was also to cater for the sensibilities of the tenants of buildings around the square (OPH official, int. 2019) As put by an OPH official: "if an informal trader wants to set up on Gandhi Square, we not gonna allow them, and not to be exclusionary, … we fully understand the need for them. but … it would be harmful…, [some tenants] wouldn't want to take an office in an area where their staff feel uncomfortable to walk" (*ibid.*). This brings up one of the complexities of spatial justice in unequal societies: often moves towards spatial justice seem to involve difficult trade-offs between the interests of different publics as well as complex mixtures of perception and reality. It is important to interrogate both why office workers would feel uncomfortable in the presence of informal traders as well as other impacts of informal trade on the area. The OPH official described this as needing "a balancing act" of urban planning so "the success of one group isn't to the detriment of another" (*ibid*.). This highlights the difficulties associated with planning and managing public places when the public is fragmented. A member of the JICP (int. 2018) described how the nature of management has been due to Olitzki's personality and control over the space:

> if one partnered more with [Olitzki], he would give space to informal traders and small business, but he wants to be the decision maker. … The state has got to enable him to do his interpretation of the village building otherwise it's not gonna work; he's gonna block it out.

While there has been public interest involved, it was closely inter-twined with the vision of one man and his company. It is an instance of a particular vision for space shaping how individuals use it, thus a form of conditioning the public according to private interests and thus elaborates a narrow, in some ways exclusive public culture. This is also an example of how user's spatial practices at Gandhi Square are controlled to an extent according to Olitzki's vision, which in Lefebvre's (1991/2004) conception leads to dominated space. This undermines some potential for genuinely public use and participation in the production of the space. Furthermore, as pointed out by Itzkin (2008, 119), efforts at "excluding today's hawkers from trading on a central Johannesburg public space dedicated to Gandhi are laced with unintended historical irony," given, as mentioned previously, that Gandhi had provided legal defence for outlawed traders. The complex relationship of power, control and order produces a tension between private and public interest, both of which are demonstrated in the production of space at Gandhi Square. Part of this dialectic is that the tension between private and public interest has produced a space of genuine public value while circumscribing opportunities for participation and appropriation that undermine aspects of its public value.

Control over such spaces can be tenuous. An example was how some people use Gandhi Square as part of their survival strategies despite the prohibition of informal trade. As I sat on the benches beneath the Gandhi Statue talking to another user of the space, we were approached by a young man offering to sing for us. He asked for payment in exchange but assured us he'd like to sing regardless. It is an encounter that brought a surprise and moment of magic into our day. It was also an instance of a reciprocal use of public space, and how the connectivity of Gandhi Square enhanced his opportunity not just for survival but upward socio-economic mobility: at the end, he requested we take his phone number to share his details with people who may hire him to sing at events. The creativity and persistence of Johannesburg residents can often subvert the intended uses of spaces, and, as in this case, can contribute to more just, meaningful, and varied uses of the space.

For some users of the space, Gandhi Square felt separate and distinct from other parts of the city. Partly, because Gandhi Square was perceived as clean and safe, whereas many other parts of town were considered dirty and dangerous: "You know when you walk in downtown Joburg, it's dirty, there's no space on the sidewalks" due to informal traders, thus Gandhi Square "doesn't feel like it's part of town" (PSU7, int. 2019). In line with this, and using Gandhi Square as a reference point, this user pointed out "I don't like it, Joburg, as it is now,

… it's terrible, horrible" (*ibid*.) Concerns that over-emphasis on cleanliness and safety create spaces that are exclusionary obscure the fact that the same cleanliness and safety are urgently desired by many inner-city residents. These factors were thus appreciated by many users and relate to experiences of Gandhi Square as peaceful. And yet, on the other hand, this was bemoaned by others who described it as "a bit dead" and needing something a more "lively" (PSU9, conv. 2018).

It has been argued by many that Gandhi Square is not exclusionary (JICP Official, int. 2018; former JDA official, int. 2019; CCID manager, int. 2019; PSU2, int. 2018; PSU7, int. 2019). However, aspects of the focus on cleanliness and safety include aesthetic concerns that influenced or reduced usability of the space. For example, people were not permitted to sit on the spacious verge outside the ABSA building fronting the north-east of the square, despite its apparent usefulness for seating and that it was otherwise unused. Management practices have not been not entirely consistent. While I never observed others nor experienced being told not to sit on the stairs at the southern end of the square, below the balcony there are several buildings that had spikes on low, flat surfaces to prevent seating or sleeping (see figure 5.4 below). Another spatial injustice on the micro-level was that I regularly observed and heard from others that the public toilets on the square were locked (PSU10, conv. 2019; PSU2, int. 2018). When unlocked, they were well-used, suggesting their necessity in a place where users have often travelled for some time to arrive, often needing to travel on further. Elements of exclusion, in some also ways related to soft barriers, also involved the exclusion of public dwellers as discussed in the next section.



Figure 5.4: Photograph showing spikes: architecture of fear and exclusion. By author, 2018.

5.5 Displacement and investment: dialectical tensions of exclusion and inclusion

The controlled nature of the space, whilst manifesting an exclusionary public culture through limits on informal trade and public dwelling, was appreciated by many users. One woman remarked that it was good that there were not too many benches as otherwise

> people might take it over. I can't say they shouldn't be here; where should they be? It shouldn't become a homeless people place, but you wanna be careful what you say, you don't wanna come off as not caring. (PSU7, int. 2019)

This is an example of how people often hold contradictory attitudes towards and nuanced perceptions of public space. This woman showed at once how she appreciated that the design and management of the space had prevented her from experiencing homelessness, but she also articulated the exclusion as a problem. These sorts of dilemmas extend into many facets of the ways people understand and use public places, including the management thereof.

I found through conversation and observation limited evidence of homelessness or public dwelling. This was partly due to how the businesses facing the square relate to it, and the way it was securitised, though both have been uneven. It was common during the day to see people carrying belongings that suggest they live and sleep in public places. Also, people often searched through the bins for food or saleable recyclables. It is well established that the waste-picking industry appropriates public places for sorting and storage of recyclables and the residential functions of those working in the industry (Godfrey, Strydom and Phukubye, 2016). During the day, waste-pickers and public dwellers were only ever moving through Gandhi Square, not settling in it to spend time. On some occasions, I witnessed security guards moving such people along, thereby excluding them. At night, however, users reported the McDonalds, and the area immediately outside it, as the only part of Gandhi Square friendly to public dwellers (PSU2, int. 2018, PSU3, int. 2019). This links to a point made by an urban designer advocating for McDonalds itself as an important public space because of opportunities for reciprocal behaviours with low barriers to entry. With only R4.50, less than a third of a US$, one could purchase a snack, as well as bathroom access, seating and shelter (urban designer, int. 2018).

A discussion of public dwelling around Gandhi Square would be incomplete without situating it within the wider development trajectory of OPH outlined in chapter 4. As mentioned, the overall vision was to renovate buildings that could benefit from the upgraded public square as

well as contribute to the stability, economy and vibrancy of the area. Many buildings in inner-city Johannesburg have for years been occupied illegally, highlighting the desperate need for centrally located affordable accommodation which would respond to Johannesburg's overarching spatial injustice of peripheralisation (Mabasa, 2018). OPH claimed that in terms of provision of housing to the poor, "the onus should be on the city. … Housing needs to be taken care of by the public sector.… For the private sector to provide alternative accommodation for the homeless is not realistic," nor is it required by law (OPH official, int. 2019). As such, given that the business model of OPH is to develop office space, they have often removed people living in particular buildings before renovating and renting them. An OPH official (*ibid.*) describes wanting to avoid the brutal and illegal route of hiring the Red Ants to clear buildings (Moatshe, 2014), in favour of simply offering residents money to move along.

The same official admitted "it isn't the perfect model, it's nothing to gloat about, but I mean it's better than the [illegal- referring to Red Ants] alternative, it's better than leaving it the way it is. It's better than being forceful and being merciless" (OPH official, int. 2019). The description of their approach demonstrates that the relationship between urban development and spatial (in)justice is a dialectical one, and a matter of degree. These complexities are expressed through commonly conflicting attitudes towards public space and the ethics of inner-city regeneration. On the one hand, the OPH eviction approach "didn't solve the problem, it just relocated the problem", but on the other hand: "in that building that they've vacated, we've enabled to bring employment, we've enabled to bring business back into the city [and] create jobs" (*ibid*.). Despite this, in the immediate term the money paid to people to leave was not enough to provide them sustainable alternatives to squatted occupation or public dwelling: "the truth is that … it's not enough to even last you for a month or two really, if you had to rent somewhere else" (PSU23, int. 2019; Desai, 2010). This implies a level of mercilessness that the OPH official claimed attempting to avoid; financial persuasion was used to obscure an indirect violence of eviction based on the framing of desperate inhabitants as a problem for public space.

Despite admitting some problematic aspects, the OPH official (int. 2019) maintained that "it really was for the greater good, at least for this area." The fact that he specified that the good may only have been for one area demonstrates some of the potential risks of private control over the space. OPH has remained accountable to some provision of public amenities at

Gandhi Square in part because of their own property value's entanglement with the fortunes of the square. However, OPH has not been accountable for the areas to which their actions displace social problems. It is clear in these instances that particular actions and processes can contribute to spatial justice at the same time as exacerbating spatial injustice. This highlights the need for careful research into the drivers and nature of urban change, as well as to hold both the private and public sectors accountable.

Similar dynamics have been exhibited in the impact of the CCID and other CIDs on security in the city. As put by the OPH official (int. 2019):

> with security … the problem probably gets pushed out to your Bree and Jeppe street, because Marshalltown, … through OPH's developments and others [has] become cleaner and safer … but then, … not so far down the road … its very different, … there's drug dens, there's people still living in squalor and it's a difficult one.

While arguments about fragmentation of security created by CIDs seem borne out to an extent, the arguments do not account for the potential benefits of the CID, nor with what the city may be like without them. In addition to the aforementioned attraction of investment, a mitigating factor is that each CID has employed in the region of 35 security guards at a time, broadly contributing to employment and safety in the city (OPH official, int. 2019). "For example, at the inception of Gandhi Square there was a guy who wanted to start a security company, … He was an MK military veteran. We gave him the first contract to provide security on Gandhi Square, he had 8 guards. Now he's got 5000" (*ibid.*). Media articles from the time of the redevelopment reiterated this point with other stories of the contribution of the CID. For example, "The CJP helped Jerry Polesa, who had been unemployed for four years, to set up Gauteng Cleaners. He now employs 60 people" (Simmonds, 1999).

A manager of the CCID (int. 2019) spoke about how the general goal of CIDs is to go beyond 'clean and safe', as critiqued by Staeheli and Mitchell (2006), to provide higher levels of community service. She cited the example of the Rosebank CID which started a soup-kitchen, and while she admitted that there have been many public dwellers and people in dire need within the CCID, she maintained that "we don't have the facilities in order to help them" (*ibid.*). This also related to her re-framing of security guards as public space ambassadors (PSAs). While I was initially sceptical of the characterisation, having never heard the term mentioned, I did observe that they at times play something of this role at

Gandhi Square. With great regularity, security guards – or PSAs as the CCID manager hopes to imagine them – were approached by people for help with directions, the time or other information. In February 2018, after observing a security guard give out directions at least eight times over a half-hour period, I wrote in my field-notebook: "security guards are also *de facto* the most important information points." The CCID manager (int. 2019) hoped and aimed for PSAs to be "a positive force within an area, rather than this negative connotation of that security guard". The impact of CIDs has been complex and because they change over time, it is important to interrogate the nature of this change, and for residents to hold them to account if the change is not in the public interest. The fractured nature of public interest that correlates with different publics, differing degrees of marginality amongst residents, and connections to wider processes, complicate Gandhi Square's relationship with spatial (in)justice. Therefore, these factors must be carefully considered to facilitate a more inclusive public culture and holistic, processual understanding of the links between different places and processes.

5.6 Vignette: a protest at Gandhi Square

On a cold, wintery morning in May 2018, I took a bus downtown. It was a short ride from the stop near my home at the far western edge of Kensington, directly east of the CBD. I disembarked shortly before Gandhi Square, quickly becoming aware of commotion on the sidewalks, more than just the usual morning rush. I heard singing. A middle-aged woman coming in the opposite direction warned me and others to watch our bags, saying "they are *toyi-toyiing*" [a dancing, chanting protest]. She jokingly observed that even children were joining in. In this moment, many important dynamics of public space were at play. The woman distanced herself from the protest by using the word "they" and criminalised the protestors by telling us to watch our bags. She also delegitimised the action by joking that children are involved, suggesting their participation was only for fun. She raised the key debate around what is publicly acceptable behaviour, and because of how this shapes who counts as a member of the public, began indicating her opinion in this regard. Her stance was clear but represented only one amongst many in the multiplicity of perspectives that shape public culture. Contestation over public space is indicative of broader social cleavages: despite also using the same space, she didn't feel she shares the same struggles as those protesting. I was compelled towards the dancing, singing protestors. The intensity of the

situation created a common focus at Gandhi Square that morning, making it easier to get into conversation, enhancing my sense of belonging there.

The protest that morning at Gandhi Square was directed at Metrobus' allegedly unreliable service (Zwane, 2018). Starting before 7 am, it was led mostly by strong, angry, middle-aged women, with about 100 people actively involved and many more watching on. After I arrived around 9am, it ebbed and flowed around the square's eastern edge for over two hours, sometimes calmly, sometimes with the swollen energy of a charged group. It was a lively scenario, populated with policeman, security guards, protestors, bystanders, journalists, a researcher and others. The scene seemed to dominate the mood of the square. One protestor, justifying their appropriation of the space, and poignantly articulating Mitchell's (2003) point on the importance of making public space public, stated: "People are gonna take the action if they wanna take the action." As the wind picked up one security guard confidently stated that due to the cold "they'll leave now." And yet, at that moment, the sunlight reached a corner of the intersection, so the protesters moved into the sun. Along with many people only observing the protest, numerous armed public police stood around the edges of the scene with the security guards employed by the CCID.

At around 10am, one of the buses stuck in the intersection, which had been hosting an impromptu meeting between police and Metrobus officials, became the centre of attention. One official eventually disembarked as people directed their protests towards the bus, banging on the bus and chanting "Who are you?" Apparently, people were demanding to see a government minister and so a Metrobus employee was a disappointment. The rest of the square was relatively quiet. There were many buses parked and unmoving, and some passengers disgruntled by the delay to their commute, but the area around the protest was buzzing, and by mid-morning several television crews, more officials from Metrobus and CoJ, and more police, had arrived.

In the middle of the intersection, a Metrobus official took hold of the loudhailer attached to a police vehicle and struggles amidst shouting protesters to start a dialogue with them. After a cycle of shouting back and forth between the official and protestors, several police escorted him and some of the leaders of the protest to one side, and the tension of the situation dispersed somewhat. However, a few minutes later the *toyi-toyiing* reignited. The protest moved back to the intersection of Main and Eloff. There were several police-officers walking around holding rubber-bullet shotguns, again increasing the situation's intensity. It had

clouded over once more and was bitterly cold. A City of Joburg representative had taken the microphone, asking for people's demands. Several commuters complained about route changes, late and overcrowded buses. "No tagging in May" [referring to payment method by tagging a card] became the refrain for those who wanted to apply more pressure to succeed in demands. One police-officer was pacing and fingering a can of teargas, looking anxious. The threat of state-sanctioned violence was present but did not materialise.

After 11am, some of the protestors started to move away. Metrobus officials promised more buses, better punctuality and a meeting the next day on the square at 7am to hear grievances. Many were still angry and felt it was the usual round of false promises. Metrobus began to move parked buses and instruct passengers to embark, saying that the buses are leaving now. The pull of needing to be at work, and the push of the implicit threat of violence from the armed police, were enough to clear the intersection. People were on their way out of the square, and towards their originally intended destinations. The private security guards employed by the CCID picked up the bins that protesters had overturned earlier to block traffic. The public police did not lend any assistance. The more regular rhythms of the space began to re-emerge and settle. Later that day I encountered Metrobus employees out in the square conducting customer satisfaction surveys. One of them lamented to me that they ask the same questions each year, get the same answers, but don't actually change anything. This seemed to echo the sentiments of the protestors that morning, complicating the rationales for and impacts of protest.

5.7 Protest: parochial and unheard or lively civic activity?

The protest related above shows how the space has potential for what is often deemed one of the fundamental ways of producing public space: physical occupation to make demands heard. It is a way of directly articulating a right to the city through *appropriation* of space and immediate *participation* in decision-making. And yet, the success of such an articulation is contingent on whether and how demands are heard, and by how the protest itself is controlled by security guards and armed police. The day after the protest I travelled before 7am to Gandhi Square planning to observe the promised meeting about commuter grievances. I arrived expecting or anticipating some of the same energy of the previous day's protest, but I found no evidence of it. It was cold, and smelled of cigarette smoke and exhaust fumes; smells that somehow seemed most pronounced in the mornings. Gandhi Square had returned to its regular rhythms. I walked a few laps around the square, observing many people

queueing and walking; waiting and moving. There was no sign of the meeting that was promised yesterday. I visited the Metrobus office where I was assured a manager was present in the square, but I could not find him nor any sign of the gathering. My feeling that the energy driving the protest would have dissipated was confirmed, as people were already drawn back into the linear rhythms and spatial practices of the working week. Furthermore, the fact that the meeting was scheduled for 7am automatically excluded many of those driving the protest, as they had to leave Gandhi Square each day before 7am to get to work on time. In the case of the protest against Metrobus which I witnessed, users of the bus service continued to make similar complaints about Metrobus long after the protest ended, despite the promises that were made to end the protest that day.

Protests elsewhere have also shaped how Gandhi Square operates, for example when in 2017 protests in other parts of the city regarding a "motion of no confidence vote in parliament" against the President at the time, prevented buses operating due to concerns about the safety of the drivers (Masweneng, 2017). This indicates some of the complexity of how public places are shaped by broader processes at the same time as they shape the city. Tenants of OPH buildings around the square, such as prominent political parties have either drawn protest action from others through oppositional politics or organised protest action themselves. These actions have given added importance to the political and public potential of the space. A CCID manager (int. 2019) flagged this as a potential management concern in early 2019:

> it's gonna be quite challenging for the precinct going forward … because adjoining Gandhi Square you have [offices of] three political parties, you've got the ANC, the DA and the EFF, that are all around the boundary of Gandhi Square, so it's gonna lead to some interesting times now going into the elections.

However, there were no election-related protests on the square in 2019, the ANC (2019) merely using Gandhi square to hand out t-shirts as part of an election celebration. This is an example of the space used for a politics of patronage rather than protest.

An OPH official (int. 2019), not responding directly to my question about managing protests on Gandhi Square, mentioned how the tenancy of Black First Land First (BLF), a radical left-wing party calling for urgent land distribution, created some tension. There were protests at Gandhi Square organised by BLF several times during their tenancy in 2017. Some were part

of broader protests and used Gandhi Square as a gathering point, and others were directed at institutions on the square. One of these, in 2017, was against ABSA bank, outside their branch fronting the square, demanding they "pay back misappropriated public funds it had received in a bailout by the Reserve Bank during the apartheid years" (Nyoka, 2017). Another protest, also in 2017, was against FNB bank accusing them of racism. BLF announced: "BLF will not tolerate racism and oppression of black people. We will act anywhere and anytime that such racism is experienced" (BLF, undated). The range of motivations for protest at Gandhi Square broaden the political significance of the space, and thus its publicness. However, civic action directed at the statue and naming of the space have remained relatively muted (see figure 5.5).



Figure 5.5: Gandhi Square on an early weekday morning; most commuters rush past the Gandhi Statue (near top right of image). Photograph by author, 2018.

An urban designer (int. 2018) argues it should not be specially applauded that protest has been allowed on the square. Perhaps, given the strength of protest culture in South Africa, it would be near impossible to prevent it entirely. This indicates how public places occupy a unique nexus: they are spaces in themselves, determined according to their design and management. And yet, they are also beholden to city-wide and other processes. A CCID manager (int. 2019) admits: "you can't say no to a march. you have your rights. As long as they follow the right procedures in order to apply for the marches then they're … allowed." From a management perspective the focus has essentially been on control: to ensure that the

protests remain peaceful, that there is enough security present, and to "give as much support to the public space to make sure that nothing does go wrong" (*ibid*.). That the square has remained open with some potential for occupation and appropriation during protests is an important quality of the management of the space, though the attempts at control have circumscribed this, limiting processes of publicness and therefore spatial justice.

5.8 Conclusion

The production of Gandhi Square and the processes that have manifested and interacted there have had complex impacts on the city around it. On some levels, it is relatively successful example of privately managed public space. This is not an advocation of private control over public goods, but an indication that with some mixture of determination, collaboration, and human interest, the private sector can play a crucially important role in producing spaces of genuine public value, safety and inclusion, key to local, site-level spatial justice. However, the nature of management and control, exerted largely by OPH, has produced forms of exclusion and precludes some uses of the space which create elements of spatial injustice and thus undermine its publicness.

For the most part, the spatial practices carried out at Gandhi Square have been in line with conceptions of the space, indicating aspects of a process of domination (Lefebvre, 1991/2004). Primarily, these practices include walking through, sitting briefly, waiting for and catching buses. However, new representational spaces are also emerging as relationships develop across various barriers and black permanence and cosmopolitan mingling are increasingly normalised. To many of those I spoke to, Gandhi Square seems to be largely *imagined* as a *good, just* and *public* place. These imaginations are part of its reality. Partly due to the variety of uses of the square, and perhaps more relating to the diversity of users, the space has a wide-ranging and shifting meaning. The next chapter turns attention to Constitution Hill, ostensibly publicly owned and managed, but with similar dynamics of private space as in Gandhi Square.

6. Constitution Hill: ambiguously embodying publicness on different levels

6.1 Introduction

Constitution Hill is a deeply, in some ways very consciously, palimpsestic place. It is a remarkable intersection of the different levels of publicity or publicness (Terzi and Tonnelat, 2017), in that it embodies and represents public space as well as the public sphere. These different levels of publicness, represented by the precinct's open spaces, its public institutions and their work, interact in a complex manner. At times there has deep resonance between these levels of publicity, facilitating spatial justice through civic action and some events held on site. At other times there have been disconnections between normative understandings of publicness and what is experienced in the space. Despite its powerful and wide-ranging meanings, at times parts of the precinct have become banal, ordinary, and seemingly devoid of meaning. The precinct also holds and develops meaning beyond the physical space itself, intentionally acting as a generator and shaper of national public culture, which occurs through the work of the institutions at Constitution Hill, amplified by media coverage. The interactions between public space and spatial (in)justice at Constitution Hill are thus multi-faceted and complex.

This chapter aims to explore these different levels of publicness at Constitution Hill. Starting by situating the precinct and describing its form, I move on to discuss the rhythms and their punctuations that reflect patterns of use. Next is a section focussing on management and security on site, and the way these relate to use. I then focus on different aspects of accessibility, discussing how these produce forms of exclusion, before honing in on the importance of certain events, protests, and civic action in shaping the publicness of Constitution Hill.

6.1.1 Form and Context

Constitution Hill is a large precinct comprising 10.9 hectares (Constitution Hill, 2017b), bounded by Kotze Street to the south, Queens Street to the east, Sam Hancock Road to the north, and Joubert Street to the west (see figure 6.1 below). During my fieldwork, there were several buildings on the site, as well as a rectangle of protective earthen embankments forming ramparts around the Fort and original jail. These ramparts were located at the south-east of the precinct atop the ridge. They surrounded exhibition spaces, Constitution Hill's administrative offices, the Hill Café and Play Africa, a children's museum and "curated space

where children can come and play and learn and learn through playing." This museum had a focus on rights and socio-spatial justice education, aiming to fit in closely with the precinct's vision (Play Africa employee, int. 2019). The Women's Jail was in the south-west corner and housed exhibition and conference spaces as well as tenants including the South African History Archives, Awethu Projects (entrepreneur incubator), Probono (legal aid centre), and the Gender Commission. The remainder of the precinct was on a north-facing slope, with the Constitutional Court on the eastern edge, its entrance on the central square. Below the square to the north was Number 4, previously the space of incarceration for black males at the prison and since the precinct opened one portion of the prison museum. The Great African Steps ran between Number 4, a representation of the past, and the Court, a representation of the future.



Figure 6.1: Map showing the Constitution Hill precinct. Adapted from Google Earth, 2019.

Constitution Hill has been compartmentalised, partly due to its origins as prison and fort, and also due to the distribution of ownership. The Court has been owned by the Department of Justice, and the precinct has been owned by the City of Johannesburg but managed by the

Constitution Hill Development Company which has been owned by the provincial government through the Gauteng Growth and Development Agency. From most vantage points, parts of the precinct were out of view due to the topography and number of buildings on site. The ramparts wee an exception with a view over the square, as well as good views of the surrounding city and its different areas. The site was large, though a fair amount of the space was not openly accessible to the public, instead reserved for institutional uses and potential future development. Some spaces in Constitution Hill, including the Court, Women's jail and the Hill café, have only been accessible depending on social, cultural and financial factors. The prison museums and ticketed events required payment to enter, thus excluding some. The Court offices and those of tenants in the former Women's Jail have not been open to the public and can be characterised as private space despite the nature of the institutions.

Constitution Hill's compartmentalisation resonates with the fragmentation of public space described by Sengupta (2017). This fragmentation of space, partly according to function, reduced publicness in how it created multiple single-use zones, rather than a coherent, mixed-use public space. The main open area in the precinct, Constitution Square, has been the part of the precinct in which the different uses overlap, providing some feeling of mixed-use space. The benches and tables which were set up in the square between 2016 and 2018 were shaded by tall trees. This has changed the nature of use of the space through providing a softer, more welcoming area with available seating. While there were trees in the square and along the Great African Steps and Solitary Lane, an internal precinct road, as well as some grass on the ramparts, most of the precinct was paved. One local resident found this undermined public use: "it's not soft at all [so] I wouldn't go there" (PSU20, int. 2018). This tension between softness and hardness also relates to the tension in the space's vision for aiming at being an open, vibrant public space, and being a solemn, meaningful place of reflection (Middelmann, 2019b).

6.1.2 Rhythms and punctuations

On many days, Constitution Hill was a relatively quiet space compared to neighbouring Braamfontein and Hillbrow. While use as a thoroughfare has increased over time as people learn the routes through it, it still often felt spacious and quiet (see figure 6.2 below). Locals sat at the benches in the square while using their phones or relaxed at the eastern edge of the precinct. Tourists milled about or followed a tour guide, with others disembarking or

approaching the red tourist buses which have been ubiquitous on the site. The guides, when not busy with a tour, took breaks in the square with each other and occasionally security or cleaning staff. Beyond this, as discussed in section 6.3.1 below, the various groups of users didn't often seem to engage directly with each other.



Figure 6.2: a 'normal' day in Constitution Square. Photograph by author, 2018.

In the early mornings, the space was calm but characterised by steady flows of students, commuters, and schoolchildren, some with their parents. There remained a smaller flow of people traversing the site throughout the day, many using the through-roads as a short-cut between Hillbrow and Braamfontein. The afternoons again saw the flow of people increase, though more spaced out than the morning, with schoolchildren entering from early afternoon and onwards, many spending some time playing there. The evenings often saw parents walking through the precinct with their children on the way home. Throughout the day, as one of the installations of the living museum, loudspeakers mounted on the light-towers in the square, played clips of struggle songs and the voices of people who had been imprisoned there discussing their experiences. This gave the precinct a unique soundscape in the city. It was in many ways quieter than the surrounds, but the sounds of the prison and the struggle were almost ever-present.

There have also been longer rhythms, composed according to the occurrence of Constitution Hill's annual festivals like Basha Uhuru, the precinct's flagship youth festival occurring in

June to coincide with Youth day, or the Human Rights Festival coinciding with Human Rights Day in March. The regular rhythms of the precinct were punctuated by the occurrence of events, protests, court-proceedings and other happenings on the site. This meant that the rhythms discussed above are often in an interplay with other processes. The build-up of activity and intensity leading up to and during cases at the Constitutional Court was a reminder of the important public work by the precinct's institutions. On other days, it was easier to forget this dimension, and for some, to remain oblivious. However, many people still walked past the Court during cases without engaging or even knowing about it, even though the Court proceedings may have had consequences in their own lives. This indicates a disconnect between Constitution Hill as a public space and as a space of justice. And yet, on quieter days, one might still be powerfully impacted by the symbolic intensity of the precinct and what it represents. For example, one quiet afternoon I saw a group of local teenagers walking home from school. They were laughing and joking as they walked, but also reading information boards. They entered the Court, picking up a couple of the free copies of excerpts from the Constitution, reading and discussing it as they went on their way. Despite the often-ambiguous feeling of the precinct, there have been moments in which its vision appears to be very much alive.

6.2 Paradoxes of management and security

Due to the multiple imperatives that Constitution Hill has sought to respond to in its original vision, the management and policing of the precinct are complicated. Some of the tensions in the vision are expressed through the decision to securitise the space despite wanting to make it more open (Middelmann, 2019b). Key decisions in this regard were to surveil and securitise the precinct with CCTV and private security guards, and to prevent informal trade in any of the open spaces there. The securitisation and control extended to the edges of the precinct. One hot afternoon I sat on the eastern edge of the precinct on Queens Street. A security guard from Imvula – the company that was then employed by Constitution Hill for security – asked "Are you passing?" I said "I'm just stopping for a break; I will leave soon." He said it was ok, but then stood just a few paces down from me, keeping watch in case I didn't leave. He didn't move away until I did. The enclaved feeling of the former prison complex has been increasingly entrenched by the securitisation and pro-active policing by private security.

The effects of the tight control over the space have been ambiguous. Some users I spoke to found Constitution Hill appreciably safe and comfortable (PSU23, int. 2019; PSU14 and 15, conv. 2018), while others found the security to be intimidating and unwelcoming (PSU1, 2 and 5, int. 2018). This demonstrates a level of paradox in the way site-level spatial justice and injustice are felt by different individuals. The intimidation felt by some people related to an uncomfortable relationship with security officials stemming from the history of criminalising black presence in urban areas (Middelmann, 2016). However, some experts maintain that these feelings of discomfort are mostly experienced by young men in a context where men "are over-subscribed and over-designed-for", suggesting that some discomfort is a small price to play for men's relatively privileged experience of public places (urban designer, int. 2018). This suggests a level of gendered injustice and brings up the crucial discussion of scales of marginality. Young men may legitimately feel excluded from the space by security due to the perception that they may harbour criminal intent (e.g. Clarno and Murray, 2013). Yet, other users, for example women and children who may be and/or feel less safe in general in public space (CoJ, 2015) have found the security at Constitution Hill a welcome relief. However, one young local woman (PSU17, conv. 2018) added further complexity to this situation on the basis that when security guards or public police are men, their presence brought on an added layer of fear beyond fear of other types of crime. This fear may be associated with previous experiences of harassment by men in public space, which has been common amongst women across the global South (ActionAid, 2015).

In some respects, the security at Constitution Hill has tightened over recent years, reducing the chances for vibrancy, mixed and emergent uses. For example, the ramparts as one of the precinct's main open spaces have been increasingly tightly controlled since 2018: "The ramparts are not inviting, they are deliberately exclusionary" (Play Africa employee, int. 2018). This shows how the original design of the ramparts, as a Fort for protection, has shaped aspects of their later role as a public place. One afternoon in mid-2018 while sitting and writing field notes on the ramparts, a security guard quickly came up and told me I'm not allowed to sit here. I asked why, and he replied that policing of the ramparts has changed because they've found at least five people drinking alcohol and smoking marijuana on the ramparts. I asked: "even though I'm not drinking and smoking, I can't sit here?" He replied: "no, the rules have changed… we've had bad behaviour." He continued that sometimes when asking people to move off the ramparts, they have resisted and become aggressive. He characterised those behaving inappropriately as "people from around here" and gestured

towards Hillbrow. This relates to a feeling of some users, discussed below in section 6.4.2, that the space has been managed more for tourists and event-attendees than for locals in need of open space (PSU2, int. 2018; PSU5, conv. 2018). The inclusions and exclusions produced by the management of Constitution Hill are important in terms of the key local spatial justice measure of accessibility, discussed in section 6.4. Also, as the example of access control to the ramparts shows, it is important to trace public space dynamics over time to unearth a clearer, more processual understanding of spatial (in)justice.

6.3 Publics and their (non)interaction

Since the precinct opened in 2004 it has attracted a wide range of different users who correspond with different publics. These include international tourists and South Africans attending the tours and museums, different groups of locals who attend events or civic actions on site, those working in the tenant institutions and for the precinct itself, and finally locals from adjacent neighbourhoods who most often use the space as a shortcut. However, while these different user groups have sometimes overlapped in their use of the precinct, I observed little direct interaction between these groups (e.g. figure 6.3), representative of the city's fractured publics. Partly due to perceived over-management, the parts of the precinct labelled as public and open were ambiguous, feeling on ordinary days under-utilised and lacking the mixed-use vibrancy and intensity often attributed to central public spaces (Landman, 2019). This integration without interaction may be causally related with the different types of activity available to visitors: "it's because they're coming here for different reasons … it's easy to engage if you've got a common activity" (Play Africa employee, int. 2018).



Figure 6.3: picture of protestors (right) passing people looking at the art (left) with barely an exchanged glance. Photograph by author, 2019.

As discussed for Gandhi Square in chapter 5, a common activity can greatly enhance interaction between public space users, thus promoting integration. One of my field notes from early 2019 at Constitution Hill reads: "Today it feels the usual sorts of vibes – the usual distinct groups not interacting, but it is an amazing range of people *in the space."* This has been admittedly rare in many public places in South Africa (Schneider, 2016), and can produce a different kind of vibrancy. This is significant, and while interaction was limited, the potential for cross-cutting interactions has existed in this space. On one hand, the lack of interaction indicated an insular, exclusive public culture. However, on the other, the presence of different groups in one space implied an inclusionary space that promotes a welcoming public culture, and substantive interaction requires tending towards an open public culture. This dialectical tension shows the contingencies of use and meaning in space.

A shift in accessibility to the Court Chamber during cases was important to the precinct's publicness. Whereas previously members of the public could walk in and out during the cases, access has since been restricted once the proceedings begin, in an attempt to preserve the integrity of court proceedings. However, this shift has "created a mindset that … says this court is not as accessible as it certainly was set up to be. … That was a bit of a sad moment … in terms of public space" (*ibid.*). This shift also displays how the anticipated trajectory of the precinct has always been tied to that of the city and nation. Constitution Hill has demonstrated a remarkable

> alignment … with the political mood of the country. [From the] rainbow nation years when we opened the site, … we were regenerating, … we were building bridges, we were making connections, we were breaking down walls, we were bringing people in, and I think that the whole country has gone in another direction now, it's not just the site, it's about barriers and borders and boundaries. (*ibid.*)

The same consultant links this insularity with "the international psyche around boundaries and questions of who belongs and who doesn't" (*ibid*.). These questions are crucial for potential realisations of the right to the city in terms of how it reframes citizenship to include all inhabitants of the city (Lefebvre, 1968/1996). Because Constitution Hill connects different levels of our public realm, questions around who belongs and doesn't belong have implications for belonging on much wider scales. Tendencies in which public culture becomes more hardened and exclusionary relate to "a changing conception of citizenship which, contrary to the hard-won inclusions in the public sphere that marked the civil rights, women's, and labour movements in past decades, now seeks to re-establish exclusionary citizenship as just and good" (Mitchell, 2003: 181). This is another example of how wider processes, including global public cultures, can impact on local public spaces with exclusionary and unjust effects.

6.4 Accessibility

Access to public places may not do enough to promote integration. This deepens the questions of what type of integration is desired in South African public space and why. These questions are important because of Constitution Hill's intention to be part of shaping a cohesive public culture through connecting residents from distinct areas. Constitution Hill was designed to open a site that was previously completely closed off, a move towards spatial justice through the development of a new, open public place. This was done by creating pedestrian and vehicular routes through the site, as well as parking space, which enhanced the local network of public places and the links between them. There has therefore been relatively open access, but the nature of this access depends on the reason for visiting as well as the mode of management, therefore access has remained uneven. During fieldwork I received genuine help and had good conversations with different types of staff. However, I also experienced and observed that the precinct as a whole is not welcoming unless one is obviously there to do what is expected: to walk through, sit at benches, read information signage with the curiosity of a tourist, or attend an event. One user, discussed further in

chapter 8, worked at offices in the precinct for several years, and bemoaned this: “if you not coming there as a tourist, there’s always a sense of interrogating what are you doing here” (PSU2, int. 2018). There has not been much space outside of this.

When parking, one has need to explain one’s intentions for the visit. When I started visiting at the beginning of my fieldwork in early 2018, I explained to security guards that for my research I simply wanted to spend time in the precinct’s public space, I was challenged in surprising ways. After being passed from one security guard to another, I met the Constitution Hill receptionist, who said I should email about permission if I want to do research. The receptionist eventually agreed that I may sit in the square, warning me that if I walked around the precinct too much I would be stopped by security. When I challenged her in the same initial conversation that it is a public space, she maintained her position. The emails I subsequently sent for research permission and use of the parking basement remained unanswered. The feeling of being unwelcome was not unique to me. It resonated in many conversations with other users of Constitution Hill.

Part of the unwelcome feeling relates to the fact that parts of the precinct have not been publicly accessible: some parts were not designed as open space, and others that are ostensibly open have not been necessarily managed as such. This has resulted in some ambiguity around which spaces are open to everyone. Some users suggested the space overall feels like “more of a business” than a “public space” (PSU5, conv. 2018). Another user expressed the impact of this ambiguity on the feeling of the space: “I don’t know what the rules are there … it’s a bit of a weird space because it’s not clear” (PSU23, int. 2019). An employee of Play Africa (int. 2019) argued that this has led to situations in which some people have avoided publicly accessible parts of the precinct, simply because they *thought* or *felt* it was private space (*ibid.*). The Play Africa employee I spoke to, as someone intimately involved in managing a public place in the precinct in her daily work, has insight into the finer dynamics of access at Constitution Hill. These relate to financial capital, but also to social capital linked to how we understand and use public space more broadly:

> if you come up from Hillbrow and you had heard you could come and look at Mandela’s cell, someone is going to come and stalk you and ask you whether you paid. But if you are wealthy and have coffee [at the Café in the Fort] no one's gonna ask you if you then go and look at Mandela’s cell. So how much is it really public space? (*ibid.*)

This is an example of how inequalities can perpetuate themselves unless carefully mitigated. This also shows how social inequalities undermine accessibility to public places, which creates a barrier to spatial justice, and instance of how broad spatial and other injustices necessarily impact the possibility of what happens in individual public places. The security management of the site has been uneven and felt unfriendly to many, thus undermining accessibility and broader use of the site, and therefore its potential as part of a network of public space. For instance:

> security guards at the entrance of the Women's Jail, for example, are quite harsh … if they don't know me, they won't let me in. Even if I say I'm working here, they say where's your bracelet [ticket worn on the wrist]? … I think the security guards need to be the first port of call rather than a barrier to entry. (Constitution Hill consultant, int. 2019)

Contrastingly, I have also observed and experienced security guards playing this "first-port-of-call" role in terms of welcoming and directing visitors, which relates to the characterisation by CCID management of their security guards as Public Space Ambassadors discussed in the previous chapter. Nevertheless, there has remained an element of strict control that undermines access, reducing site-level contributions to spatial justice. One user suggested that operational procedures have limited accessibility at Constitution Hill through the creation of "a soft border … that gets enforced" (PSU23, int. 2019). The internal architecture of the precinct has also been a concern for some users: "you have to know where you're going, to be able to access it, and it can be very confusing actually as a space" (PSU3, int. 2019). Furthermore, in addition to operations-based exclusions, the high walls and lack of information and signage on the edges of the precinct have had some similar effects that limit accessibility and connection, important network-level aspects of spatial justice. This links to a sense that the precinct's designers and managers have not engaged the area around the precinct creatively or directly enough to connect it meaningfully to its surrounds. The lack of spatial engagement outwards from the precinct has been blamed on ad-hoc planning and a lack of holistic approach to the area (Bird, int. 2018). This also relates to the public culture of the city, which I argue demonstrates insularity and an inward focus, undermining the value of Johannesburg's public space as a network and its potential for spatial justice. It is important to note that these processes unfold and change over time and are dependent on user perception.

Partly resulting from its history as a prison, aspects of the precinct's architecture reduce accessibility. Play Africa (employee, int. 2018) mentioned that some parents they have spoken to as they walked past on Kotze Street claimed that the precinct seemed closed off and solid to them due to high walls and the imposing earthen embankments making up the ramparts; "the architecture of the space doesn't feel like public space … [so] we have to constantly invite people into it." The architecture of the Court entrance itself has also demonstrated some of this conflict. Referring to the initial processes of designing the space, a consultant involved in interpreting the site claimed that:

> there wasn't enough experience at that moment in creating public spaces that were both welcoming and took into account security issues. … Because of the sensitive nature of [Court proceedings], you have to have some form of boundary, but I think that that form of boundary is not well negotiated. (Constitution Hill consultant, int. 2019)

The multiple aims for comfort, accessibility and security have resulted in significant tensions at Constitution Hill. This is a common paradox of public space management (Marcuse, 2014), but is particularly difficult in societies with divided publics and high levels of crime and fear such as South Africa. Accessibility has heightened salience in Constitution Hill which due to its core functions aims not just to be a public open space, but also to engage in the production and presentation of public history and culture. Thus, exclusion is not only from the physical space, but also from important *participation* in the shaping of public culture, which is crucial for the right to the city (Lefebvre, 1968/1996).

The unevenness of security practices is significant. For example, accessing the Women's Jail section of the precinct usually required signing one's self and laptop in at the security desk. As discussed in chapter 3, when I used this entrance more frequently during the period of my research at the Constitution Hill archives, I found the security practices inconsistent. At times I would need to sign in, at others not. While the official procedure required that SAHA sign my security slip to be handed in on my way out, I was only asked for this on a fraction of the occasions I visited. Furthermore, on days when ostensibly publicly accessible events are hosted there, depending on the nature of the event I was often able to negotiate the security check without signing in or being checked. This experience over time demonstrated a positive correlation between familiarity and accessibility; security guards increasingly recognised me and therefore relaxed access control for me. As noted in the methodology chapter, uneven

practices of access control are common in public places, especially those that are not completely open. Another instance of this unevenness was revealed to me through my attempts to park my car at Constitution Hill, during which I received variously contradictory information about what was allowed by security guards. Notably, during much of my fieldwork, parking by members of the public was strictly controlled in the large, expensive parking basement, which therefore tended to be mostly unused. Since late 2018, members of the public *have* been allowed to park in the basement, though not on the level with lift access, despite that level also being under-utilised. The unevenness depends on the user and the management of the space, which interact with irregular outcomes. This adds another layer of complexity to measuring spatial (in)justice.

Constitution Hill's accessibility also relates to perception. Often, on days when I felt particularly energetic, I would approach the space with more confidence or knowing that I would succeed in entering the space. My experience was that this often eased my access. If I projected my determination, the security guards seemed less able to project theirs. This again relates to capital and privilege, which are linked to the history of racialised spatial inequality of the city. Some people feel less confident to test or assume the limits of access:

> if you are affluent and more middle class then you kind of think the city belongs to you and you don't mind stomping anywhere on it, and … if you're not, then you don't feel that you have a right to spaces in the city (Play Africa employee, int. 2018).

As mentioned, black men are sometimes profiled by security guards in South Africa (Murray and Clarno, 2013), which circumscribes perceptions of access. For example, a young, black man from Soweto described his uncomfortable feeling in the precinct due to the security guards, despite never having interacted directly with them: "I don't even know, but I'm just scared the security will chase me away" (PSU1, int. 2018). He admitted that this feeling was based largely on perception. Here he demonstrated a level of contradiction in his attitude towards security as he cited the safety of the precinct as one of its best qualities and as a reason it was amongst his favourite public places in the city.

When my fieldwork for this study ended in early 2019, the precinct had been open for 15 years, during which patterns of use and access continued to change. Even though some people may not test the boundaries of public access as much as I tried to for this research, gradually people have been learning about access to and through the site, improving its role

as part of a connected, local network of public space. The same user who found the space confusing, showing how the site's illegibility has disconnected it from its context, admitted that "once you get your head around a space, then you can navigate it. I feel like I've been there enough times now that I know how to get around, but … it's not easy" (PSU3, int. 2019). One day I helped a man find his way out of the precinct towards the south, showing him a previously unknown route that he may well use again. Another day, I saw three people walk out of the Fort going north, and one told the others about the thoroughfares: "You can go out that way, to Hillbrow." This highlights how familiarity over time increases accessibility, and how accessibility can be improved through interaction.

The above shows several key aspects of the changing public character of the precinct. Firstly, intuitively the precinct doesn't necessarily feel open, despite openness being a key intention of the precinct's designers. It is worth recalling how closed it was, as a prison, and so routes through the precinct are significant. But to some users, it has remained a site that does not seem easily traversed. Secondly, it shows that the way the space has been used continues to change over time. These bits of knowledge gradually seep into public consciousness. People intuitively try their luck, ask for more knowledge, gain familiarity with signage, find new ways and adapt – partly based on perception, partly on reality. Thirdly, it demonstrates that perhaps over time Constitution Hill has increasingly played a role in connecting surrounding areas, improving links with other public places, despite the ways in which the areas remain distinct. This has positive spatial justice implications, which could continue if the planned Visitor's Centre is built, the delays to which were discussed in chapter 4. The new CEO, at the time of my fieldwork, had "unlocked" some of the complexities of intra-governmental land-ownership on the site, and with provincial funding promised for the new visitor's centre, there was a feeling that the precinct was "on the verge of a breakthrough" (Constitution Hill consultant, int. 2019). And yet, in some ways while waiting for the Visitor's Centre to be built, the "story of tremendous frustration and delay, in terms of bringing that initial vision into fruition," has continued (*ibid.*).

6.4.1 Access: ablutions

A key measure for spatial justice in public space at site- and network-levels is the availability of amenities catering to basic needs. A significant change to the usability of the public square was the aforementioned addition of wooden tables and benches in the square, which has allowed a greater density of people to relax and socialise there. However, over this period the

benches were brought in, the container-based public toilets have been removed from the square, diminishing the availability of this important convenience facility. This was similar to the reduced toilet access described at Gandhi Square as well as at Pieter Roos Park, discussed in the next chapter. At Constitution Hill, the situation forced one to go through a security check into the Court building and down the steps, which housed a gallery of the Constitutional Court's famous art collection (Law-Viljoen, 2008), to the public toilet there (see figure 6.4). This required knowledge of its location and willingness to negotiate the Court security, which limits access. The inconsistency of security also extended to the Court entrance. On some days, I was asked to put my bag through the x-ray scanner, or to sign in. On other days, I was simply waved through. The guards at the Court entrance were generally unfriendly, and often when I greeted them, whether in a friendly manner or not, whether in English or Zulu, my presence was barely acknowledged. Other users have had similar experiences in trying to negotiate this entrance to the Court and the toilets inside (PSU2, int. 2018; PSU23, int. 2019). This is a "critical aspect" of visiting the precinct, because it "sets the tone for the rest of your experience" (Constitution Hill consultant, int. 2019). One day, after using the toilet and walking back up towards the square, I overheard a North American tourist lamenting both the process of accessing and the location of the toilets.



Figure 6.4: The long passage down to the toilets in the Court (left), and the dilapidated and hidden ex-public toilets (right). Photographs by author, 2018.

Since 2018 the public toilets that used to be in the square have been stored in an inaccessible space in the Fort, dilapidated and almost out of public view. This situation indicates the

ambiguity of the precinct's management vis-à-vis spatial justice. It is ironic that while many of the institutions and events in the space have promoted spatial justice on broad levels, the precinct's open spaces have held tensions of accessibility and exclusion that undermine its publicness and in turn its record of spatial justice. This tension was expressed in this case by social justice advocacy group Section27 hosting a World Toilet Day event at Constitution Hill in November 2018 (Section27, 2018). The event was part of their work on improving access to sanitation in South Africa but was hosted at a site at which accessing toilets was not straightforward. Diminished access to necessary public conveniences like toilets, or taps as shown below, directly undermines spatial justice at site level.



Figure 6.5: Locked tap at the Fort in Constitution Hill, 2018.

6.4.2 Access: race, identity and origin

There have been a wide variety of tourist visitors in the precinct, in terms of race, culture and language, but only black tour guides. Also, the locals that pass through have almost only been black – largely a function of the racial demographics of the surrounding residential areas. This also indicates a trend in inner-city public space that white people don't often walk there, reflecting the broader retreat by white people from public places in the post-apartheid era (Landman, 2019). As such, while the routes across the site do connect surrounding areas in some ways, the precinct itself also highlights the differences between those areas. This relates to a feeling amongst some users that Constitution Hill was geared towards tourist comfort more than local access. In February 2018 two young, local men walked determinedly through the precinct. As they went, they blurted out national and regional identity markers of visitors to the precinct, presumably noting this as a space for tourists that they are only using – or feel allowed to use – as a through road: "Chinese! Japanese! German! European!"

One man, whom I met several times during my research, worked for the City of Johannesburg as a Tourism Safety officer. He suggested that many tourists have had positive experiences there, but that many people from surrounding areas haven't used the space to the full (CoJ Safety Officer, conv. 2018). This was perhaps, as one user (PSU5, conv. 2018) put it, due to a feeling that the space is "not designed for the people", but that it has been in the interests of "others, or tourists". This resonates with Low's (2000: 181) assertion that public places "planners and administrators say are designed for the common good are often designed to accommodate activities that will exclude some people and benefit others." She goes on to argue that this often means excluding locals to accommodate tourists (*ibid.*), which occurs to an extent at Constitution Hill. This has meant that some locals, particularly young men and couples, have preferred to spend time towards the edges of the precinct rather than more centrally, which also demonstrates a feeling that security guards may harass one less if sitting nearer the edges (CoJ Safety Officer, conv. 2018).

The same tourism officer suggested that while some South Africans do visit and enjoy the space, most passing through on foot have not engaged that much (*ibid.*). He said that some residents, "even those living in the area for 5 years, just know that there is a court, but they don't know about what court, or that there are all these museums and history" (*ibid.*). He also claimed that many are simply afraid of it because it *is* a court, agreeing with me that this links to the history of the uncomfortable relationship between black South Africans and the justice system, which extends to the Constitutional Court building. This is part of a continued feeling that the built environment has remained inherently oppressive to black people (Kgosidintsi, 2015). Many users have found Constitution Hill uncomfortable, in part due to the strong presence of uniformed security (PSU1 and 2, int. 2018; PSU5, conv. 2018). This also relates to the suggestion by other users that the lack of engagement with the site has stemmed from a lack of available activities: "you can't do much here" (PSU5, conv. 2018). This relates to the apparent importance in public space of multiple uses:

> what has also failed at Constitution Hill quite significantly, is the lack of [affordable] coffee and food venues that actually inspire people to come there, because museums on their own have a big job to do to attract audiences … you need all kinds of offerings to really make that site true to its diversity" (Constitution Hill consultant, int. 2019).

While a great variety of activities and events have taken place in the precinct, there have been limited opportunities for appropriation of the open spaces. This has undermined its ability to fulfil a role as a truly *public* space at a local level, reducing its contribution to spatial justice. One user related this to a feeling that the precinct was "really sterile" and not "inviting" (PSU20, int. 2018), directly contradicting the intention of Constitution Hill's planners to avoid "sanitisation" (Essa, 2005). This has contributed to its existence as something of an enclave in the area: "it's an isolated island!" (PSU20, int. 2018)

6.4.3 Access: capital, tickets and money

Museum access and tours of the site cost money, which has excluded many users financially. Anticipant of this was a large debate at the time of opening the precinct, but due to problems with the intended funding model as discussed in chapter 4, it was decided to institute ticketed access (Constitution Hill consultant, int. 2019). Funding problems also meant that Constitution Hill allowed the hosting of a wider variety of events to remain commercially viable, discussed in the next section. For a time in the first years of opening, there was one day a week on which entry was free, but these free days were discontinued with the exception of special occasions such as public holidays including Women's Day and Human Rights Day (*ibid.*). Exclusion through ticketed entry to the museums has undermined Constitution Hill's ability to become a national civic beacon and its potential as a public space.

A conversation (PSU6, 2018) I had with a young man at Constitution Hill in 2018 shows the extreme side of the consequences of this financial exclusion. He had come to visit the precinct in 2017 with his uncle, who had been locked up there over fifty years previously. While the memories from people imprisoned there form the basis of the museum experience (Segal and van den Berg, 2007), this man was told he cannot enter the museums unless he pays. The public remembrance of the experiences of prisoners, which was intended to shape the nation's collective memory and legitimise the new state, was something he could not afford to participate in. In other words, this is an instance of how "museums have become contested sites where national histories and personal memories grounded in lived experience are sometimes at odds" (Murray, 2013: 23). No matter how carefully heritage is interpreted and represented in the museums, it's location in public space indicates that its meanings are to some extent determined by the way the site is managed.

An employee of Play Africa (int. 2018) related similar debates at the time they planned to open their children's museum. While their research showed that some people judge free access as implying less quality, they realised that even a R5 entry fee would immediately exclude a large proportion of residents in the area (*ibid.*). It is significant that, for example, with the new exhibition on the ramparts, people could engage with the symbolic importance of the space in openly accessible areas. However, it is problematic that so many people have remained excluded from fully experiencing the site and thus participating in new South African public culture being generated at Constitution Hill. Some visitors to the precinct have related their anger at the exclusion created by the price of entry, deepening their feeling that the space is not for them (PSU2, int. 2018; PSU5, conv. 2018). It is important to note that both Constitution Hill and Play Africa have aimed to mitigate aspects of this situation for school groups that come for tours and the museums by charging on a sliding scale according to what the school can afford (*ibid.*).

Accessibility for events hosted on the site has been be uneven and complex. While many are technically free and open, they were not often advertised noticeably on site. Many of such events I have attended, including book launches, talks and exhibitions, I only heard about by being on certain email lists that one might be able to get onto with a very specific, elite social and cultural capital (also noted by PSU23, int. 2019). To what extent can these events and the public work of institutions on site be characterised as instances of public-interested work occurring in private space, given limits to accessibility? To what extent does the nature of the work transform the spaces from private to public? These questions are complex, contingent, and further contribute to the blurring between the concepts of public and private.

For other events, including Basha Uhuru Youth Day festival, the fences that erected to exclude non-ticket holders often were put up at least a day before the event, and were not dismantled until after the event was over (see figure 6.6 below). This reduced the accessibility and publicness of the space for daily users even outside the time of the event. Basha Uhuru was free of charge for many years until 2017, so ticketed entry and fences create a temporary privatisation of the space, entrenching the blur between public and private at Constitution Hill. The day before the 2018 festival in June, I stood watching people erect the fences and a young man approached me begging for money. He would not make it inside the next day to participate in this formative space of youth public culture, undermining

attempts at inclusive spatial justice. The events at Constitution Hill in relation to appropriate behaviours are discussed in the next section.



Figure 6.6: Temporary fencing restricting public access. Photograph by author, 2018.

6.4.4 Access: events and appropriate use

The events hosted at Constitution Hill have ranged from strong resonance with the site and its human rights focus, to parties and other events seemingly unrelated to its importance as a heritage site, also ranging in terms of accessibility. The We the People programme, which "encourage[s] all South Africans to read, embrace and live the Constitution" (Constitution Hill, 2019) and the Human Rights Festival, have been two of Constitution Hill's flagship events. These are important in promoting and shaping a positive public culture. Besides the ticketing concern raised above, events and parties at times have not clearly linked to a wide-ranging public interest due to their exclusivity and apparent hedonism, for example events focussed on promoting new brands of alcohol. Other events, especially in the Women's Jail, have involved key human rights issues such as gender rights, and the People's Tribunal on Economic Crime resonated deeply with the vision for the site as a human rights precinct. A local resident involved in organising exhibitions and meetings spoke about how "we used it symbolically and … it's quite powerful" in terms of the resonance between the themes of events and the human rights focus of the precinct, as well as the history of the space (PSU21, int. 2018).

However, various parties and concerts hosted there have displayed a disconnect between use and vision in how these events emphasise alcohol and music over human rights focussed concerns, notwithstanding the significance of music in public culture. This disconnect elicited guilty feelings amongst some event attendees: "sometimes I wonder whether it makes sense to have those things there" (PSU3, int. 2019). In response to a question about drinking alcohol there, one user suggested that "We should respect this place, it's got a lot of history", and thus partying, consuming alcohol and behaving hedonistically there are regarded as inappropriate behaviours (PSU1, int. 2018). Another user of the space remembers attending "big gay raves" on the site during the 1990s, which later prompted strong "feelings of guilt on my first tour" because of the hedonism of the raves (inner-city community activist, int. 2018). Poignantly articulating the tension of acceptable use – which links importantly to who is included in conceptions of *the* public – they asked: "Oh god, what were we doing there on this ground?" (*ibid.*)

Views over the appropriate use of a space that is intentionally loaded with meaning are bound to raise some contradictory and paradoxical views. The use of the space by children is an example thereof that complexifies the critique of hedonistic behaviour by adults on the site. A Play Africa employee described their children's museum as a "light-hearted fun space in a historical, iconic and reverent place", suggesting that on one hand "it's really great because it changes the energy of the space but also creates the contrast" with heavier aspects of the site's meaning. On the other hand, they describe "one person who thought maybe it was culturally insensitive to have this energized children's programme in the space" (Play Africa employee, int. 2018).

Part of the vision for the precinct involved shifting the energy of the space in line with the transformation of the country, itself reflected through the architectural and symbolic changes to the precinct. One aspect of this included housing women and children's rights organisations in the Women's Jail "to change the karma of the space" (*ibid.*). In the context of public culture and the use of space, children's relatively free usage of the open spaces in the precinct can teach us valuable lessons in terms of promoting and elaborating a more inclusive and coherent public culture. If following de Beer's (2016: 7) assertion that the "root of our spatial failures" or injustices is "a spiritual or moral deficit", the implication is that key to the antidote is a more generous, open and inclusive public culture, or as de Beer puts it: "radical sharing, a reclamation of the commons through affirming our mutual

interdependence, and a resistance of death-dealing forces such as greed, corruption and unbridled self-interest." In the words of De Certeau, "[t]o practice space is thus to repeat the joyful and silent experience of childhood; it is, in a place, *to be other and to move toward the other*" (1980/4: 110). The way children have used space at Constitution Hill, as they do in other public places, is an example of where the barrier between self and other is lower than for adults, which allows the space of the collective to emerge more directly. Often, in adult interactions, as described in chapter 3, this space of the collective is undermined by the barriers between selves and others. In order to move towards a more inclusive public culture, a key aspect of spatial justice, it is urgent that we learn these lessons from children.

Another advantage of having Play Africa at Constitution Hill also relates more generally to the way children use public space. They are less bound up in politics and social dynamics which often move adults towards a closed public culture. Thus, Play Africa hosts "children from across the city, and they will equalise the play ... they teach the adults" (Play Africa employee, int. 2018). While the other side of the coin is that children internalise their parents' prejudice, the potential at Play Africa for children to teach their parents is significant, for as mentioned above, different groups of adults in the precinct have not tended to interact and engage directly, whereas Play Africa claimed to host children from Sandton, Soweto, Hillbrow and from overseas who have all played together without any qualms. That they have done so with their parents present has encouraged engagement amongst different adults too. Therefore, the open interactions amongst children and adults promoted by Play Africa may play a role in inculcating social integration, as desired in South African policy and planning, and relatedly, a more inclusive public culture.

6.5 Protest and civic importance

As mentioned, the impact of protest is contingent on its location and ability to be heard by relevant parties. The precinct holds a strong civic importance, given the presence of the Constitutional Court and the cases it hears, its central location in Johannesburg, and the relative openness to protest. The media attention that the precinct attracts – through Court activity, events, festivals and protests – imbues the potential of protests there with a wider significance. Relatedly, key civil society actors gathered in front of the Constitutional Court in 2016 at a time when the country was in a political-constitutional crisis following then President Zuma's flouting of his Constitutional responsibilities (Middelmann, 2016). Therefore, the values intended to infuse the space have been something to which people or

organisations can attach their politics (urban designer, int. 2018). Thus, on one level, it is a unique and special place where the "emergence" of new politics, associated with the vision for the space and thus with the Constitution itself, can be elaborated, seen and felt.

On 13 March 2018 I observed civic action relating to a Court Case about the public accessibility to information on the funding of political parties. The civic action, led by activist group Right2Know, demonstrated significant dynamics around protest and civic action in general, as well as how these relate to the Constitution Hill precinct itself. Prior to the Court hearing, the activists began their protest at the eastern edge of the precinct on Queens Street, meaning that their action could be heard by a wider public than the people who were present in the access-controlled precinct on a quiet morning. I approached the group of about 15 people standing with placards, fairly subdued, at the precinct entrance. Soon a television crew started to approach, and as if to intentionally demonstrate the importance of having protests heard, the group responds to the approaching media officials with a renewed energy of dancing and singing. This was an important claim on the right to the city by appropriating space for public ends (Lefebvre, 1968/1996; Mitchell, 2003). This has on one level been undermined at Constitution Hill because not much of the public congregates in the physical space there. However, it has been amplified there in the sense of how it is on some days a site into which the nation peers through media coverage.

A journalist covering the court judgment that legalised the use of cannabis in private space in September 2018 articulated some of the link between the right to the city and protest action at Constitution Hill. Identifying the key element in the right to the city of *appropriation* (Lefebvre, 1968/1996), the journalist (PSU27, conv. 2018) described how "people are owning the space" through proudly singing, dancing, smoking cannabis and displaying young plants to celebrate their culture (see figure 6.7 below). It is note-worthy that the appropriation and celebrations began hours before the positive judgement, an instance of a shared culture of transgression. The group was composed of a wide range of people across age, race and gender lines, all interacting in a common cause. That they were directly interacting with each other in a space where interaction between different groups is relatively rare is significant in terms of attempts at integration and connection. However, as mentioned in the next chapter on Pieter Roos Park, sometimes shared cultures of transgression can themselves create exclusions, even when legitimised in part, as in the case of the cannabis judgment. The

simultaneity of integration, connection and exclusion demonstrate the dialectical tension between spatial justice and injustice.



Figure 6.7: Celebrating and appropriating for civic uses, based in a shared culture of transgression. Photograph by author, 2018.

6.6 The space and beyond: intersecting levels of publicness

Accessibility at Constitution Hill has worked in dialectical tension with safety and the symbolic integrity of the precinct. The precinct was variously accessible at different levels of publicness. Also, there have been instances in which the visions for the precinct have not resonated with current uses. And yet, the space has been increasingly present in the public conscience, through public use as well as media attention garnered by Court Cases which have important bearing on South African society. An example at site level, related to me by a Play Africa employee, which they claimed as "definitely an exception", was a young boy of around ten years old who walked several kilometres to Constitution Hill with his younger sister because they wanted to learn about apartheid (Play Africa employee, int. 2018). This is an example of how Constitution Hill's goals of becoming a living museum and "beacon of civic consciousness" (Middelmann, 2019b) have at times been met in significant ways. In many ways, the symbolic transformation of the precinct endures and grows in the public consciousness. As described by former public protector Thuli Madonsela (2016: unpaginated):

> Constitution Hill is a testimony to the healing power of the law, when properly used, under apartheid the law was used as an instrument of oppression. … The new constitution envisages the law as a beacon of hope and as an instrument of change. Our constitution is both affirming who we are, but also who we have chosen to become. Hence, the Constitutional Court once referred to the constitution as a bridge to the new society, and this place Constitution Hill is a reminder that we are a resilient society, and that we can change pain into hope.

The Constitutional Court, the precinct's anchor institution, has played an increasingly important role in terms of advancing transformative rights and socio-economic justice in South Africa (e.g. Christiansen, 2010). However, these rights have not necessarily been felt by the precinct's users or residents of surrounding areas. The space has been described by anti-apartheid activist and ANC politician Cheryl Carolus as "almost a holy site" (Constitution Hill, 2017a). This chapter argues for an emphasis in that sentence on *almost*; over-management and the undermining of access prevent the space from fulfilling its full public potential, which reduces its positive impact on spatial justice. Thus, as a public place it is ambiguous, and has remained, in an "ironic path dependency" as a former prison, something of an enclave in the city (Middelmann, 2019b).

In February of 2018 I attended the People's Tribunal on Economic Crime, hosted in the Women's Jail atrium, which illustrated some of the interactions and relations between different levels and types of publicness. The event on one level was publicly accessible, free, contributing to public discourse and attempting elaborations of social justice. While the Women's Jail is not ordinarily open to the public, and even when it is, one must still negotiate security to reach the event, this event was an instance of a group of people *making* the space public through *use for public ends* (Mitchell, 2003). This was achieved through using the space to host an important public dialogue relating to pertinent social issues. And yet, in the context of the precinct, behaviour was still strictly controlled. This creates an ambiguous situation in which one can be deeply engaged in public debate in one part of the precinct, but, perhaps during a break, one might be targeted by a security guard for sitting in the wrong place, eating one's lunch, or taking a phone call in any of the ostensibly public and open parts of the precinct. It is worth noting that these listed examples *have* been related to me by users of the precinct, and some experienced myself. These dynamics raise the question of the extent to which the public-interest work taking place in the precinct can be dissociated

with the management and design of the public space there. Or, as I ask in this chapter, are they intrinsically and ambiguously linked?

6.7 Conclusion

Constitution Hill aimed at confronting and situating colonial and apartheid history by juxtaposing it with an imagination of the future. The site has its own long history of contestation over how to use and remember it, characterised by an ebb and flow of conservation and neglect. Constitution Hill has acted as a powerful site of memorial, remembrance and imagining the future, as well as a human rights precinct housing several institutions engaged in important public work. The intersection of different levels of publicness at Constitution Hill has been deeply complex and at times embodies contradiction. The space straddles and embodies a great deal of what we consider public as well as the paradoxes therein. It is publicly owned, jointly by different spheres of government, but managed by a distinct but state-mandated management company. The site was variously publicly accessible, mostly policed by private security, and mostly occupied by public or semi-public institutions that do work focussing on public goods. Therefore, notions of the public sphere and public space are entangled in the precinct. The relationship between these has not been clearly thought out in terms of spatial manifestations and management procedures for the space, which has contributed to ambiguity in terms of the sites meaning and its relationship with spatial (in)justice. While this chapter focusses on a material public place, Constitution Hill shows how this cannot be entirely separated from other levels and types of publicness, and our conceptual and practical understandings thereof.

While visitor numbers have not continued to increase as fast as they did between 2012 and 2017 (see figure 4.5), the consistency of visitors gradually contributes to the realisation of the dream of Constitution Hill being visited by all citizens. Experiencing the heritage aspects of the site has been incredibly powerful for many people, but others' feelings towards the public places in the precinct are often less positive. Despite Constitution Hill's awareness of the difficult balances it sought to achieve, it succumbed to tensions common in public space around balancing security and accessibility (Middelmann, 2016). This has meant over time that some have felt excluded from the space, and yet, as this thesis argues, the need for and lack of safe public places suggest that Constitution Hill's relative safety indicates an important contribution to a more spatially just inner city. The next chapter analyses Pieter Roos Park, comparatively unsafe but intensely used for a variety of public activities.

7. Pieter Roos Park: A haven from and prism into the city

7.1 Introduction

Pieter Roos Park's densely mixed-use nature changed during my fieldwork, demonstrating a great deal of complexity in the processes of interaction between public space and spatial (in)justice. The perceptions of the park by those involved in it embody paradox. Situations and processes within the park seemed to demonstrate both elaborations and undoings of spatial injustices, throughout its history. The place's main functions included recreational, residential, educational, economic uses. Also, the park's political importance has endured, the history of which is discussed in chapter 4, with regular political uses both for meetings as well as gatherings at the beginning or end of protest marches. The co-existence of so many uses and users in the park resonated with arguments about public space that for it to be truly public and just, it must be open to a variety of uses (Amin, 2008; Landman, 2019). Some of these uses were apparently jarring with each other, for example the recreational activities of children playing sports or other games in the park seemed at odds with other recreational activities of almost exclusively men drinking alcohol, and smoking cigarettes or marijuana. And yet, all of these activities continued in close proximity, seeming not to strongly infringe on one another. This is partly related to how different users, due to the park's size, generally took up particular spaces within the park, leading to the emergence of distinct psycho-geographical zones (Debord, 1955/2006) corresponding to emergent representational spaces (Lefebvre, 1991/2004).

This chapter demonstrates the complexity of processes and dynamics in a publicly owned and managed inner-city park. Through analysis of the history, management, design and use, regarding material, symbolic, perceived and lived dimensions of the space, its relationship to spatial justice is revealed. The chapter briefly discusses the form and situation of the park, then I explore its rhythms (Lefebvre, 1992/2004). After this I consider how important tensions and connections between different users and uses show how the social ecology of the park impacts the dynamics surrounding it in ways that simultaneously exacerbate and help break down spatial injustice. Finally, I hone in on the park's key dynamics over my fieldwork period, focussing on the eviction of public dwellers from the park.

7.1.1 Form and context

Pieter Roos Park is a large open space at the western edge Hillbrow. It lies just north of Braamfontein, and at the south-eastern edge of Parktown. During my fieldwork, the park was adjacent one of Parktown's few streets composed only of apartment blocks, Princess Place (see figure 7.1 below). It was bounded by four wide, busy roads each with at least four lanes of traffic, which meant that access to the park for pedestrians was largely through the corners as they could most safely cross at the intersections. Empire Road was to the south, a busy east-west thoroughfare with BRT routes, and Queens Street on the east, which linked the park to Constitution Hill about 500m to the south. On Queens St. in between the park and Constitution Hill were two primary schools; this space is discussed in the next chapter. St Andrews Road formed the park's northern boundary, and Victoria Road, which connected the downtown core with the northern suburbs, created the western edge to the park. The roads that formed the park's boundaries also indicated the endurance of British imperial names in the area. Interestingly, this continued to contrast with the Afrikaans name of the park, a reminder of the tensions out of which the park arose. Many of the park's users had not known or seemed interested in who Pieter Roos was, even though they *did* know the name of the park. On the other hand, many Johannesburg residents I spoke to who didn't use the park were unfamiliar with its name, despite knowing of its existence and location. This is another instance of a degree of arbitrariness in how inhabitants remember and memorialise, as discussed in chapter 4.

The park was mostly grass-covered, with many large trees, and some areas of dense shrubbery. Its total area was similar to that of Constitution Hill. However, unlike the precinct, the park was relatively free of buildings, with exceptions of a Johannesburg City Power electrical substation next to the parking lot on the park's eastern edge, and an ablutions block in the south. A soccer field with artificial turf was located at the park's western edge, undergoing renovation in late 2019 during the writing of this thesis. Across Victoria Road to the west was commercial land occupied by two gated office-parks and to the north was the University of Witwatersrand's (Wits) gated Education campus. The campus and office-parks both presented palisade fences topped with electric fencing as their only park-facing interfaces with the pavement and road. The securitised entrance to the Wits campus was opposite the north-eastern corner of Pieter Roos Park. The National Children's theatre lay at that same intersection of St Andrews Rd and Queens St, also spatially disconnected from the

park. Junction Avenue, which was south of the theatre, lead eastwards to Park Lane private hospital.



Figure 7.1: Annotated map of Pieter Roos Park, adapted from Google Earth, 2019.

The fences and walls that faced the park from almost all directions, combined with the wide roads surrounding it, have created barriers that isolated the park to an extent and reduced its potential connections with other spaces. Buildings and institutions around the park have been inward looking and, in some ways, turned their backs to the park. That the park had two parking lots shows its conception in the 1960s, an era of increasing car-dependency. This also suggested a lack of direct spatial engagement with surrounding areas *vis-à-vis* pedestrians. Thus, in some ways, the park itself has been designed as inward looking, creating an insularity in the space that reduces its potential as part of a network of public space. I argue that this insularity manifests in many ways in expressing Johannesburg's public culture, undermining attempts towards spatial justice by preventing holistic approaches to city-space. Spatial engagement and non-engagement with the park are discussed further below.

The Braamfontein Spruit, the source of which is less than 1km away under Barnato Park High School, ran through the park as a canal close to its southern edge. The small river was

fenced off by a concrete palisade fence due to security concerns, with two gaps for the paths that connected the southern strip of the park with the larger northern section. It is ironic that this river, which has run through open parkland further north in Johannesburg, has been denaturalised here. Slightly north of this canal, quite centrally located, was the children's playground, mostly paved and with a variety of metal playground equipment. Further north, between the soccer pitch and the eastern parking lot there was a relatively new installation of metal, outdoor gym equipment, and a bandstand, erected by the Parktown Association as mentioned in chapter 4 (Bird, 1998). South of the canal, visually and psycho-geographically separate from the rest of the park, was a strip of flat land, with some tables and seating, the ablutions block, and in the south-western corner there is another parking lot. The ablutions block was next to this, though it was usually locked and regarded as unusable by many park users (PSU2, int. 2019; PSU23, int. 2019; PSU20, int. 2018). As such, all three case sites fail on this important provision of a key basic amenity, undermining their records on spatial justice. Several monuments relating to the apartheid and pre-apartheid history of Parktown and its residents were variously located around the park, as well as public artworks commissioned by the JDA in the mid-2000s.

7.1.2 Rhythm and tension

Pieter Roos Park was connected by multiple intersecting and overlapping rhythms. As I will show in this section, these connections have occurred on multiple levels and scales and have been elaborated through regular rhythms as well as their disruptions and resulting tensions, with implications for spatial justice. Rhythms intersecting at Pieter Roos Park ranged from shifts in usership and use that occurred daily, weekly, seasonally and yearly. Some of these were particular to the local dynamics of the park, while others were connected to events in nearby spaces, showing the importance of linkages between individual public places. The regularities and irregularities of rhythms were connected to much broader processes.

For the larger part of 2018, before Pieter Roos became dominated by residential use, I observed several predominant and relatively regular rhythms in the park. Activities associated with residential rhythms were more pronounced in the mornings and evenings. These activities tended to intersect, especially in the mornings, with the rhythm of commuters and students moving through the park (see figure 7.2 below), which also showed the park's significance of part of a local network of public places. Sunny mornings saw blankets being spread out or hung up to dry, and laundry being done. Most mornings, especially cooler ones,

were characterised by many small fires made by men living there; either to cook breakfast, make tea or coffee, or simply to warm up. Even in the early morning, the park appeared relatively mixed-use, with commuters and exercisers common. This heightened as the day wore on. Traders set up their stalls for the day. Children, in groups of various sizes including bus-loads from schools, began to come the park, whether using the dilapidated artificial playing surface as part of a PT lesson, the playground equipment where young men often spent time dealing in drugs, or any other patch of ground flat enough to play a ball game on.

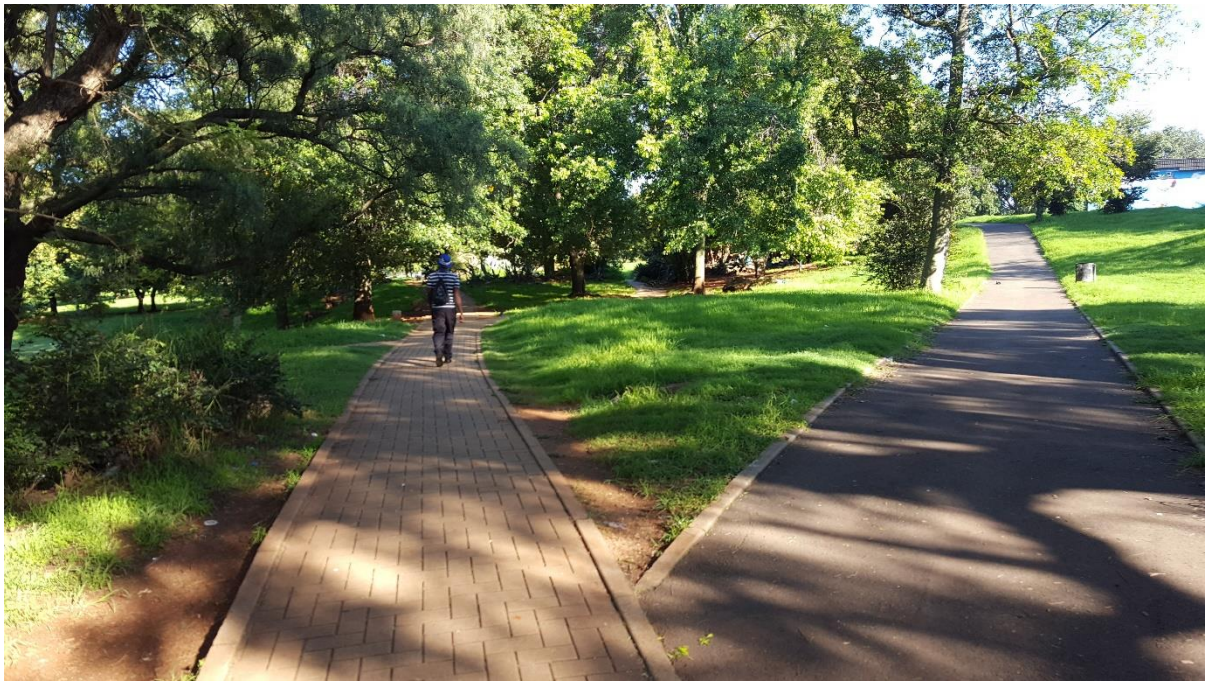


Figure 7.2: Young man commuting through the park. Photograph by author, 2019.

On most weekdays, from early afternoon, the number of schoolchildren playing and relaxing in the park steadily increased after the end of the school-day. The variety of activities, for much of the day, added to feelings of safety for many users. One (PSU21, int. 2018) noted how the soccer pitch, due to its regular utilisation, formed a particularly safe zone in the park due to how it increased the proximity and density of users:

> that's a place where I feel safe … because there you actually feel like if someone hassles you there's gonna be a big footballer that's gonna come and intervene or something. … it gives a sense of community connection [because] people are there to use the public space for … public activities.

This shows the complexity of relationships between perception, safety and reality, as well as how public uses of public places can improve safety and integration and therefore spatial justice at site-level. Some groups of Parktown residents, as discussed in the previous chapter,

felt threatened by the presence of local soccer teams, while this user feels the soccer teams inculcate greater safety.

The coinciding of residential with commuter rhythms was the case in the late afternoons as well, though less pronounced than in the morning. This was because schoolkids, students and other commuters made their way towards home over a wider range of times than at the morning rush. However, as many of the daytime users departed, and the flow of commuters eased off around twilight, the mood of the park changed. As put by one regular user of the park, "You can chill here in the day, in the afternoon it's ok, but in the evening it gets rough" (PSU22, int. 2019). At this time recreational uses tended towards illicit substances, which for many park dwellers was part of their residential rhythm in the park. Visitors to the park also came in the late afternoon to drink alcohol, smoke marijuana, enjoy the open space, and as one user put it, do "romantic things" (*ibid.*). The more illicit uses generally occurred in the interior of the park as well as in the parking lot near the substation.

The activities associated with exercise rhythms were most evident in the early mornings and evenings. The exercise equipment located in the centre of the park was more well-used during the day. The evenings were when exercise rhythms overlapped with the illicit activities described above, though they happened in different areas of the park. According to a member of a regular jogging group, the majority of joggers tended to stick to the edges of the park, staying only on the adjacent pavements rather than cutting through the park or running on the path that loops around it (PSU3, int. 2019). The choice to stay on the edge of the park or on the southern strip of the park adjacent to Empire Road, which I also have observed to be the case for most other exercise groups, was largely due to perceptions of crime in the park, and other feelings of discomfort (*ibid*.). This undermined the potential for people exercising in the area to enjoy doing so in a more natural space than alongside busy roads.

Weekly rhythms were also observable in the park, some determined by connections with other places. These included some activities associated with residential rhythms, for example on certain days park dwellers could access particular social services that show the importance of a networked understanding of public space due to the proximity of other types of space. For instance, on Tuesday and Friday mornings, it was possible to get a free loaf of bread from a Mosque nearby (PSU25, int. 2019), which shaped a rhythm of residents moving out of the park towards the west on those mornings, and returning with loaves of bread later on. The

knowledge and practices around these rhythms, in which park users shared information about accessing goods and services, also indicated elements of what Webster (2014) has termed ‘everyday communism’, referring to dynamics of sharing amongst park dwellers in a park in Pretoria. This also suggests the emergence of an inclusive public culture amongst park dwellers. Another important weekly rhythm in the park was religious. On the weekends, especially Sundays, the park was used by a variety of local African Christian Church groups for their services (e.g. Winkler, 2014). While these gatherings tended to happen in multiple areas in the park, the increased residential use of the park described below gradually pushed religious use to the southern strip of the park.

Longer rhythms such as seasonal changes also shaped the use and management of the park. The warmth and rainfall in the summer months meant that scheduling grass-cutting and maintenance was more complicated because the grass grows quickly but rain patterns are sometimes unpredictable. This required more human and financial resources and occasionally complex time-management as well as increased pressure on natural resources (JCPZ official 1, int. 2019; see figure 7.3). There was an added urgency given that over-grown grass can also have security implications. While the reduced growth of grass has thus been in some ways a relief for Johannesburg City Parks and Zoo (JCPZ) in winter, the winter months also increased pressure on public places due to the desperation of public dwellers surviving in very harsh conditions (*ibid.*). The impacts of this included increased vandalism of plants and other amenities for firewood or material for shelter. Many of the rhythms of the park, including some of these seasonal ones, were disrupted by the increasingly residential function of the park, resulting in tensions discussed in section 7.5 below. For example, where previously park residents found that the natural growth cycles of trees according to changing seasons provided enough firewood to go around, the increased population in the park in 2018 and especially early 2019 undermined this (PSU25, int. 2019): “There is no more wood left in the park for fires.”



Figure 7.3: Photograph of JCPZ employees cutting the grass in summer. By author, 2018.

The other key punctuation to the park's rhythms was by civic gatherings for protests, political marches and meetings. This was discussed in historical context in chapter 4, and I focus on one example of a march from Pieter Roos Park to Constitution Hill in chapter 8. The proximity of the park, as one of the largest open spaces in the inner-city, to other halls of power in central Johannesburg including the Constitutional Court, the Labour Court, and the City Council, has been important in many instances (e.g. News24, 7.5.2013). Civic uses of the park have continued to generate publicness through representational spaces. The parks openness to these uses and proximity to civic spaces have allowed it to facilitate spatial justice on an immediately local level, and as part of networks of public space that are used for protest and civic action in central Johannesburg. This sort of physical presence in public space is an important political act of both appropriation and direct participation; the potential for this foundational use of public space is what actually *makes* spaces public, crucial for exercising the right to the city (Straus 2017, following Pieterse, 2012; Coggins and Pieterse, 2012).

7.2 Management and policing

Pieter Roos Park is on land owned by the City of Johannesburg (CoJ), and is managed by JCPZ, which is itself a CoJ entity. As discussed in the sections above and in chapter 4, multiple city-wide imperatives have over time driven the park's original layout and

development as well as redeveloping parts of it for other functions. For example, along with the city's growing population, a new electrical substation was required, and the City built it within the park, reducing the open space available for users even though the substation only took up a fraction of the land (RKG, undated). It is crucial to recognise bounded public places as also small pieces of a large city, and so land, especially when relatively undeveloped, is beholden to a variety of pressures. In the case of public land, these pressures must be managed by different city departments and agencies. While it is a publicly owned and managed space, there has also been varying influence from nearby residents, park users, the media and other spheres of government. Collaboration between JCPZ, responsible for the park, with other city agencies like the Department of Social Development on issues like homelessness, or with public police on criminal issues, has remained difficult. This was cited by officials as a big part of the reason for struggling to deal holistically with problems in the park (JCPZ officials 1, 2, int. 2019; CoJ official, int. 2019, ICO official, int. 2019), which means that problems are ongoing and attempted solutions have not been cohesive or sustainable. This fragmented management links to the broader lack of coherent and holistic approach to public space generally in Johannesburg and the complexity of social issues, which also relates to the absence of consistent collaboration between different city entities and departments, discussed further in chapter 8.

This lack of collaboration is a theme that manifested in the management of public places in multiple ways. One local (PSU20, int. 2018) residing in Princess Place Street set up the Friends of the Pieter Roos Park Facebook group as part of an attempt to mobilise residents, businesses and institutions to interact more with the park. They complained that the hospitals, university campus, schools and businesses all were uninterested in engaging directly, largely because of fear of crime in the park (*ibid.*). This exacerbated the disconnection between the park and its immediate surrounds created by the wide roads and hard edges in the form of fences and walls presented by adjacent plots. One example was the lack of engagement by the theatre with the park, which was a sadly missed opportunity for public workshops, performances and increased diversity of use in the park (Bird, int. 2018). The consequences of inadequate collaboration reduced the number of users and uses of the park, which undermined the ability of the space to facilitate integration and inclusion, important qualities of publicness and thus of spatial justice.

There is a dialectical tension in public space expressed through the paradoxical interplay between openness and security. The openness in Pieter Roos Park that has at times allowed for a dense mixture of activities and intensely public feeling is partly related to the lack of formal security and policing in the park. And yet, this lack of security decreased safety and comfort to a significant extent. As such, this park, like many public spaces, embodied this paradox. Comparison with the other case study sites drives further into this paradox: it was the common activity of commuting that promoted integration and publicness at Gandhi Square, while at Constitution Hill the nature of different uses and users undermined some forms of interaction. And yet, at Pieter Roos Park the variety of uses has underpinned its vibrancy and publicness. This suggests that the controlled variety of activities at Constitution Hill, referred to as over-management, is a key difference to the under-management at Pieter Roos Park that allows a variety of activities to emerge.

In the post-apartheid years, Pieter Roos Park became increasingly regarded by some Johannesburg residents and park managers as particularly dangerous. While, partly because of a perception that *all* public space is dangerous, the park has generally remained well-used, the perceptions and realities of danger have undermined accessibility for some users. One of the tension points has been the use of the park by criminals for hiding spaces following muggings or smash-and-grabs near the park, either in the bushes or long grass (PSU20, int. 2018; RKG, 9.6.2007), between the mounds meant to prevent soccer, as mentioned, and for a long time by using the canal as an escape route (RKG, 9.6.2007). The canal was closed off at the time of the JDA upgrade to the park in 2008, though it did not entirely prevent the use of the park as an escape route for criminals. For example, over ten years later the canal was still reported as ‘notorious’ and used to ‘flee the scene’ of a mugging in 2019 (North East Tribune, 6.2.2019).

I have observed and heard of both formal and informal approaches towards policing in the park. These sometimes combined with the others to produce actual and perceived securities, and other times undermined the same security. Formal policing efforts included those of the municipal Johannesburg Metropolitan Police Department (JMPD,) whose mandates include enforcement of by-laws and the national South African Police Service (SAPS), who deal with violent and other crime. The SAPS Hillbrow station is 500m south-east of the park. Generally, park rangers employed by JCPZ report any incidences of crime to the public police. However, JCPZ cited a lack of resources as reason for not usually stationing park

rangers at Pieter Roos Park (JCPZ official 1, int. 2019). In the formal approach I also include the occasional involvement of private security, either from Wits or from other companies. Part of the formal approach by public police was undermined by elements of neglect, ignorance and passing the buck. This included JMPD ignoring illicit drug use, stating that this is not their mandate, rather that SAPS is responsible, and walking away from a man using intravenous drugs in broad daylight. While the official jurisdiction and mandates of security services shaped this, it also demonstrated a lack of collaboration between public policing agencies which impacted the use of the park. An element of neglect towards the park has also been displayed by Wits security guards that sit at the edge of the park and face outwards. Aside from these particular examples, I observed this neglectful approach through the general lack of active public police presence within Pieter Roos Park.

Exceptions to neglectful public policing included the presence of SAPS officials when they exercised and fed their horses in the park, or when JMPD carried out aggressive or repressive policing, which was often in the form of a brutal response to by-law infringements, not unique to this park, as discussed in section 7.4. This included the alleged burning of and actual instances of the confiscation of residents' belongings and blankets (termed by officials as a *blitz*[9]). In the case of informal traders, this included the alleged stealing of stock and other possessions, and seemingly arbitrary beatings (PSU24, conv. 2019). This style of policing has been carried out by JMPD at Pieter Roos Park, and links to Marais' (2016: 179) work on Joubert park in which she found that the public police and city official's "regime of control suppressed the formation of public spheres." Formal policing efforts have also included the apprehension of muggers by the JMPD, sometimes in collaboration with park residents, blending formal and informal policing.

Finally, I have observed and heard of elements of informal community policing, often carried out by regular users and residents of the park. One park resident admitted a level of danger in the park but claimed that residents assisted in combatting this: "when there are criminals here, we chase them away" (PSU24, conv. 2019). Another suggested that the men living near the canal, who work as recyclers, assisted in crime prevention, but some new groups of

[9] *Blitz* is an abbreviation of the German term *blitzkrieg* originating from the German bombing of England during World War Two (https://www.etymonline.com/word/blitz). It is used colloquially by officials to refer to the displacement of people living in public space

residents are addicted to *nyaope* (a heroin-based drug) and have exacerbated problems with crime (PSU25, int. 2019). Another instance of informal policing was related to me by a Johannesburg resident who is not a regular user of the park, but was mugged nearby (PSU18, conv. 2018). A park resident assisted in apprehending the criminal who had run into the park to hide. These instances of informal policing imply an element of reciprocal use of the space in risking one's own safety to increase the safety of the park. Reciprocal uses are part of developing a more just public culture, as they also demonstrate an element of self- or auto-management, termed *autogestion* by Lefebvre (1968/1996), a practice which he regards as integral to the right to the city and thus part of a process towards spatial justice.

These types of policing and security affected each other and relate dialectically to uses of the park. For example, the predominance of neglectful policing simultaneously allowed negative feelings and realities of unsafety, but also allowed for a certain openness in the park. This openness promoted a high density of different uses, including illicit ones. Also, the apparent neglect from public police also in some ways relates to informal and community policing, which emerged as a response to a lack of safety in part due to public neglect, shown by the general absence of public police in the park. However, when neglect turns into aggressive policing such as the confiscation of trading stock or shelter material, the social fabric that supports informal community policing is disrupted or broken. This undermines the possibility of self-managed, user-led security in the park. Furthermore, neglect and aggressive policing reflect and manifest insular, harsh public cultures, undermining potential for open, inclusive public cultures associated with *autogestion*.

7.3 Spatial ecology and patterns of use

For much of my fieldwork, especially early in 2018, Pieter Roos Park was composed of semi-distinct zones, separated to some extent according to the nature of use. When I began fieldwork, I observed two zones of residential space: one strip along the canal wall towards the south of the park, and another strip behind the soccer pitch at the western edge of the park. The former strip was largely composed of men working in the recycling industry, and I regularly observed the space south of the canal being used for sorting and storage of reclaimed recyclables. According to JCPZ official 1 (int. 2019), this group of park dwellers was the longest-standing resident group, having been there since about 2016. While these two spaces of residential use were essentially privatised, thereby reducing public access, they remained limited in scale and residential functions remained active in only small parts of the

park. This indicates a level of spatial justice, in that the park was able to accommodate multiple uses including urgent social uses without completely undermining access to the park for many other users. In other ways, it created a level of exclusion which is an immediate form of spatial injustice. And yet, aspects of the exclusion generated by park dwelling are based on problematic perceptions of homelessness and its conflation with crime, drug-use and other anti-social behaviour. People living in the park participated in the city's economy and contributed to park safety. This shows how particular processes and phenomena, even those that seem to manifest aspects of the right to the city, have multiple outcomes in terms of spatial justice.

Another example of the park's spatial ecology which has justice implications was the use of the centrally located playground equipment (see figure 7.4). This space was often appropriated by young men for the purposes of selling and smoking marijuana. These actions represent illegal and illicit use of the park, which created a direct exclusion of children and families from making use of the playground equipment, unless they were willing to expose their children to this practice (PSU20, int. 2018; PSU23, int. 2019). As mentioned, the gender dynamics also played into this exclusion in that most marijuana buyers and sellers were also men, resulting in feelings of discomfort and unsafety for some women, discussed in section 7.3.1.



Figure 7.4: Young men smoking marijuana in the playground. Photograph by author, 2018.

JCPZ employees, usually women, were regularly present in the park, cleaning and picking up litter. The litter, which tended to pile up more quickly than their attempts at picking it up, told stories about the uses of the park. Playing cards attested to gambling, a stray shoe or sandal to children's reckless abandon, empty baggies (commonly used for packaging and sale of illicit substances), used needles, cigarette butts and broken liquor bottles showed an alarming degree of substance abuse. It was difficult to get a sense of the extent to which the different uses of the park were in harmony. On many days, the park seemed harmonious, though often it was evident that this harmony embodied paradox and contradiction. Children played on the field immediately adjacent to a row of shelters, the occupants of which minded their own business as the children did. The sharing of this space, similar to the sharing of playground equipment between drug-dealing youths and playing children, exhibited an extent to which harmony and disharmony are part of life in a city marked by extreme socio-economic inequality and poverty. Instances of crime in the park related to me by other users, some of which were violent, demonstrate that the apparent harmony can dissipate very quickly. That many people continued using the park despite feared and actual crime suggests as much about the public culture of Johannesburg as it does about the park itself: use of Johannesburg's public space seems to necessitate awareness, linked with fear, of potential crime.

In some senses the park has been a place of sanctity for users, demonstrating its facilitation of the right to habitat and to inhabit, constituent aspects of the right to the city (Lefebvre, 1968/1996). "Pieter Roos Park is a lot more protected in the evening for … people that live on the street or waste Pickers [compared to] somewhere … in town where you're under lights and the cops pull through" (PSU21, int. 2018). The size of the park, its undulating topography, dense pockets of vegetation, and perhaps in some senses the imaginations of the park have all contributed to its facilitation of invisibility. This kind of invisibility is important to many marginalised city inhabitants who require this as part of their survival tactics, which links to motivations for living in the park. However, invisibility was undermined by the increasing population of the park, discussed in section 7.4.

7.3.1 Gender and race

Early in my fieldwork in 2018, the park was lively in the variety of uses, adding to its strongly public feel. It was accessed by many different people, and open to a wide variety of social needs, though users of the park were predominantly men. While the residential spaces of the park where people had built shelters were essentially appropriated as privatised zones,

these were limited and there seemed enough space to promote or at least allow other uses. These included various recreational, political and commercial uses. However, despite this apparent openness and public feeling, there were also important exclusions at play that in some ways undermine the publicness of the space. For example, due to the much higher proportion of men in the park, some women found it an uncomfortable space to walk through or spend time in. This suggests that gender over-representation creates spatial injustice on local levels, especially given the prevalence of violence and harassment of women by men in public space (ActionAid, 2015). One couple residing nearby thus preferred visiting The Wilds, a larger park almost 2km away, as it had more of a family-oriented feeling than Pieter Roos Park does with its over-representation of men. Another factor in this decision was that The Wilds has a much higher proportion of indigenous vegetation compared to Pieter Roos, which is largely covered by lawn, and many of its large trees are not indigenous (PSU21, int. 2018).

As the inhabiting population of the park, composed almost entirely of men, continued to increase through late 2018 and early 2019, the exclusion of women was exacerbated. As pointed out by a long-time male resident of the park in early 2019, "women shouldn't come here, it's not safe for them" (PSU25, int. 2019). The dynamics among different users and uses demonstrated important tensions to some extent inherent in public space: broader issues coalesce in public places; unemployment combined with gender roles, sexism and violence exacerbate exclusion of women in the park. The paradoxes therein show that on different levels, these dynamics can simultaneously contribute to undoing forms of spatial injustice and create other spatial injustices. These dynamics are more clearly elaborated through the discussion of appropriate behaviours in public space in the next section. This is a crucial discussion because it indicates how and why certain people are either included or excluded from a vision for public space and therefore membership as part of *the* public.

Racial dynamics also impacted on how the park is experienced by different people. One white woman (PSU20, int. 2018) who used the park regularly with her young son relates her experience of chatting to other parents and park users about safety. She mentioned one black man who was there with his child:

> I would say "is this Park safe for you?" And they would go: "kind of". And I would say "do you think it's safe for me?" And they would say "not really". She describes

> the ‘racial element’ in the park as ‘huge’, pointing out that “I was the only white person they could see for miles around” (*ibid.*).

Historical contestations over uses of the park in the post-apartheid era, discussed in chapter 4, were between mostly white Parktown residents and black soccer teams. This demonstrates how racial tensions manifest spatially over time, linking them to changing public cultures of the city and processes of spatial injustice.

7.3.2 Appropriate behaviour: blurred lines

Many people struggle to draw the line between appropriate and problematic public behaviours. Relatedly, many have also themselves crossed the lines that they have set. An interview with a former resident of multiple Johannesburg parks and user of Pieter Roos Park helps demonstrate this blurriness and is discussed further in chapter 8. He initially took a strong stance of disgust at the alarming regularity at which he found used condoms in public places (PSU2, int. 2019). He didn’t necessarily condemn the act of sex but was concerned about how it “limited [his] freedom of movement in the park” (*ibid.*). He was clear at this point that infringing on other people’s rights of use in this way is unacceptable, though the line he had drawn soon started to blur. He became uneasy, and awkwardly mumbled, seemingly trying to decide whether to share his next point. He spoke slowly, giggling uncomfortably as he admitted:

> Um…. I think defecating in a park, this one can be a bad [thing], but I am very biased cos I did it as well in parks. … You know it was always like another feeling if you see someone else doing it, but it’s something else if you’re homeless, you kind of have to, uhh, do it [because of the inadequate provision of public toilets]. Yeah, it’s a tricky one. (*ibid.*)

As he spoke, he was working through the boundaries of acceptability. These blurry boundaries are indicative of the conceptual and practical tension in public space around its use for private activities by marginalised individuals. This is part of a dialectical tension between societal needs and acceptable public behaviours. He also spoke to the blurry lines set up around what is and isn’t acceptable public behaviour, how this is very much dependent on one’s perspective, which plays a role in how we perceive who is and isn’t a legitimate member of the public (Staeheli and Mitchell, 2007). The discussion also recalls Adegaye and Coetzee’s (2019) insistence that processes moving towards spatial justice must first and

foremost focus on the "least advantaged" people in society. Public dwellers are surely part of this category, and so the way they are treated in public places is critical to spatial justice and injustice, as discussed further in the next section.

7.4 Displacement: ambiguous management of complex problems

Over the course of my fieldwork, between January 2018 and March 2019, I became aware of linked processes of displacement from other open spaces in central Johannesburg. It was important to trace this over time to understand the processual nature of spatial justice and injustice as they unfolded in the park. The removal, displacement, and exclusion of people residing in open places, largely conducted by JCPZ and JMPD, occurred on several occasions during this period, and is partly a result of the fragmented management of public places like the park, raised above. Places that were cleared included Port Plein Park, the public toilets on the corner of Queens and Kotze Streets, and then Atwell Gardens (locations marked on figure 1.1). The clearances incrementally increased the population of Pieter Roos Park, evidenced by the erection of shelters in new parts of the park and residential use of the bandstand (see figure 7.5 below). JCPZ official 1 (int. 2019), a manager of parks in this region of Johannesburg, frankly and directly confirmed my observation of the displacements:

> so it's a vicious circle, you go … to Port Plein, you remove the *vagrants* because now you are tired and everybody is sending you emails, you … become *harsh* and just move them out without a plan 'cos that's not our speciality. All you want to do is *clean your park, lock them out*, … do what you need to do. Whether they're sleeping around the space outside is not your business. … I'm saying "JRA [Johannesburg Roads Agency], it's your road, move them out of your road". … It will never work that way, we will never win our issues like that. (emphasis added)

This passage illuminates several key contradictions of public space and its management in Johannesburg, as well as the harshness of the management culture. One is the lack of systems to manage public spaces holistically. If people are removed from a park and start to live in the street, on some levels it becomes the problem of JRA and no longer the responsibility of JCPZ. And yet, as the official admitted, this is not a sustainable strategy, despite also admitting that this is the way things have continued to be done. As this section will show, displacement from other open spaces increased the population of Pieter Roos Park in an

unsustainable way, disrupting seasonal rhythms as mentioned above and adversely altering patterns of use.



Figure 7.5: Appropriated space in the bandstand, challenging its conception. Photograph by author, early 2019.

The problem, one park resident (PSU25, int. 2019) insisted, involved the nature of some new occupants: "the new ones they don't behave well … they finished the park". These include a community of *nyaope* users who had previously been living in Atwell Gardens, whom he blames for an increase in crime: "The *nyaopes* are involved in crime" (*ibid*.). He disaggregated different user-groups, one category being the type of substance used. For example, the *nyaopes* use *nyaope*, the *maphuzas* are those that drink alcohol. He also spoke about how the increased population of people residing in the park had begun to discourage other uses of the park, which was indeed noticeable in my visits to the park: "before, there [were many] kids coming here, nowadays I see maybe 10 out of 100 come and play, they are less" (*ibid*.). The erosion of other uses of the park was significant, but uneven and incomplete. This demonstrates the inconsistent interplay between perception and reality in how they relate to fear and crime: some users, including many of the school kids who had been playing in the park, reacted to the increased residential function by reducing their use of the park.

However, other users and potential users regarded the park with more distance due to an overall perception that the park is unsafe. For example, Roseneath Primary School across

Empire Road, has implemented a policy of never allowing their students into the park, implying that it was unsafe simply due to its location in town and "near Hillbrow" (pers. corr., Roseneath Primary employee, 9.9.2019). According to an employee (*ibid.*), "we don't have learners playing in that park … we don't allow them to go to that park … for primary leaners it's not safe." Perceptions of crime, which are often exacerbated by the presence of public dwellers, combine with actual instances of crime to produce exclusions. Exclusion from public places is one of the most local, base-level spatial injustices that this research identifies.



Figure 7.6: Perceptions and fear of crime demonstrated by graffiti in the park. Photograph by author, early 2019.

I mentioned to JCPZ official 1 that a park resident had been warned by JMPD that they'd be chased away on 23 February 2019. I noted that all the residents were still present in the park, seemingly excluding other users. JCPZ official 1 (int. 2019) confirmed: "nobody would want to be there", showing a recognition of how the increased occupancy of the park has reduced other uses and would continue to do so, creating a pressure on JCPZ to take some kind of action (*ibid.*). She spoke about how the overwhelming daily nature of the job can distract from growing problems in particular parks, referring also to the case of Pieter Roos Park. Due to the lack of collaboration with law enforcement and social services, processes like the one described above have continued to be exacerbated "until, … with my team, [I] decide to say 'ok JMPD can you assist us with this', and we start a *blitz*". These decisions have also been

influenced by increasing complaints from other residents, and the official laments that other agencies such as those in law enforcement and social services "don't see it as their responsibility until" official assistance is requested (*ibid.*). This is an indication of siloed thinking and fragmented approach to public space which I argue is a barrier to spatially just management. It is also an instance of how the broad spatial injustice of lacking central, affordable accommodation has led to public dwelling, and will likely continue to do so.

The JCPZ official (*ibid.*) described the imperatives driving an intervention at Pieter Roos Park:

> I was actually talking to [my colleague] that we should arrange a *blitz* to remove the guys so that we can hand it over to the contractor for the park, cos it's being upgraded, so my concern was … it's not the first park that we're upgrading in the inner city with challenges, [but] we're upgrading without having any … plans to say how [to] sustain [a genuine improvement in the park].

In this quote the decision to *blitz* or raid the park is confirmed, the official noting that part of the urgency was for a planned upgrade. The official also admitted that the plan for the upgrade of the park was not sustainable nor would it meaningfully contribute to alleviating the problems manifesting in the park. The fact that officials colloquially refer to the clearance of people from spaces where they have been residing as a *blitz* is an example of a harsh, violent public culture. This approach, which also excludes users of the park from the decisions around how the space is used, directly undermines the very intentions of JCPZ to move towards co-production and inclusive development of parks. This in turn weakens the potential for the park to facilitate processes towards spatial justice.

As implied by the official, a few days later, JMPD and JCPZ together cleared most of the residents and shelters out of the park on the 7th of March. The next day I spoke to a regular user of the park, who confirmed in reference to the absence of shelters: "they destroyed them yesterday" (PSU26, int. 2019). They described how the police and parks officials collected all the materials that had been used for shelters and threw them into the back of a truck. They also lamented the lack of plan for alternative accommodation: "where will they go?" (*ibid.*) In the case of the men living there, some anticipated the clearance and planned to go back to the places they still referred to as 'home' (PSU25, int. 2019). This means they were choosing the less preferable of what seem the possible alternatives. It also indicates that despite long-

term residence in the park, their claims to the space were tenuous enough that it didn't feel like home. For others, including people displaced progressively over the past year from one open space to another, the future is no doubt less clear. Some may have 'homes' elsewhere they can return to, and many will try to find a way of surviving somewhere in town. The latter course depends on the openness of places where management is relaxed enough for them to find a place to settle, however briefly.

In light of a trend articulated by JCPZ official 2 (int. 2019) towards fencing off open spaces and increasing the patchworks of open spaces that are privately securitised, the options of where to go for public dwellers are increasingly limited. This breaks down important networks of open, public places. While some of the actions of people living in public may be deemed unjust or unpublic, the way they are ultimately treated by those in positions of power contribute to a hardening, exclusionary public culture, which reproduces repressive management and undermines spatial justice by reducing possibilities for inclusion.

On one level, residential appropriation of centrally located open space responds to the over-arching spatial injustice of peripherally located and unaffordable housing. According to De Beer (2016: 9),

> "from the perspective of those occupying land it is simply a fundamental affirmation of life … a cry for a new way of being human in the city …. It is at the same time a refusal to accept that a human being can be illegal when they find space in a city that does not offer them space."

This resonates with Mitchell's (2003: 20) application of the right to the city to housing and public space: "the right to housing needs to be dissociated from the right to property and returned to the right to inhabit". However, the extension and intensification of residential use did begin to undermine other uses at Pieter Roos Park. Accessibility to the park was reduced for other users, thus restricting the use of the park, implying a different element of spatial injustice at the immediate level of the park and adjacent neighbourhoods. This is an example of how spatial (in)justice interacts dialectically with public space.

Even at a base level, it is argued by some that the erection of a single shelter in open space is essentially a private claim on public land that inherently excludes others (PSU20, int. 2018). Read in this way, the displacement of public dwellers from the park, in an attempt to restore accessibility to a wider variety of users, was a just act. And yet, the nature of eviction by

JCPZ and JMPD, in which people's shelters (homes) were thrown into the back of a truck, is an instance of a hardened, exclusionary public culture. It is indeed not straightforward to measure the effects of public cultures on material realities associated with spatial justice. However, I argue here that unchecked elaborations of an exclusionary, violent public culture, demonstrate on some level an uncaringness for the lives of desperate people. This is sure to undermine attempts at integration and inclusion, both factors which are regarded important for a South African spatial justice (CoJ, 2018; South Africa, 2016). Also, it is an instance of how the lack of holistic understanding of and approach to public space means that interventions are focussed on the symptoms of broader spatial injustices rather than on trying to use public space to address those injustices.

7.5 Futures and pasts: uneven processes of change

It is important to recognise, given that public space is experienced as a network, that there were social services available to many marginalised people in the area. For example, the Governor's House, which provided assistance but not shelter to public dwellers, was only 700m up Queens St and opposite Constitution Hill. Social workers have also visited the park over time and tried to assist people with pathways out of homelessness (JCPZ official 1, int. 2019). Even the same official (*ibid.*) who ordered the *blitz* on Pieter Roos Park has on numerous occasions tried at different levels to assist people out of homelessness:

> it's not just about Social Development doing something, we've been through this process for so many years. … We used to wake up early to just profile [public dwellers and] hear their problems … there was a stage when I would say – [because] that person would be having a child or expecting – "do you wanna go home? I can take you the depot to shower, I can take you to a salon to do your hair so that you go home looking presentable, you really wanna do that?" We … make arrangements [but] when you go to pick [them up], the person is not there. There was a lady with a child. We bought her stuff and everything, and then … gave them the money [for transport home]. The next thing we see her at another park, with the child. Some of these people, they do not wanna go home. They don't want to be helped.

This passage shows that despite how the official has tried to be caring and creative in pushing for solutions, holistic engagement with the complex reasons for public dwelling has been difficult and complex. These dynamics have resulted in a scenario where when faced with the

above, the official says with finality, “that’s when law enforcement should kick in.” And on their command for a *blitz*, the law enforcement did kick in and temporarily, violently displaced what was identified as the ‘problem’ (*ibid.*). This shows, because of the inherent nature of public space, how often people hold contradictory attitudes towards dynamics within space. These contradictory attitudes and inability to imagine and implement sustainable or holistic assistance for public dwellers undermined the potential for the space and JCPZ to contribute to spatial justice. The above passage feigns a generous, inclusionary public culture, though any caring approach at which a resort to violence is still included in the possible lived action must be read as paternalistic, patronising and unjust. This results from the intensity of spatialised socio-economic problems and the persistent lack of sustainable collaboration among different departments and with public dwellers, in other words fragmentation of management and use. The official felt forced into evicting public dwellers which instead demonstrates a hardened, exclusionary public culture. These dynamics also demonstrate the extent to which the trajectories of public places are beholden to that of the city and its overarching spatial injustices. This discussion shows how public spaces shape as well as being shaped by broader processes and cultures, indicating the critical and intrinsic interaction between public space and spatial (in)justice.

As shown, what makes solutions difficult is the reasons for people starting or continuing to live in public being complex and diverse, echoing aspects of other studies on public dwelling in urban areas (Perlman, 2017; Charlton, 2019). This makes co-ordinating social assistance, at times itself of the patronising approach, more difficult (JCPZ official 1). For example, the Social Development Department (CoJ, 2019: unpaginated, emphasis added) articulated the purpose of a 2019 site visit to the inner city regarding public dwelling as “to identify hotspots where displaced persons [also referred to as “vagrants”] in the city *roamed* around.” They admitted that their attempts at social assistance were not closely aligned with others involved in the management of these spaces, nor with the needs and desires of public dwellers, though there lacks an understanding of why this has continued to be the case (*ibid*.). A JICP member (int. 2018) describes Johannesburg’s situation of public dwelling as a “tsunami”, specially requiring of a “cohesive” and therefore collaborative approach in light of the myriad drivers of the phenomenon.

Some days after the clearance of Pieter Roos Park, as I shifted from fieldwork into analysis and writing in March 2019, the upgrade of the park began, with various evidence of

construction underway. The fate of those removed remained unclear. However, JCPZ official 1's (int. 2019) assessment of the planned upgrade suggested the possibility that many will simply return. One regular user of the park remembered a point during 2018 when JMPD came and took the belongings of some of the park residents in an attempt to evict them (PSU19, conv. 2019). Within days, the user continued, the Islamic Gift of the Givers charity had provided the park dwellers with new blankets and materials for shelters (*ibid*.). Importantly, in 2019 the Supreme Court of Appeal judged a similar instance of JMPD confiscating the belongings of public dwellers to be unconstitutional, and ordered the return of belongings and financial compensation.[10] This suggests a new and enhanced level of protection for public dwellers, though the account of displacement at Pieter Roos Park shows that this protection will likely remain uneven. Public dwellers do not often have access to legal representation, such as in the case of Pieter Roos Park, and perhaps don't know their rights or how best to claim them. This speaks to the potential of the right to the city that can facilitate direct claims on space in the sense of the right as a "cry and a demand" (Lefebvre, 1968/1996: 158).

JCPZ official 1 (int. 2019) told me about the planned upgrade in 2019, referring to it as "kind of a shortcut project." They lacked the budget to fence the park, which the official admits would have made preventing residence in the park potentially easier, indicative of the trend towards fencing public places amongst some officials and designers (*ibid.*). However, the official continues: "do you wanna see open spaces that are fenced? that's not how it should be" (*ibid*.). I ask about alternatives to fencing in terms of security, and she sadly admits: "because of … limited resources, … I don't think there's any security plan as we speak" (*ibid.*).

During the time of writing in late 2019 and early 2020, I observed that the clearance of the park was ultimately partial, as some shelters remained, and some new ones had since been built. However, other uses of the park, for example by children and exercise groups, seemed to have increased once more. This suggested that the unnerving harmony I observed more than a year previously had been partially restored. This implies a cyclical rhythm: an

[10] *Ngomane & others v City of Johannesburg Metropolitan Municipality & another* (734/2017) [2018] ZASCA 57 (03 April 2019)

intensification of use and residence, followed by displacement and evictions, and onwards. This cyclical rhythm increasingly embeds an interplay between a harsh, exclusionary public culture and a culture of transgression and appropriation. It must be noted that not all users of the park perceived the changes over this period in the same way, demonstrating the paradoxical relationship between perceptions and realities of public space that undergirds uneven management practices. Landman (2019) argues that the quality and variety of activities in public places have a reciprocal relationship. At times, the variety of activities, including public dwelling, seemed to improve their quality through increasing levels of safety, comfort and encounter. However, the quality of some of these same activities had a negative correlation for some other users, thus tended towards reducing the variety of uses and undermining the publicness of the park. This dialectically constrained the ability of the park to inculcate spatial justice.

7.6 Conclusion

Processes of management and (re)design of public spaces, and the way these relate to use, are contingent on a range of factors at different levels. The manifestation of broad issues in parks and open spaces, including unemployment, poverty and spatially unjust housing, combine with personal pressures on officials involved and other factors to produce paradoxical outcomes. The key such manifestation is public dwelling, which the design and management of the other case sites almost entirely precluded, as discussed in the preceding chapters. This was the core tension in the park and demonstrates the dialectical interplay between spatial (in)justice and public space because of how public dwelling is a critical instance of appropriation but also creates exclusion. The constraints faced by officials, and their battles to collaborate more creatively, seemed to undermine the potential value and publicness of the park going forward by tending towards repressive management. However, the lack of community champions for the park, and the limited success of those that have tried to champion the park, were also important factors. The next chapter explores the walking route connecting the sites discussed over the previous three chapters. It draws on examples of the places in between case sites, exploring the significance of how public space is experienced as a network.

8. Tension and connection in Johannesburg's public space: silo-management and networked use

8.1 Introduction

The interplay between management and use of public places is marked by tensions around openness and acceptable uses, as discussed in the preceding three chapters. However, the adverse impacts of broader spatial processes on individual places and the potential for more positive connections with other places have often been under-recognised by management. In this chapter I consider the potential and impacts of connections and disconnections between public places. By emphasising a walking route that connects a variety of places as well as linking Gandhi Square with Constitution Hill and Pieter Roos Park, I explore how public space is experienced as a network. This has implications for how public places are managed, demonstrating conceptions of space, and for how they are used and understood, demonstrating representational spaces. Most of the walking route follows Rissik street, which connects the CBD to Braamfontein across the railway. A wide variety of commercial, educational, civic, residential and public places face Rissik Street. Thus, the chapter provides a sense of a range of different public place management practices and their impacts on users and the uses that spaces host.

Johannesburg's inner city is home to a wide array of rhythms, indicated in this chapter by allusion to immediate, daily rhythms, seasonal rhythms, political-economic and rhythms. These different levels of rhythm interact in complex, rapidly changing ways that are not easy to apprehend; I argue here that walking in the mode of a *dérive* allows one unique vantage points into these rhythms and their interaction. The walking route discussed in this chapter is charged, remembered, used and represented in many ways. The accounts in this chapter aim to unsettle straightforward narratives about the city and its inhabitants. Relatedly, I explore the importance of perception in the understanding and use of public space by blurring my own uses and perceptions with those of others, partly to elucidate the interplay between structure and agency. This recognises the complexity and mysteriousness of the many layers of meaning-making in the city by contemporary users, sometimes careful and considered, sometimes unconscious.

The route's significance for this study stems from the range of management practices underway in different places along the route. It is also a critical link between the City Council

at Rissik Street's northern end, and the southern part of town, which includes several provincial government buildings (see figures 1.1, 8.3 below). This part of the route is thus an important symbolic space that connects two key centres of power in the organisation of the city (urban designer, int. 2018). Rissik Street ends at the City Council buildings, after which the route follows Joubert Street to Constitution Hill. During my fieldwork, I observed various connections between different places on the route. For example, Atwell Gardens Park and Pieter Roos Park were the two green, relatively open spaces on the route, and were also connected through the phenomenon of public dwelling. I begin this chapter by exploring of the route and its rhythms. Next, I draw on examples of field observations of the space between Pieter Roos Park and Constitution Hill. One example critically analyses a civic action linked to a case in the Constitutional Court, and the other discusses the potential for use of the space by local children. These examples show how design, management and use interact to produce paradoxical justice outcomes. I then relate one man's experience of the case study sites and other public places over time. This demonstrates aspects of the potential of Johannesburg's public space, revealing crucial issues of temporality, access, opportunity and perception. This portrait also provides a face to the complex phenomenon of public dwelling and the potential for public space. The chapter ends by considering the spatial justice implications of the relationship between silo-based public place management and the inherently networked experience of public places.

8.2 Rhythm and connection on a walking[11] route

The foremost rhythms along the walking route from Gandhi Square to Pieter Roos Park were economic. Its busiest weekday times were early mornings and late afternoons: the linear rhythms of commuting for wage labour; spatially unjust, dominated rhythms according to the right to the city as a fight against neoliberal capitalism (Lefebvre, 1992/2004; Zukin, 1995; Brawley, 2010). The southern portion of Rissik Street in the CBD starts as a wide thoroughfare with four northbound lanes. It was busy with pedestrians and cars on Saturdays, though dominated by consumers rather than commuters. Sundays were quiet along most of the route, except in the parks which attracted recreational and religious activities. Broader, cyclical rhythms also played out on this route, determined partly by the seasons. People

[11] A version of this section is published in Middelmann 2019a.

walked more briskly in winter and in summer patterns were disrupted by thunderstorms. In late December the city was noticeably quieter, linking to the historical-economic rhythm of labour migration. Many people, after working and saving money in Johannesburg for the year, return to family homes elsewhere in the country and region, as they have since the early days of mining in the city. Throughout the year, use patterns were layered, with predominant rhythms frequently punctuated, for example by protest or civic action.

Leaving Gandhi Square and heading north, away from the provincial government buildings with relatively quiet, dominating facades, I would soon reach the pair of east-west thoroughfares of Albertina Sisulu (formerly Market) and Commissioner Streets. On the right, a mural painted by South African artist Faith 47 had foregrounded an empty plot between Fox and Albertina Sisulu Streets for the past several years. A building was under construction there during 2018. The mural, which depicted several running Zebras, was gradually covered up, but not painted over, by the growing building; this was a shift uniquely perceived through regular walking (Malcomess and Kreutzfeldt, 2013). The array of influences on individuals' perceptions of the city changes rapidly through both space and time, as does the mutual interaction between the individual and the collective. This array can produce a "wandering of the semantic" (de Certeau, 1980/1984: 102), in which the meanings of experiences in the city are layered, mysterious and partly beyond consciousness. These influences and interactions have both known and unknown traces, which feed back into how people use and understand space. Moreover, these dynamics are a significant part of how public culture is generated (Zukin 1995), and thus have salient, if sometimes mysterious, implications for public space, its meaning, and thus its interactions with spatial (in)justice.

The next block to the north was an in-between space that indicated ambiguity in terms of acceptable uses. On the right is the Rissik Street Post Office, a potent connector of memory, time, meaning and urban change. It is one of only two buildings, along with the Fort, left in Johannesburg from the time of the Transvaal Republic (ZAR). It was adorned with a clock tower during British colonial rule in the 1900s, signifying a symbolic adherence to imperial time (pers. corr. with academic of the state, 14.5.2018). In the 1920s parliament "called it a disgrace," leading to a debate over whether to demolish it that lasted for several decades (RDM, 30.8.1969). In the 1970s, conservation activism had gained momentum (*Sunday Times,* 1.13.1974), leading to its declaration as a national monument in 1978. It closed its doors as a post office in 1996 (*City Press,* 19.10.2010). Its recent period of abandonment ties

to the ebb and flow of its perceived importance throughout its history. Older residents recall posting letters there, an act almost alien to me given I have never seen it functioning. Inner-city demographic change that occurred for the period of the building's abandonment, especially during the 1990s, implies that many who now use the city will probably not have known it as a post office. The sense of abandonment, exacerbated by a damaging fire in 2009, is for me built into its status as a Johannesburg icon. For several years it has been covered in scaffolding and green netting (see Figure 8.1), by late 2018 starting to show outward signs of renovation. It is gradually emerging from a period as a near-forgotten ruin, with plans indicating it would be a mixed-use community facility and museum (Itzkin, 2018).

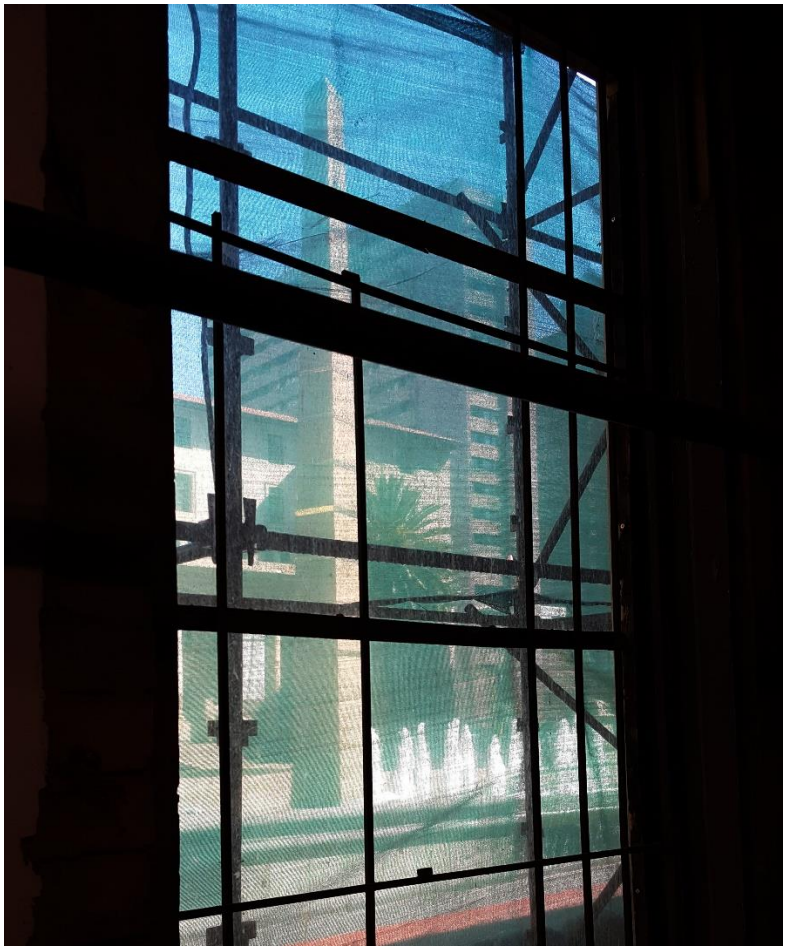


Figure 8.1: Plaza in front of City Hall/ Gauteng Legislature, from inside Rissik Street Post Office. Photograph by author, 2018.

Opposite the old Post Office is the former City Hall, which has a long history as a site of protest and oppositional politics (Itzkin, 2018). It has been occupied by the Gauteng Legislature, listed as one of South Africa's current national key points at which protests are limited and controlled (*News24*, 23.1.2015). The potential for civic action in a symbolically

important space is undermined, indicating disconnection between its present and past, though at times people still make appropriative claims on the space (e.g. *New Frame*, 27.9.2019). This creates continuities in civic activism and a public culture of transgression. Controls over usage of public places for civic action are increasingly widespread around the world, eroding the public qualities of urban space (Terzi and Tonnelat, 2017). At the time of my fieldwork, no passers-by were permitted to sit on the steps to the unused, east-facing entrance, nor on the planters with wide concrete verges seemingly designed for seating. However, there was some flexibility in these regulations. The surveillance cameras, which monitor public behaviour and security guard conduct, did not reach the planters around the plaza's edges. Therefore, some guards allowed one to sit there. Generally, though, the plaza was managed as a thoroughfare, not as a space to linger in and enjoy, nor to protest, picket or influence the decisions of the provincial legislature.

Further north, within the City Improvement District (CID; see figure 8.3 for CID boundaries), the edges of Rissik Street were harder in the sense of impermeable walls facing the street from larger businesses, and less variety of sidewalk-activity. Beyond this was a distinct break in the atmosphere when crossing Jeppe Street and leaving the CID (see figure 8.2 below). The shops were smaller and had more interaction with the life on the street. The "bouquet of rhythms" was denser (Lefebvre, 1992/2004: 20). The groups of patrolling metropolitan police had a strong and far-reaching aura that disrupted this 'bouquet', adding to its complexity. Many issues are bound up in public place perception and use: fear, crime, safety and xenophobia all shape these rhythms and their disruptions in Johannesburg. One man walked on the street rather than the pavement to avoid both police and criminals: "I'm less likely to get robbed there; I'm less likely to get stopped by police" (PSU2, int. 2018). With thousands thinking and acting along these and many other lines, the spatial patterns of use can at times appear chaotic: "The paths that correspond in this intertwining, unrecognized poems in which each body is an element signed by many others, elude legibility" (de Certeau 1980/1984: 93).



Figure 8.2: A city of contrasts: crossing Jeppe Street. Photograph by author, 2018.

Early mornings saw public dwellers waking up as numerous commuters walked by hurriedly, frequently engaging in the unique dances choreographed between Johannesburg's pedestrians and motor vehicles. These movements refracted, played out and subverted the power relations of the city's class inequalities. Car ownership signifies wealth, and when juxtaposed with those who can afford only to walk and use public transport, this highlights inequality. Some residents subverted this through a 'tactic' (De Certeau, 1980/1984) of assertively crossing roads in a way that challenged motorists' rights of way, quietly but powerfully claiming space. By the time the shops opened, public dwellers had cleared their sleeping spaces. During the day, informal economic activities were denser on this stretch than on the remainder of the route. By dusk, shops were shutting, and the permeability of the street's edges closed off. The energy of commuters rushing home intensified. The streets gradually became occupied by those seeking shelter or an undisturbed place to consume illicit substances. With the return of morning, the functions and activities of the street shifted again.

On this stretch was Atwell Gardens Park. It had trees around its edges but was largely paved, with two dilapidated artificial playing fields. Like the southern strip of Pieter Roos Park, it was occupied mostly by young men. Until early 2019 Atwell Gardens' primary uses included sleeping, gambling, and trade and consumption of drugs, though unlike Pieter Roos Park it

was not used as an informal sorting and storage space for recyclers. It is difficult to discuss this space without coming across as prejudiced, or as stereotyping inner-city parks. However, these phenomena are concentrated to some extent into certain areas. This is not to homogenise people using the space but rather to indicate the consequences of political and economic processes that have resulted in related yet distinct phenomena such as homelessness, poverty, unemployment and drug-use. Atwell Gardens was thus a space where severe social ills are evident. Madoda Ntuli is part of the Homeless Writer's Project that has been gathering stories of homeless or formerly homeless people in Johannesburg since 2009. He (2017: 53) wrote about the park as looking

> very old. … Very few kids play there now. I used to spend Sundays there alone minding my own business, but recently the park has been taken over by gangsters and *nyaope* sellers and smokers. Every *nyaope* guy has a screwdriver hidden in his trousers. … Recently, as I was sitting there, I saw two *nyaope* boys robbing a dealer. They grabbed him from the back …, brought him down, took the *nyaope* he was holding and ran away. After a while he woke and followed them, … stabbed one of them with a screwdriver in full view of people watching and then he walked away. … As he lay there bleeding, people walked away without helping. Later, police came to collect him. I never saw him again, but the stabber still comes to the park and life goes on as usual. This is Johannesburg.

The crystallisation of these social issues seems partly due to fragmentation of security services created by the presence elsewhere, and absence here, of CID private security, as discussed in relation to Gandhi Square's management in chapter 5 (Bénit-Gbaffou 2008; Clarno and Murray 2013; Paasche, Yarwood, and Sidaway 2014). The experiences of an inner-city resident, discussed further in the portrait in section 8.4, demonstrate complexity and the importance of perception in the impacts of CIDs. He preferred Rissik to Eloff Street late at night on his way from Park Station to his home on Albertina Sisulu Road, which included passing Atwell Gardens and people using *nyaope* on the pavements (PSU2, int. 2018). Whilst he felt "slightly uncomfortable at night, where there are all these druggies," he thought that drug users may be pre-occupied and therefore not indulging in crime themselves or likely to help him if others were to commit a crime against him (*ibid*.). Nonetheless, he felt safer and

"much more comfortable" once back in the CID. Subconsciously, by choosing to walk on the road rather than pavement, he manifested his own *dérive* (Debord, 1955/2006). These choices are ones that all people make every day, based on the most appealing psycho-geographical atmospheres and a mix of material conditions and idiosyncratic perceptions. This demonstrates complexity in the interaction between structure and agency as one strongly marked by perceptions. Importantly, this interaction can change quickly over time, as can the nature of public places. As mentioned in chapter 7, Atwell Gardens was one of several public places from which public dwellers were displaced in early 2019. This increased the population of Pieter Roos Park, adding pressure and leading to a further eviction. And yet, the displacement from Atwell Gardens resulted in its return to use by local children for recreation, fulfilling their significant need of a place to play after school ends (JCPZ official 1, int. 2019).

Unaware of the CID's existence, it was only the distinct change in psycho-geographical atmosphere that signified an edge to the aforementioned resident (PSU2, int. 2018). His boundary of comfort corresponded to the map of the CID (see Figure 8.3 below). He thus highlighted the fragmentary consequences of CID policing (*ibid*.). However, many people in Johannesburg have immediately mentioned safety as a key need in public places. As such, despite important critiques around CIDs and their contribution to the privatisation of public space, these are also spaces in which users perceive genuine value (e.g. PSU2, int. 2018; PSU7, int. 2019). In light of the serious need for a safer inner city, a former JDA official claims of CID critiques that "all the people that write those critiques live in areas that are clean and safe", referring to the spatial inequalities of Johannesburg as well as the relative unsafety in the context of the global South. The impact of CIDs on security in the city is multifaceted, and it is not necessarily an indictment on them that places outside their control are more dangerous than those they securitise. It is important to trace their impact over time as part of a processual understanding of spatial justice, as CIDs can create spaces that are "more public" even whilst they may exacerbate fragmentation (Paasche, 2012: 56).

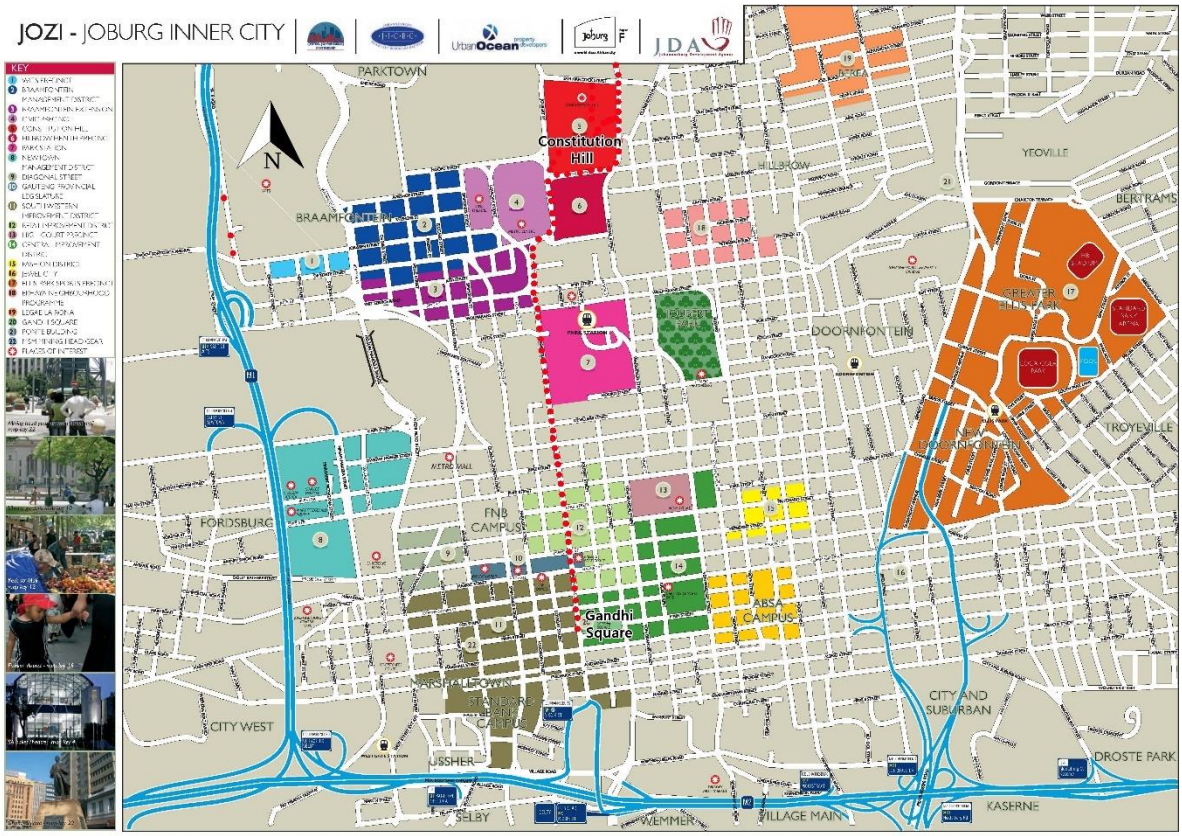


Figure 8.3: Map showing CID boundaries, walking route in red dots. Pieter Roos Park just beyond the northern edge of this map, see figure 1.1 for context. Source: Kagiso Urban Management, 2008 (with permission).

The stretch of Rissik Street, between the CID and Park Station – Johannesburg's central railway station – made me less at ease as a pedestrian. This was largely because of experiences and threats of crime, notwithstanding many positive engagements with other people there. My unease also came from some uncomfortable interactions related to my relative wealth in a low-income area, linked to my whiteness and privilege in a predominantly black area. Nonetheless, it is where I sensed the essence of Johannesburg, captured in the popular colloquial name *Jozi*; a city that is endearing but also feels on edge, partly because my experience of this part of the city embodied some of its contradictions. It is where the reality of the city matched more closely with my imagination of it. As Zukin (1995: 259) writes, "public spaces are the primary site of public culture; they are a window into the city's soul." *Jozi*, with its short but eventful history, rapid change, dynamism and extreme inequality, does not signal to me that its public culture and places *should* be too clean, or perhaps even too safe. Nevertheless, as mentioned, safety is the primary need cited by users of the places I studied. Thus, my feelings on this route embodied contradiction. A

constant sense of non-safety is part of the culture of Johannesburg; therefore the non-CID space had a certain problematic familiarity.

To get from the CBD to Braamfontein, I would cross the bridge over the railway tracks and adjacent to a parking lot for Park Station which also had pedestrian access. Here, Rissik Street turned into two northbound lanes and one bus-lane in each direction, with wide pavements on either side. It was a commonly held perception that the several bridges crossing the railway tracks are especially dangerous, often the site of attempted muggings. One Thursday around lunchtime, I walked north along this route with Hans, a German friend researching skateboarding culture in the city. As we neared the bridge, a man with a reflective vest approached, asking where we are from. I answered that we are from Johannesburg, but he replied, "no, you're from Germany." Even after I said "*Sibuya eJozi*" [We come from Johannesburg], he insisted, "you are tourists, you are from Germany." As mentioned, it was uncommon for white people to walk here. We continued walking and another man joined us, also dressed in a reflective vest. I was thinking about the irony that Hans *is* directly from Germany and that my grandfather came to South Africa from Germany. Yet, I maintained my insistence, in Zulu, that I was from Johannesburg. Hans stayed quiet. We were aware of this common strategy for mugging people: surrounding you and chatting to distract you. The second man, however, was curious about me speaking Zulu and struck up a conversation. After his surprise and disbelief at my name, he asked how I got it. When I was able to reply that my parents gave it to me, he seemed convinced that I was local. To him, and to many, to legitimately hold this name, I must speak this language. He tells his companion: "Wow, this guy can speak."

At this moment, the energy of the situation shifted, the tension of the apparent mugging plan suddenly fading. We continued chatting in Zulu, apparently a simple act, though perhaps uncommon and something that changed the dynamics of the interaction significantly. Hans and the other man had started talking too. When we were about halfway across the bridge, a private security vehicle drew alongside and asked if we are ok. I affirmed that we were, and the man speaking to Hans lost interest and trailed off. This indicated that his intentions went beyond conversation. It was ironic that private security guards who happened to be passing by, with no mandate for this space, helped diffuse the situation. The other man then asked for some money. I gave him a coin and apologised that I did not have more; the final energy transfer of the interaction. According to many, this is also a test piece to see whether someone

is deserving of being robbed. In this case it felt as a symbolic transfer of a little bit from the privileged to the marginalised to preserve the status quo. By this time, the situation felt quite friendly, and the men turned back towards the CBD.

North of Park Station, as the hill steepens, the density of commuters increased. Allowing myself to succumb to this daily rhythm connected me to what Lefebvre (1992/2004) would refer to as the city's energetic thrust. People streamed out of Park Station's north-west exit and into Braamfontein in the morning, and back into Park Station in the evening, to be redistributed – some through Gandhi Square – to Johannesburg's peripheries in a reproduction of apartheid city rhythms. Whilst Lefebvre (1992/2004: 30) shows these linear rhythms as dominated, he also claims that they are made up of "change and encounter," thus demonstrating the potential for shifts in use and appropriation of space. In dense, complex urban environments like downtown Johannesburg, this implies a unique and continuous working-out of the paradoxical tension between structure and agency.

In the mornings, many would stop quickly to buy *amagwinya* [fried bread] from the row of sellers on Rissik Street between the intersections with perpendicular Smit and Wolmarans Streets. Some of the sellers would finish their stock well before 8 am. Continuing north brings one to the top of the ridge that forms part of a continental watershed (Parker *et al.*, 2017) where the atmosphere was generally quieter. On a city-wide scale, the ridge separates Johannesburg's lush and wealthy north from its harsher and poorer south. Passing the Civic Centre that houses the City Council, one could observe smatterings of individuals using the free Wi-fi there, alongside a piece of graffiti on a low wall that read "We hate Sandton." Sandton, a suburb further north that in some ways represents the city's new CBD, epitomises the wealth of Johannesburg's north. The graffiti articulates some of the frustration about the extent of inequality in the city. The area around the Civic Centre, where Rissik Street ends, was dominated by wide roads of traffic. Other than at rush hour, when commuters filled the pavements, the street life was sparser, with only a few informal traders present.

Cresting the ridge after Rissik Street ends and merges into Joubert Street, one would reach the symbolic Constitution Hill precinct. One could continue around the precinct's edges, where the streets felt more like the remainder of the inner city with its associated liveliness, graffiti and wide range of sounds. Alternatively, one could cut through the relatively quiet precinct, with the possibility of a solemn, reflective experience of walking between the city

and the nation's past and future, as envisioned by the team who conceptualised the precinct. However, this would include a risk of being interrogated by a security guard for not behaving in accordance with acceptable uses, an experience many people have related to me whilst traversing Constitution Hill. Heading down the hill, one would pass two public primary-schools, discussed further in section 8.3.2. Across Empire Road is the southern end of Pieter Roos Park. The park's relative undermanagement allowed me a greater freedom of use than at Constitution Hill.

8.3 Active civic spine with under-fulfilled public potential

This route's value for civic action or protest has not been widely acknowledged. However, as mentioned above, it has held potential as a charged space for civic action (Middelmann, 2019a), which is central to democratic public space (Mitchell 2003). A protest one morning in May 2018 demonstrated Rissik Street's continued significance as a space where demands can be brought to the attention of relevant authorities. At the north-western entrance to Park Station, an intersection was blocked with debris and fires in protest against the relatively new regime of Mayor Mashaba and his alleged neglect of the inner city (*Citizen,* 10.5.2018). Traces of smoke and marks on the road from smouldering tyres remained visible from the City Council Chambers for days thereafter. The location of the protest appeared powerful, though other than disrupting the daily rhythm of traffic flow, the impact of such a punctuation on the deeper rhythms of political power remained ambiguous. The differing management practices for the public space along this route will continue to shape its potential for civic action and other forms of publicness.

The remainder of this section focusses mostly on the space between Constitution Hill and Pieter Roos Park. It is a piece of the route that demonstrated key public space tensions that determine the extent of justice for individuals. These tensions existed between conceptions of space (planning and ideas), representational spaces of appropriation, and development dynamics influenced by wider politics. On some days, the park and surrounds became an active space of protest and public campaigns, especially the routes to Constitution Hill. This created critical links between public places and the public sphere and thus produced genuinely *public* space. Yet, on others, this space in-between showed an inability to tap into the full potential of publicness in the area, undermining aspects of spatial justice. To demonstrate these dynamics of publicness and spatial (in)justice, I discuss a march from Pieter Roos Park to the Constitutional Court in section 8.3.1. To elaborate the problems and

opportunities relating to the unfulfilled potential of the space, I explore the example of the schoolchildren that occupy the pavement of Queens Street each afternoon in section 8.3.2. Finally, I show how the displacements discussed in chapter 7 were shaped by a network of other places and processes, supporting an argument that management of public places must be regarded more in terms of their potential links. Together these examples show the different levels at which public places interact with spatial (in)justice, from a broad level in terms of links with the public sphere, and at a micro-, site- and network-level in terms of the links between individual public places in the area.

8.3.1 Protest and acceptable behaviour: processes of publicness

On the 19th of February 2019 the Constitutional Court heard a case regarding appropriate behaviour during public protests.[12] It was an appeal against an earlier judgment in which Alfred Moyo, an informal settlement community development forum leader from Makause,[13] was charged under the Immorality Act by the Germiston police at the Germiston Magistrate's Court with intimidation during a protest in 2017.[14] On the day of the case at the Constitutional Court, activist group Right2Know organised a march from Pieter Roos Park to the Court to protest the clause in the Immorality Act under which Moyo was charged. The march to the Court, along with the actions of both protestors and Constitution Hill management, and the nature of the Court proceedings all related to publicness, cutting through the concept at different levels. The events of the morning expressed important dynamics of public protest, the potential for which is a crucial aspect of the intersection between public space and spatial justice. The way these events unfolded reveal how public places shape struggles for social justice, and how those same social struggles shape in turn those public places and public space more broadly (Mitchell, 2003). This dialectical analysis helps to reveal the complexity of how individual places relate to both site-level spatial (in)justice and broader spatial (in)justices in multi-faceted ways. These dynamics acquire particular salience with regard to Constitution Hill and its edges precisely because it is

[12] Moyo and Another v Minister of Police and Others [2019] ZACC 40
[13] Makause is an informal settlement in Primrose, north of Germiston in Ekurhuleni, the municipality that borders City of Johannesburg to the east.
[14] Moyo v S (A204/2017) [2017] ZAGPJHC 356; 2018 (1) SACR 658 (GJ) (30 November 2017)

positioned as a space of justice, sitting at the intersection of the public sphere and material public space.

I arrived at Pieter Roos Park shortly after 7.30am, the arranged meeting time for those joining the march to the Court. I walked around the park looking for signs of a gathering. It was already after 8.15am when I noticed two SAPS police vehicles in the south-western corner of the park. I headed towards them and found the police nearby a group of about 30 people, some wearing Right2Know t-shirts and carrying flags. I met Alfred Moyo, who greeted me pointedly in Zulu, only softening his tone toward me after we had exchanged pleasantries in Zulu. He lamented the lateness of some protestors, alluding to the difficulty of arranging timeous transport from the low-income, peripherally located areas of Johannesburg. This has been a common issue faced by activists organising civic actions at the Constitutional Court (PSU23, int. 2019), demonstrating how wider spatial inequalities impact the publicness of places at site-level, therefore perpetuating spatial injustice. After a few minutes more waiting and some subdued chanting, Moyo and the others convening the march announced that it was time to begin approaching the Court for the hearing which was scheduled for 10am.

The walk started up Joubert Street towards the South, escorted by the two SAPS vehicles. We marched on the road surface, due to the size of the group and the broken pavement on this section of Joubert Street. This evoked the anger of some motorists, and supportive hooting and chanting from others. This demonstrates some of the content of the theme of today's action and case: people respond differently to protest action. It evokes emotional reactions for many of those involved and those observing. The chant rang out amongst the group: "Down with the Immorality Act, down! Down with apartheid legislation, down!" This refers to the Act's promulgation during the apartheid era. However, the lawyers for the defence later denied that this was part of their defence, again demonstrating the importance of perception in how protest as well as Court proceedings manifest and are understood. As the group approached Constitution Hill, we were connected through mutual action, though I remained separate as I was in some respects only an observer.

The first Constitution Hill entrance we reached was on the precinct's western edge, which could directly connect us to Constitution Square and the Court. It was then after 930am. However, the security guards at this and the next two entrances denied us access, saying that we must proceed around to the other side of the precinct. We had almost circled the precinct by 9.55am, but were again denied access to the eastern entrance, directly adjacent the Court

(see figure 8.4 below). Security guards informed the group that we must enter through Solitary lane, near the north of the precinct. We did so, and then entered Constitution Square via the Great African Steps. By this time, it was past 10am, an instance in which the strict management of the precinct directly constrained its civic and public values, circumscribing a process of spatial justice.



Figure 8.4 Marching down Queens Street, Court building in background (top-left). Photograph by author, 2019.

As the singing, chanting group entered the square, the Court usher rushed out saying "Shhh!" He was either unheard or ignored, as the protestors continued singing. It struck me as an absurd situation: a direct performance of contesting the bounds of acceptable behaviour by protestors, which were on review in Court that day. Namely, that the nature of Moyo's earlier civic actions had allegedly caused fear of harm to others, but that his rights to protest and freedom of expression could be infringed if found guilty.[15] The usher asked "Who is the leader? This is an illegal march!" However, the police accompanying the march insisted that it had been properly planned, which had prompted the police presence. While a Constitutional Court judgment in 2018 decriminalised peaceful protest without permission,[16] the Constitutional Court, as a National Key Point, still requires special permission for protest.

[15] Moyo and Another v Minister of Police and Others [2019] ZACC 40
[16] *Mlungwana and Others v The State and Another* [2018] ZACC 45

The Court proceedings were by then underway. The usher was adamant that in accordance with the new rules, nobody further would be allowed in. The protestors negotiated; these context-specific situations are where the finer details of accessibility are actually worked out. Partly recognising that the precinct security guards' initial refusal of entry had made the group late, the usher eventually agreed to let some of the protestors in. His decision also showed concern that if the protestors were left outside, they would cause disruptions to the proceedings by singing and chanting. As such, several of the group, myself included, entered the Court foyer, where the Usher started reiterating the rules governing behaviour in the Court chambers. Moyo argued back that tourists were let in without concern, further suggesting an impulse at Constitution Hill towards accommodating tourists more than locals, even those whose case was being heard. He then questioned why protestors were not allowed in and complained that the usher had already outlined the rules outside. The usher replied, "I'm just doing my job", at which point a protestor chimed in "we're all professionals". This suggests that she read a class jibe in the usher's statement.

At this stage, we had been allowed into the foyer, explained the rules, and agreed to them. However, Moyo and the usher continued clashing, trying to get the upper hand over the other and drive their own points home; a meta-argument between a rule-maker and a transgressor that is shaped by public cultures of protest and in turn shapes those cultures. Moyo: "I'm General Alfred Moyo, this is my case"; usher: "But you were late, you were supposed to read the rules". Moyo: "I'm the applicant"; usher: "then you should be on time". There was a commotion at the entrance to the chambers, and a tightly packed group of people surrounded those two as we all pushed towards the chamber entrance. A great deal was bound up in these moments: Moyo's reaction was undergirded by the nature of the case, the charges against him and his behaviour, the unfair treatment he felt he and other protestors have been subjected to. The usher's reactions were underpinned by this and other instances of negotiating acceptable behaviour with protestors, about an ongoing struggle to protect the order of the institution. The tension between them demonstrated how the spatialization of publicness, in its interaction with attempts at spatial justice, implies a form of trade-off or creative negotiation.

The escalation of tension between two figures of relative but not complete authority dissipated as about 20 of us made our way into the Court. On one level, the negotiation between them, in which the Court maintained a degree of order and the protestors were able to make certain transgressions, demonstrates a public culture of open conflict but also of

tendency toward resolution. Furthermore, the conception of Constitution Hill as a vital civic space means that democratic protests must be allowed. However, as shown here, the management of the space circumscribed the right to protest. This shows how the conception of Constitution Hill aims to induce difference within the bounds determined by its managers, limiting the ability for people to appropriate space and produce difference (Lefebvre, 1991/2004). The tense negotiations around accessing the Court show how structural factors interact with personalities and their perceptions to produce particular outcomes. Interestingly, the subjectivity of perception came up in the Court proceedings in terms of how and whether protest action can be expected or allowed to cause fear in bystanders.[17]

When the Court broke for a fifteen-minute recess, the protestors gathered in the Square outside and Moyo addressed the group. Recognising that some were struggling to follow the dense legal language of the Court proceedings, Moyo suggested that some of the group should remain out in the Square: "The judges must feel that there are people outside". This suggestion directly contravened the wishes of the usher to maintain order both within and outside the Court chambers. This contestation reflects a key dynamic in public space theory: often the challenges to an existing system that produces exclusion *must* be in transgression of that system (Marcuse, 2014). As written by Staeheli (2010, 72), these transgressions become "disruptive when protest emerges from *a* public that challenges *the* public norms". It is an example of how the appropriation of space creates representational spaces in a direct claim on the right to the city (Lefebvre, 1991/2004, 1968/1996). This connects the protest at Constitution Hill to the public sphere by *making public space public* through a culture of transgression (Mitchel, 2003). Thus,

> the disruptions and struggles associated with democratization are not limited to the spaces of formal, institutionalized power, but may be most powerful when they involve spatial transgressions of one form or another, and a 'relocation' of the public sphere. (Staeheli, 2010: 70)

This extra-legal behaviour both clashed with and shifted the bounds of acceptability within the formal system of the Court. The order desired by the Court did not sit easily with the energy of the protestors; the latter through their transgressions shaped the process of

[17] Moyo and Another v Minister of Police and Others [2019] ZACC 40

publicness. An urban academic who has regularly attended cases at the Constitutional Court suggested these dynamics have been common and often present "a similar kind of challenge" (PSU23, int. 2019), implying that the processes of publicness are continuous, necessitating the processual and dialectical understanding of spatial (in)justice I argue for in this thesis.

Following the recess, the energy of the protest dissipated. The group was split between the Court, the Square, and a room in the Fort where some went for a pre-arranged lunch. When the proceedings concluded, Constitution Square quickly returned to the quiet rhythms that usually characterise it, with the volume of protestors reduced to the extent that their presence no longer outweighed that of tourists and other users. Different users of Constitution Hill have had different reasons for being there, yet these overlapped because of mutual presence in the space, though often without intersecting directly through interaction. To some, this precinct represents the truth of contestation over real life, but only as a museum display. For others, such as Moyo, this is a site of actual contestation over the conditions of real life. People are *still* experiencing and fighting about the things the tourists read about happening to black people *in the past*. The energy of the protest became dormant for the months of waiting until the judgment. The Court usher then stood watching over the quiet square, seemingly happy that it was over for the time-being. In October of 2019 the Court found in favour of Moyo to protect his right to freedom of expression.[18] This indicated a legal shift towards greater accommodation of public protests, crucial for spatial justice, even if this doesn't translate directly into the way Constitution Hill is managed.

8.3.2 A safe space to play that doesn't exist

As mentioned in chapter 4, city planners in Johannesburg had at different moments anticipated a pedestrian-friendly network of public space in the area around Pieter Roos Park, the City Council buildings and the Fort site that became Constitution Hill (City Council, 1962; Stark, 2001). However, the accessibility of street space and connectivity to other public places for pedestrians has been undermined in this area by poor urban management, perceived and actual crime, and wide, busy roads. There were urban management problems like broken paving and fencing, overgrown weeds and missing manhole covers which presented physical danger, site-level issues that impact on the potential of public space

[18] Moyo and Another v Minister of Police and Others [2019] ZACC 40

networks. Also, the area's usability was reduced by a lack of available public toilets. The inadequacy of safe public places in this relatively dense part of Johannesburg, combined with socio-economic challenges, means that problems have coalesced and manifested in the public places that are available. These factors have excluded some users, undermining the potential for spatial justice by reducing opportunities for participation and appropriation. This section focusses on Queens Street between Pieter Roos Park and Constitution Hill. It highlights how the above situation has limited opportunities for the children to play safely following school each afternoon. The situation was exacerbated by the undermanagement of Pieter Roos Park, which was relatively unsafe, and the over-management of Constitution Hill and the continued fencing-off of the proposed We the People Park.

Before and after school each day on this section of Queens Street, several ice cream and sweet sellers would set up stalls. In the afternoons, the children exited the schools onto the pavement and street surface: playing, buying snacks and waiting to be fetched (see figure 8.5). They did not cross the busy Empire road to wait and play in Pieter Roos Park, nor did they cross the much smaller Sam Hancock road to play in the We the People Park, as it remains fenced off and inaccessible. Some of the children use an underground pedestrian tunnel which helps them avoid busy road-crossings to get safely to Hillbrow. However, for those not heading in that direction or going home immediately, there were limited safe options (Roseneath Primary Employee, pers. corr. 9.9.2019). As such, for hours after school ends, many children remained playing on the pavement and street surface, presenting a danger to themselves and motorists.



Figure 8.5: Children playing on the pavement. Photograph by author, 2019.

An employee of Roseneath Primary (*ibid.*), one of the two schools on this stretch, suggested the lack of safe after-school spaces is an unfortunate reality for their learners. Schoolchildren from other schools used Pieter Roos Park progressively less as the residential functions increased in the park, though the learners of Roseneath Primary had not been using the park in the first place, as discussed in chapter 7. It was an instance of how particular perceptions of a space can endure even as the realities of the space change. Without reference to particular examples of crime or the increased residence in the park, the employee continued that "for primary leaners it's not safe, because it's an open space in town, near Hillbrow" (*ibid.*). Concerns over crime in the park notwithstanding, it must be noted that the street and other spaces that the children do use are also 'open spaces in town near Hillbrow', which is part of the daily reality of their lives. While the unsafety of this area implies exclusion, the relative unsafety of many parts of the inner city means that many of inhabitants are forced to use spaces that are unsafe every day. This shows how broader spatial and economic inequalities and injustices manifest in and through public places.

8.3.3 Beset by wider problems, undermined by fragmented management

The section of the walking route between Constitution Hill and Pieter Roos Park, for which one can use either Joubert or Queens Street, demonstrated problems and potentials for Johannesburg's public space. For example, for most of 2018, several people had been living

in and around the dilapidated public toilets located on the corner of Queens and Kotze Streets. In August of 2018, they were displaced to make way for the renovation of the toilets. While the renovations were completed later in 2018, with new fencing erected around the toilet building, it has remained locked from then until the time of writing at the end of 2019 (see figure 8.6 below). The main reason was that the City agency tasked with the renovations is different to that in charge of management and maintenance (Braamfontein CID manager, pers. corr. 2019). The attempt at restoring an important public service was thus undermined by the siloed planning and management of public space, as well as displacing public dwellers.



Figure 8.6: Kotze Street toilets before (left, 2018) and after (right, 2019) displacement, renovation and fencing off. Photographs by author.

A Braamfontein CID manager (*ibid*.) suggests that while funds are set aside for the implementation of projects, this is not always backed up by planning for maintenance and management. This is complicated by occasional vandalism and other transgressive uses, discussed in the next paragraph. In this case, the result was a situation of limbo, where the space was no longer useful for those who had been living there, but also not useful for its intended function as a public toilet. Landman (2019: 177) argues accordingly that a common problem in the design and management of South Africa's public places has been the lack of foresight and planning "for the ongoing maintenance of the places concerned or [… for] secur[ing] the ongoing interest and involvement of a range of stakeholders." This demonstrates how the absence of holistic approaches to public space undermine its potential for publicness and thus spatial justice.

Children sometimes exacerbated the pressures on existing public places in the area through their appropriation of space for playing. For example, a consequence of the lack of safe

playing fields in the area was how they removed paving blocks to use as goalposts for informal soccer games on flat, paved spaces. While in this way children disrupted urban planning and management, their actions also highlighted the lack of safe, accessible playing areas nearby. A security guard (PSU28, conv. 2018) at the newly fenced off toilets cited the children saying "we've got no field to play on." As mentioned in the previous section, the proximity of Pieter Roos and We the People Parks should be doing more to ameliorate this.

The displacement of people from the Kotze Street toilets was part of the series of displacements discussed chapter 7: the fencing-off of Port Plein park, the displacement of people from Atwell Gardens park, these toilets and later Pieter Roos Park. This series of displacements or evictions demonstrated the effects of a hardened, exclusionary public culture that resulted in restrictions on the use of public places. Following the displacement from outside the Kotze Street toilets, I observed in late 2018 an increase in the permanence of shelters in the small public place directly opposite the eastern entrance to Constitution Hill on Queens street. It is significant that directly between this space and the toilets on Kotze street is the Governor's house, an assessment centre for assisting public dwellers and displaced people. Despite the availability and proximity of these services, public dwelling in the area continued to be common, partly due to displacements from elsewhere. This was also partly due to the broader spatio-economic situation of peripheralization, poverty and unemployment which meant public dwelling was an appealing option in central areas because of proximity, even when some form of housing was available on the outskirts of the city. This speaks to how social services do not always match the needs of, nor recognise the complexity and variety of situations that have led to, people dwelling in public. These dynamics again imply a trade-off between facilitating survival of marginalised people and facilitating the use of public places for others, who may also be marginalised. This suggests a need for creative, collaborative approaches to public space in which the connections and disconnections between different spaces are more deeply reckoned with.

8.4 Portrait: A networked experience of public space and services

There is a great deal of complexity in the myriad ways different people use public places. By focussing on the interplay of elements that have shaped public space usage for one individual, this story demonstrates the close relationships between perception, understanding and use of public places. Also, it reiterates the key point of how public space is inherently experienced as a network, which has important implications for management approaches. I include this

portrait to demonstrate that – as much as political uses of public places through civic action are critical for spatial justice – quiet encroachments and personal, public uses of public places are also important elements of spatial justice. I interviewed M, who is originally from Zimbabwe, in his company's offices in Sandton (PSU2, int. 2018). The company he founded in 2014, which focusses on local development and financial inclusion, had recently relocated to Sandton from the Johannesburg CBD. M began his story by discussing his reasons for leaving Harare in 2009 and coming to Johannesburg. While he listed economic factors amongst other personal factors, an immediate reason was searching for his biological father, who was living in Johannesburg. Thus, not long after he himself had finished high school, M left Harare. He arrived in Joburg, as he generally referred to the city, and found his father working as a caretaker in a student commune in Brixton, a mostly working-class area 5km from Gandhi Square (see figure 1.1).

After arriving in Johannesburg, M initially stayed with his father in the accommodation provided in his workplace. M was in a country he claims to have known little to nothing about, other than from reports of the xenophobic violence in 2008, shortly before he moved. It was not an easy decision to travel to Joburg in this context, despite being able to reunite with his father. He does not speak much about those first two weeks but mentioned walking local streets and visiting public places like Kingston Frost Park and Brixton Library to gain familiarity with his surroundings. This initial knowledge of these places was soon to have a wide-ranging and deeply significant impact on his life. After less than two weeks staying with his father in accommodation provided through his work at the student commune, his father's employer informed M that he was no longer welcome. From then, with his father unable to support him further, M was on his own in a new city.

Having had some interaction already with Kingston Frost Park, this was the first place it occurred to him to stay while he planned his next moves and sought opportunities. He described this as his first genuine interaction with Joburg's public space: "over that period, … it then started a journey of myself and parks in the sense that … public parks were much more of a safe space", over time becoming a "home away from home". He admitted that his feelings of safety in parks were related to parks being places he felt less likely to encounter either criminals or the police. He was at the time an undocumented migrant, and so feared deportation as much as he feared crime. M befriended the gardener of Kingston Frost, who

informed him that the park was so well-maintained due to residents' contributions to maintenance.

The next space he interacted most meaningfully with was the Brixton library, where he accessed the internet, books and newspapers that included job advertisements. In addition to this were free workshops hosted at the library teaching business skills. M suggests that the reason he attended was for the free food that accompanied the workshops. However, reflecting on his later success as an entrepreneur, he might have gained more from these workshops than he acknowledged. M's experiences in 2009 of surviving in and of Johannesburg's public space saw him park- and library-hopping between Brixton and downtown Johannesburg. "That's how I passed my time, either I was in a park, or I was in a library".

From the Brixton Library and Kingston Frost Park, he expanded his range east, visiting Mayfair Library and Enoch Sontonga Memorial Park. Soon he discovered the Johannesburg public library in the CBD and the park in front of it, as well as Gandhi Square, which was immediately attractive to him, as mentioned in chapter 5. He much preferred the area around and to the west of Gandhi Square that hosts several bank headquarters, to the areas further north and east near Park Station, Atwell Gardens and Joubert Park, which he felt were dirtier, more crowded and dangerous. A former JDA employee (int. 2019) refers to this area as "chaos precinct." While he avoided Joubert Park accordingly, he enjoyed spending time in the exhibitions at the adjacent Johannesburg Art Gallery (JAG) and Museum Africa in Newtown. Attending museums or galleries was also an important way of accessing safe, clean, public toilets, which he found to be seriously lacking in central Joburg, a spatial injustice at the level of inner-city networks of public places. He complained that most public toilets are "either broken, not working, closed, or you are made to pay R2 … I don't know if that's legal". Even if public toilets were open at night, he would avoid them in fear of criminals. As mentioned above, his emotive map of safety and comfort in the CBD loosely corresponded to CID coverage. Nonetheless, over time he was able to make use of an increasingly valuable network of public places.

Fear of both police and criminals as well as perceptions of both safety and danger increasingly contributed to the way M used public places in his everyday life. When walking in town he would stick to walking on the road rather than the pavement, as there he felt less vulnerable to both predatory policemen or pickpockets and muggers. Even since he acquired

legal residence in South Africa, he continued this pattern of behaviour, primarily intended to avoid crime. This shows how perceptions and observations of potential antagonism shaped his behaviour, and also gets at how, despite the network of public space M was building, many public places felt unfriendly and dangerous. In reference to his experience of the streets of the CBD, at least those outside the City Improvement Districts (CIDs) in the south and west of the CBD, he said "there was never like a sense of like you want to be there". A great deal of this was bound up with fear and with perceived and actual dangers as he moved through Johannesburg.

M also discovered Pieter Roos Park in 2009. He ascribed to it a feeling of safety and relaxation, partly due to its proximity to Parktown, a relatively wealthy area. However, it did not occur to him to spend any nights in Pieter Roos Park. While it felt safe during the day, he assumed it would be dangerous at night given its location near town, in which the density of people and perceptions of crime undermined his feelings of safety. Instead of staying at Pieter Roos Park, he returned to Kingston Frost to spend his nights: "for some reason it felt more homely going that side than staying anywhere close to town."

Key to this feeling of homeliness at Kingston Frost were the relationships he established there: "In parks I'd find more people from Zim[babwe], just hanging around." On some mornings he would join other men, mostly from Zimbabwe, waiting near the park and hoping to jump into the back of a pick-up truck for a day of work. If rush hour passed and no work was found, those remaining

> would just move into the park to chill. So I made … friendships in the park, talk to somebody from home and whatever, and then move on to a different park. … From an immigrant point of view the park gave a sense of belonging.

He does not speak much about xenophobia, though by mentioning it he betrayed his anxiety thereof. His description of friendships with people in similar position showed how important parks were to him and others as spaces of inclusion. Parks were also the place where M began his journey as an entrepreneur. He began by selling loose cigarettes in Kingston Frost Park in 2009, appropriating space for his own survival. The income from this provided a foothold from which he found other opportunities, demonstrating the potential importance of public places in facilitating, or at least allowing, survivalism as part of processes of spatial justice. This appropriation of space is a direct claim on the right to the city.

M's experience of belonging, particularly at Kingston Frost, and to a more limited extent at Pieter Roos, expressed his position as a member of a public or publics. He referred to his experience of all the inner-city parks he has interacted with, discussing different users including dog walkers, young people playing sports, and "people like us who just had nowhere to go, and that was the only place we went to." His use of the word *us* in this context showed his inclusion as part of a public of people who slept in parks, which was closely related to his relationships with people from his home country. This also brings up an interesting tension between public and citizenry. He was including himself as part of the public by being part of a group of non-citizens, which can be regarded as a claim on the right to the city. However, while he did not sleep in Pieter Roos Park, by widening our discussion to all the parks he regularly visited, he showed a connection to those who spent nights there as well. Furthermore, including his *us* as part of a list of *all* the different types of park users, he situated himself within a much broader public. As such, parks in M's life have been spaces of genuine inclusion and thus spatial justice, despite his mentioned avoidance of Joubert Park.

M continued to visit parks after finding steady work and a place to stay on Claim Street in Hillbrow in 2010. On a Sunday, when he had free time, he would pass Joubert Park and instead go to Pieter Roos Park. He felt it was safer, at least during the day, less crowded and more spacious. This allowed for the space of reflection that he valued so deeply about parks, a shift from their earlier role in facilitating his survival. The changing nature in which M used and understood parks also demonstrates key questions of public space: are parks merely spaces to be? Or, following Landman (2019), should they be spaces that facilitate survival of the cities most marginalised inhabitants as part of processes towards spatial justice? Parks played multiple roles for M, as spaces of refuge when he had little elsewhere to go, to becoming the site of his first entrepreneurial endeavours in the city, and later as spaces where he could simply *be*, away from life's other pressures.

M's story highlights some of the contradictions and paradoxes of the city and how its public places are managed. As well as responding to different types of management, his experience shows how experiences of public space are also shaped by perceptions. This came across clearly when I asked him about his experience of policing, security, and rules of different public places. M had insight into a range of types of rules for and management of public places based in his experiences of Johannesburg's parks, libraries, and other public places

like Gandhi Square. Also, later experiences such as working at offices in Constitution Hill between 2014 and 2016 involved interacting with the public places in the precinct. A great deal of what he perceived over time as the rules of different spaces was worked out through his engagement with the forms of management and security.

When I asked about his knowledge of rules in parks, M remembered that "there was always in the park that board that told you 'to dos' and 'not dos' but I don't think I paid, don't think anyone really paid much attention to that." As he thought through his engagement with rules, he remembered his only experience of ever noticing police in a park, when in Kingston Frost one day he was confronted by SAPS who asked if he had been sleeping in the park. He assumed that a local resident had called the police and tipped them off to the presence of people sleeping there but did not feel the police were genuinely interested in taking any further action. It was easy, given this occurred during the day, to simply say "I'm not sleeping here." It was only in relating this memory to me that he realised that one rule is not to sleep in parks.

As he reflected on almost ten years in Johannesburg, with particular reference to public space, M recounted his gratefulness for parks because they

> have really just influenced my growth and progress as a person. A park was a place for not just sleeping and staying, but for … thinking and analysing and reflecting on life.

M spoke about how this played a crucial role in his "mental development", which relates to how he found libraries to be an excellent, free, and accessible route to "gaining knowledge":

> The space where I really knew about South Africa was a library, cos … I started reading about South Africa, [its] languages, current affairs. … It just made me understand the people [and] South Africa a bit more, 'cos I understood the culture. I had information about it, so even when I walked around town, it made it easier to navigate.

While he has had complicated reactions to Johannesburg's public places, he spoke about them with a rare positivity and gratefulness for their role in his life. M's story demonstrates a key point regarding how public places are *made public* by appropriation for significant societal needs. The discussions on protest in this thesis imply that civic action is the main ways that public places are made into public space. And yet, M's use of public places for his

own, urgent needs, demonstrates how these places hold potential as public space; potential that can be activated through use by people who situate themselves as members of the public. Interestingly, M found genuine public value both through spatial practices that corresponded with conceptions of space, for example through using libraries for research and job-seeking. On the other hand, his spatial practices at times involved transgressions and appropriations of space. For example, simply selling cigarettes in parks to survive created a representational space that challenged the conceptions for that type of place.

8.5 Silo thinking and networked space

Part of the reason for the silo-based approach to managing public places is based in the historical turn to neoliberalism in the 1990s that saw a corporatisation of different city entities, as discussed in chapter 4. These include entities involved in aspects of developing and managing public places in Johannesburg: Johannesburg Development Agency (JDA), Johannesburg City Parks and Zoo (JCPZ), and the Johannesburg Roads Agency (JRA). The resultant siloed thinking also relates to how "spaces are not planned by people who intend on using them" (ICO official, int. 2019). This relates to the assertion by Gauteng Premier Makhura (2019) in his 2019 State of the Province address: "we are acutely aware of the yawning gap between our vision and the difficult realities that many of our people are faced with on a daily basis. Gauteng is a province of paradoxes." The motivations and actions of state entities are rooted in a complex political environment and guided by personalities, economic constraints, socio-spatial inequality, institutional inertia and corruption.

JCPZ, as the city agency in charge of managing and maintaining parks, takes on most of the responsibility for Pieter Roos Park. However, due to the crystallisation of social issues in relatively open public places like parks, to manage them successfully JCPZ needs to collaborate closely with other City departments such as Safety and Social Development, as well as with users. JCPZ maintains this aim, though admits it is often a struggle, as are attempts to involve local communities as part of a shift towards co-production as a development and management approach (JCPZ officials 1 and 2, int. 2019). Attempts at moving away from this insular, siloed approach have been uneven: at the same time as the evictions previously described, various City departments, including Social Development and JCPZ, were trying to get an inter-departmental task-team focussed on public dwelling. These attempts are likely to remain uneven, representing an avenue for further research as discussed in chapter 9.

Both historically and contemporarily, as discussed in chapters 4 and 7, the conflicts surrounding Pieter Roos Park demonstrate how a siloed, parochial approach to public places extends beyond state entities into the way communities and residents understand and use public space. These contestations reveal some of the fault-lines along which Johannesburg's public, or publics, are fractured. These contestations are linked to a relative openness in management that facilitated an actively well-used and largely accessible public space. During 2018 and early 2019, various factors gradually eroded this openness, reducing diversity of use and user, and culminating in a violent displacement. This erosion is a demonstration of how opposing public cultures, and their related visions for public space, manifest in more or less just outcomes. Thus, the processes and contestations discussed in this chapter reflect in some ways conflicts to do with spatial (in)justice that characterise aspects of Johannesburg's public culture.

At moments in the democratic era as discussed in chapter 4, processes that seem to favour Parktown over Hillbrow seem to echo the broader spatial inequalities separating Johannesburg's relatively wealthy northern suburbs from the poorer and working-class inner city and southern neighbourhoods. JCPZ official 2 (int. 2019) views spatial justice as including creative redistribution of resources from the north towards the south in response to Johannesburg's spatio-economic inequalities. The official argues that the residents' associations involved in managing parks in northern suburbs could do more to assist or support parks in relatively disadvantaged areas (*ibid.*). This call relates to Low and Iveson's characteristics of just, public space as including "processes that seek to *redistribute* resources" (2016: 12). This implies a call to Parktown's residents, relatively wealthy compared to those of Hillbrow and Berea, for a greater generosity towards the park and its users. This also strengthens Landman's (2019) argument that in South Africa, and other societies dealing with stark inequality, public space has added importance in terms of either redistributive capacity or facilitation of economic activity for survival.

Spatial justice remains elusive practically and conceptually. A City official in the Inner-City Office (ICO, int. 2019) thus argues that in Johannesburg planners are largely attempting to resolve spatial injustice, rather than producing spatial justice: "spatial planning [aims at] corrective behaviour to bring about spatial justice" (*ibid.*). In some ways, imaginations of spatial justice are limited to the absence or correction of spatial injustice. As mentioned, the most demanding and apparent spatial injustice for South African cities is the peripheralization

of people and the inadequacy of centrally located, affordable housing. In line with this, a former JDA employee views local spatial justice as "tak[ing] a horrible old building with an important history, and turn[ing] it into 500 affordable units with playgrounds, and homework rooms, and cleanliness, and laundries and security." However, while the national and local state regard public places as important in terms of inclusion and integration as part of attempts at spatial justice, their role in addressing the broader dimensions of spatial injustice remain unclear (CoJ, 2018; South Africa, 2016).

The same official from the ICO admits that correcting spatial injustice must go beyond the provision of housing and address the inner-city's inadequacy of public places, though the links between these two issues, as discussed in the preceding chapters, are important to note. She suggests that safety in public space is paramount, arguing that safe public places can play a role in "social cohesion, human development, and integration of members of society" (ICO official, int. 2019). While this clashes with arguments that genuinely *public* space embodies contestation and conflict, it does represent dominant official views on the roles of public places. This represents a fragmentation between broad conceptions of Johannesburg's public space and spatial practices that generate representational spaces through public action. This implies a broad public culture of contestation. Implicit clashes in understandings and uses of public space demonstrate some of its paradoxes: it must be safe and ordered to prevent exclusion and promote integration, but it must not be over-managed to the extent that participation and appropriation are denied. However, through *auto-gestion* or emergent practices of self-management, there are possibilities for imagining and articulating a local form of spatial justice that requires less management by powerful institutions or groups (public or private) and instead draws on creative collaborations amongst users. This points in the direction of light-touch management in planning for processes of spatial justice.

The question of order in public places is important in relation to the paradoxes alluded to above. Official views of public places as promoting integration and cohesion imply a degree of order, partly through the focus on safety (ICO official, int. 2019). However, this clashes with the argument from the same official that public space must be "capable to service [people's] basic needs more specifically that these spaces promote human development and productivity and that they ensure participatory inclusion of society into the economy" (*ibid.*). This suggests a greater accommodation of survivalist appropriation of public places, but this presents a threat to the order desired by officials to promote cohesion and integration. Again,

implicit is the need for more creative and collaborative approaches to public places rooted in an open, inclusionary public culture. For example, the presence of informal traders and public dwellers can provide safety in public places, as in the case of Pieter Roos Park. Despite their potential and actual contributions, traders and public dwellers are viewed as undesirable in many public places, such as in Gandhi Square and Constitution Hill where informality and survivalism have been circumscribed, reflecting a fearful, exclusionary public culture that limits processes towards spatial justice. This means that the version of order traders and public dwellers produce does not sit easily with official views of *controlled* order in public places. As Landman (2019: 174) points out, they are the most regular users of public places but still are regularly "excluded from any revisioning attempts," thus denying them participation. Sengupta (2017: 17) argues that exclusion from use and participation can amount to "the material deletion of public space from the public mind" as part of a process of changing the meaning of publicness. This represents a denial of the possibility to reframe the urban as public under the right to the city.

8.6 Conclusion

The examples discussed in this chapter support my argument in this thesis that public places in the city are not planned for and managed holistically enough, partly because they are not understood as a network. The description of the route's rhythms and the portrait serve to explore publicness on a micro-level and in terms of its intrinsic experience as a network. This shows how public places are made into public space by quiet, ordinary uses that respond directly to key societal needs and broad spatial injustice. Section 8.3.1 explored connections between material public places and the public sphere, though this connection is also partly determined by the networked nature of public places and circumscribed by management practices. Processes of publicness are shaped by people fighting to produce genuinely public space through civic and political actions. The implications of these processes of publicness, justice and injustice at different levels are explored in the concluding chapter.

9. Conclusion

9.1 Introduction

Public places are uniquely positioned in relation to spatial (in)justice. They are simultaneously shaped by broad spatial injustices and shaping attempts at resolving them. Attempts at resolving spatial injustices also reflect and manifest public cultures. The nature of these attempts determines how public places respond to broad spatial injustices and also determines aspects of spatial (in)justice at local- and site-levels, which relates to the publicness of those places. Normative ideals for genuinely public space correspond with claims on the right to the city. This follows my framing of the constellation of rights to the city as emphasising the value of urban space in terms of its publicness; in other words prioritising use over exchange value.

Following my assertion in chapter 8 that public space is experienced but not managed as a network, this chapter elaborates on the complexities of management, design, history, perception and use of inner-city public places. It returns to my research questions, starting by comparing main aspects of the case study sites regarding publicness and spatial (in)justice in section 9.2.1. After this, section 9.2.2 focusses on the key research question by exploring different levels at which the interactions between public space and spatial justice manifest. I lay these interactions out on a broad scale, and then examine aspects of the relationship between management and use on the local level of the case sites and the (dis)connections between them. Section 9.2.3 explores the case sites through the lens of memory and meaning to elucidate competing representational spaces emerging through the spatial practices of users. I outline the central contributions of this thesis in section 9.6, before making recommendations for the direction of public space management and understanding in Johannesburg.

9.2 Returning to the research questions

The key research question focusses on the dialectical interactions between public space and spatial (in)justice, which are connected on different levels (Q1; research questions in full on page 21-22). Details of these interactions are revealed through comparisons of the sites and the spaces between them. The analysis of different publics and their competing claims on public space, both historically and during the period of my fieldwork, revealed how Johannesburg's publics are and have been fractured or tended towards coalescing (Q2). This

also was revealing of the current and potential publicness of the case study sites, significant for measuring processes of spatial justice and injustice. Spatial justice provides a cross-cutting perspective on public space, which is understood more clearly through a lens of public culture (Q3). Revisiting the analysis of the inter-relationships between history, design, perception, management and use of the public places in this study provides new insight on the manifestations of broad spatial injustice on public space (Q4). This contributes to a growing understanding of the potential of spatial justice in Johannesburg (Q5). Details of my synthesised responses to the research questions make up the rest of this section.

9.2.1 Comparisons of case sites: planned, emergent, dialectical publicness

This section aims to unpack the core tensions in each case study site, in relation to each other as well as in relation to spatial (in)justice, demonstrating different levels at which the interaction in research question 1 is composed. Reflecting the focus in public space discourse on the dangerous trend of privatisation, this section resituates Gandhi Square in terms of its private control, before elaborating on models for public space management more broadly in relation to all three case study sites. Success for Olitzki Property Holdings (OPH) hinges on the provision of Gandhi Square as a valuable public place, because the Square's fortunes are directly tied to the value of the buildings OPH owns around it. In addition to the strong marketing motive in the decision to name it after Gandhi, this suggests that the nature of private control over Gandhi Square must be closely scrutinised given that motives for privately run public place development often relate more to property values than to value for daily users (Low, 2000). This private control involves an underlying prioritisation of exchange over use value which directly undermines the right to the city. Private control has manifested differently but significantly at Constitution Hill, mostly through the events policy (section 6.4.4) and lack of publicly focused development on site (section 4.5.3), and at Gandhi Square through the ownership and management control held by OPH. These types of private control over acceptable uses of public space implies a shifting of rights away from being a public good, thus altering the meaning of public. This confirms the insidious potential of private control as well as the importance of the state's regulatory role for ensuring publicness in privately managed spaces.

Carmona (2019) argues that such critiques of private management are too extreme. Because of the unsettled distinction between private and public, which he argues have always been the case, more focus should be given to design and management than ownership in determining

publicness (*ibid*.). Therefore, Gandhi Square's value as a public place can still be reckoned with for providing a safe and relatively open public place that promotes some social integration. Thus, this thesis, while accepting a genuine threat posed by small group control over space that is ostensibly for a broader public, is open to how management, design and use of space can be public even if the spaces are privately owned or managed. However, in South Africa, where through much of the history much of space has been controlled by disproportionately small groups, it cannot be a simple acceptance of privatisation and small group control, it is simply too dangerous in the context of continuing attempts to redress the impacts of that in the past.

Because the public sector is at times responsible for exclusionary practices, discussed in the repressive or exclusionary policing and management of publicly-owned Pieter Roos Park and Constitution Hill, it must be remembered that threats to public space are not confined to the trend of privatisation (Smith and Low, 2006). While my finding in chapter 8 was that the value of public space regarding spatial justice is grounded in its experience by people as a network, the above point suggests that individual spaces still require individual scrutiny and accountability, regardless of the ownership or management model. This questions whether there is something inherently problematic with one or other model for public space, further complicated by the blurred and changing distinction between private and public. I argue that the interplay between design, management and use, corresponding to that between conceptions of space and representational spaces, is what ultimately determines the extent of justice in any space. Conceptions of space aim to shape spatial practice in accordance with allegedly legitimate uses, whereas representational spaces produce difference, shaping spatial practice in line with emergent, societal needs that often clash with conceptions of space.

Repressive management and evictions from Pieter Roos Park, as well as other public places mentioned in chapter 8, have excluded people which undermines a level of spatial justice by limiting access and aspects emergent self-management. However, it is significant that displacement of people framed as undesirable at times returns these spaces to other important societal uses. However, the displacements also further marginalise already marginalised people, paradoxically raising the question of who counts as the most marginal in a city beset by poverty, unemployment and spatial inequality. Given the trend of increasingly tight control over a growing number of central public places, the opportunities for appropriation for survival are increasingly limited, which weakens possibilities for light-touch or self-

management. A core aspect of the right to the city is "a renewed right to urban life" (Lefebvre, 1968/1996: 158); exclusion of marginalised people from public space denies them the right to the only form of urban life available and so their claims on space need to be nurtured.

The team of planners, architects, activists, artists and Court Justices that planned Constitution Hill had a multi-layered vision for its future, which was tied to hoped-for trajectories for the city and nation, and thus their publics. Johannesburg and South Africa's trajectories have been laden with more difficulties than anticipated at the time the precinct was conceptualised (Chipkin, 2016; Everatt, 2016). These difficulties include rising unemployment and persistent spatial and socio-economic inequalities. By seeking to respond to many questions of memory, transformation, history, and reconciliation, Constitution Hill's vision has been drawn in many directions. This results in a public place more ambiguous than Gandhi Square or Pieter Roos Park, highlighting rather than integrating fractured publics. Gandhi Square and Pieter Roos Park had more modest and limited visions for their uses and meanings.

It is an important paradox that Constitution Hill feels private to many despite its public ownership and mandate, though it continues to change. Should the plans for the new park and Visitor's Centre materialise, the precinct's impact as a public place, and thus on spatial justice, should improve. In the meantime, given local spatial justice arguments on the needs for more public space and affordable, central housing, the continued fencing off of We the People Park and the Queen Victoria building are glaring spatial injustices. While Gandhi Square itself is not marked for further redevelopment or change in function, the areas around it continue changing rapidly. These changes include construction on Main Street, which connects directly to Gandhi Square, underway at the time of writing. This will alter the patterns and nature of accessing the space. Pieter Roos Park also underwent renovation during the writing of this thesis. However, as mentioned, this was limited and the official in charge admitted it was unlikely to substantively alter any patterns of use. Public dwellers continue to appropriate space there, and in doing so claim the right to habitat and to inhabit as incorporated in the right to the city (Lefebvre, 1968/1996).

The claims by different individuals and publics on the use of case study sites speak to research question 2. Along with the way these are managed, claims involve various forms of contestation that shape publicness and justice. There is more open contestation in the publicly managed public place, Pieter Roos Park, which stems partly from its undermanagement. In

other words, there is more contestation at Pieter Roos Park that centres around the uses of that space; for example, public dwelling, illicit drug consumption, the nature of ball-games, and hiding by criminals all produce conflict in and through the site. There is less contestation at Constitution Hill and Gandhi Square that is directed at the management of uses of those places, despite the fact that they both host protests. This suggests that the places with elements of private management or control have narrower visions for public space manifesting in over-management, partly expressed through denial of contestation that is central to genuinely *public* space. Furthermore, this reiterates a shift towards private control over rights which are enshrined in the Constitution. Spatial controls associated with private management therefore undermine elements of public space, though they also sometimes generate aspects of publicness. For example, both Gandhi Square and Constitution Hill are safer than Pieter Roos Park, though they may not accommodate urgent personal and civic needs in the same way the park does. The multiple levels at which spatial (in)justice and public space interact add complexity to measuring both publicness and justice.

A further paradox that emerges out of the comparison between the three places is that people have produced publicness in these spaces in different ways. This relates to questions around what sort of integration is desired in public places, which is linked to the variety and quality of uses in each space. While in Gandhi Square the common activity facilitated by the bus terminus generates elements of integration, inclusion and thus publicness, it is the dense variety of uses at Pieter Roos Park and the mix of functions at Constitution Hill that undergird their publicness. Because processes of publicness and justice occur on multiple levels, in and through multiple places, these processes must be regarded in a dialectical tension. The paradox of the relationship between integration and contestation answers research question 2 when considered through a spatial justice lens.

9.2.2 The interactions between spatial (in)justice and public space in Johannesburg

Regarding the core research question, the fundamental spatial injustice in Johannesburg involves the legacy of colonial and apartheid planning that peripheralised housing in intentionally underdeveloped areas. Due to this legacy and the continued peripheralisation of social housing in the post-apartheid era (Charlton, 2014), this fundamental injustice is linked to the present-day inadequacy and unaffordability of housing in central areas like the inner-city. Amongst the key consequences of this situation, combined with poverty, inequality and unemployment, are that social problems coalesce and manifest in public spaces. One key

manifestation of this is people living in public places that are relatively open. Others include participating in protest, civic actions, or informal economies in public places. Various actors and stakeholders, both public and private, are involved in trying to address these allegedly improper, and in some cases illegal, uses of public places. However, oftentimes management and policing of the case sites for this thesis do not address the root causes of these problems, therefore at times repressing emergent public uses and "produc[ing] outcomes that would have a negative effect on the already disadvantaged", which directly undermines spatial justice (Adegaye and Coetzee, 2019: 385). In other words, current understandings of public places mean that management thereof is not geared towards responding to broad spatial injustice. In fact, management instead often focuses on the symptoms of these problems by excluding or displacing what are framed as undesirable users.

Importantly in answering research questions 3 and 4, users of public places have different experiences of what is desirable, undesirable, and necessary for public space. And yet, repressive aspects of management that target marginal people reinforce and exacerbate exclusionary, hardened, public cultures, limiting the publicness of places and undermining their potential for spatial justice. As such, interactions between spatial (in)justice and public space are iterative, processual, mutually shaping as well as dialectical. The way places respond to injustice feeds into conceptions of the public and public places. This in turn feeds back into the planning for and management of those places, though not straightforwardly. For example, while repressive management can shape understandings of a place towards exclusion, places can also respond favourably to injustice, as in providing conceptions in public dwellers' minds that these are safe and suitable places for shelter.

Examples within and connections between each case site help answer research question 4 by implying that too much focus of public space management approaches is on particular places, precincts or small areas. The connections between spaces are undermined by this silo-based approach, which reflects an insular public culture. Importantly, this insular public culture reflects parochialism, and is expressed through multiple types of public place management including state-led, private-sector-led, and community- or resident-led development and management, all of which at times succumb to siloed approaches with the implication of trade-offs. It is important to recognise that public places are inherently used and experienced in conjunction with each other, and management must be more creative and collaborative to better facilitate this. The impacts of insular public cultures, linked to narrow management

foci, involve fragmentation of understandings, management practices and uses of public places. Spatial justice theory forces a reckoning with the intersection of multiple urban processes that manifest uniquely in and through public space.

9.2.3 Memory, meaning and use

Memory and meaning both feed into conceptions of space, though they also comprise perceived space which is an aspect of representational spaces. The clashes between conceptions and perceptions also shape the vital relationship between patterns of use and management. This is the focus of this section, which answers aspects of research question 4 by exploring how competing visions and meanings have implications for use and management. The memorialisation practices at Constitution Hill and Gandhi Square are intentional, conscious and strongly associated with the identities of the sites. Pieter Roos Park has also been involved in memorialisation practices over time, though it is not as noticeably positioned as a heritage site. Relatedly, contestation over aspects of Pieter Roos Park's heritage have been relatively muted. Nevertheless, all three places relate to public memory through engagement by users, which demonstrates conflict, contradiction and contingency by either civic actions directed at public memory, or the absence thereof. Examples of civic action across the case study sites demonstrate a sometimes strong and vital link between material public places and the public sphere. Critiques of this link (e.g. Amin 2008) must be carefully interrogated, because it is a foundational aspect of political life as well as human connection and sociability. If the link is weak, the urgency for public space becomes even more important.

Contradiction and contestation are embodied in the sites, reflecting and refracting a society still in transition. That many users are unaware or uncaring of the history and heritage value of each site demonstrates "a past still seeping into the public conscience" (History Workshop/ SoAP, 2018: 3). This also shows how the social history of the city and its spatial legacies are remembered in private and unknown spaces as much as they are in particular *sites* of remembrance. This has important implications regarding the interaction of public space and spatial justice. While public places are important nexuses of spatial processes within cities, it is questionable whether each public place can be expected to facilitate progress on all dimensions of spatial (in)justice. And yet, either by intention or omission, the socio-spatial issues that manifest in these spaces are important, and the way they are managed and used has important implications for public culture and attempts at spatial justice.

Gandhi Square's position as a heritage site, consciously contributing to the discourse of public memory, is undermined given arguments that one key element of genuinely public space is freedom from small-group control (Landman, 2019). This instance of private control over public memory and heritage implies a privatisation of public culture, posing a threat to its very meaning. Furthermore, the fact that the choice of name for the Square bound heritage with marketing concerns, dilutes its impact on public memory and undermines its publicness. Similarly, while Constitution Hill's position as a heritage site is more emphasised than Gandhi Square's, and Constitution Hill continues to consciously contribute to public memory and heritage with new statues, exhibitions and events, at times this is circumscribed by strict management and events that don't resonate with its values. However, at times Constitution Hill's civic and public potential and use indicate the emergence of a broader representational space or a broader, cohesive public culture. While the Gandhi Statue does attract some heritage tourism, the history of the Square as a transport hub also has symbolic and touristic value. Gandhi Square is a symbolic site of arrival and connection in Johannesburg, though it was perhaps forced to be more modest in its assumptions about the public, as the space's functions and meanings are strongly guided by its existence as a bus terminus. As such, it may be unsurprising in some respects that different people interact in lines whilst waiting for the bus. However, in addition to this, assumptions are made about the public in the stationing of a monument to Gandhi; the responses to the statue are as wide-ranging as the public itself, though the impact of these responses on patterns of use is often muted.

It is important to note that these conclusions may themselves prove to be transitory, in line with my insistence here on the importance of change over time and processual understandings of spatial (in)justice. Perceptions of any memorial or monument will shift as national and individual sentiments and consciousness change. This indicates competition between different representational spaces according to different publics, expressed through spatial practices that clash with conceptions of space at particular moments. For example, the splashing of paint over the Gandhi Statue in 2015 directly challenged conceptions for the use and meaning of the space. However, for the most part, Gandhi stands as a quiet monument on the Square. OPH's redevelopment of the square has distanced it from a period of near ruin in the 1990s, increasingly shaping the space according to their vision. Pieter Roos Park continues to memorialise a largely forgotten mayor. At the same time, it silently signifies the historical contestation between Afrikaner and English as well as the dominance of both groups over the country's indigenous inhabitants. Pieter Roos Park is intended more as an

open, natural, recreational space than a conscious heritage site, and thus perhaps demonstrates less expectation in terms of the reception by the public. Contemporary socio-spatial issues, as a more open and less carefully managed space than the other two sites, characterise the park more than intended meanings or public heritage, despite their embeddedness in the space.

9.3 Contributions

This thesis provides new empirical data and theoretical contributions to the interactions between spatial justice and public space. First and foremost, this includes a centring of public space in the discourses of spatial justice and the right to the city, where public space is often de-emphasised. This section thus helps answer the 5th research question by returning to how the study contributes to local understandings of spatial justice. Chapter 4 approached Johannesburg's history with a public space lens, contributing to a greater understanding of the processes of production of spatial injustice over time as well as the shifting meanings and uses of particular public places. This also provides a localised contribution to the changing meaning of public space more broadly. Chapters 5 through 8 provide original, empirical data on significant public places in Johannesburg, contributing to the nascent but growing literature of localised public space research in South Africa. The juxtaposition of spatial histories (chapter 4) with situated observations (chapters 5 to 8) aims to imply connections across spaces and times, and between different ways of making and finding meaning by Johannesburg's inhabitants. This underpins my exploration of the potential for publicness, and therefore justice, in different places. Dialectical analysis of the case study sites with a spatial justice lens revealed details of how apparent binaries are blurring. The blurring of these opposing binaries – between structure and agency, past and present, known and mysterious, public and private – demonstrate the changing meanings of these concepts. The threshold between these apparent oppositions is a key space in which public culture is produced. This in turn plays a significant role in shaping the management and use of public places. The interplay between management, corresponding to conceptions of space, and use, expressed through spatial practice and representational spaces, is where publicness and justice are determined.

The comparison between processes of publicness across the case study sites is a particular value of this study. This is because it reveals important details of how different models for public space manifest, though their contingencies demonstrate the inherent importance of

holding those with power over space accountable. This again implies the underlying value of genuine collaboration, though the context and need for accountability may also predicate contestation. Therefore, this research contributes to an appreciation of the paradoxes in public space, which must be reckoned with to understand and move towards spatial justice in Johannesburg. All three provide thick, empirical research at site level of how management and use interplay to produce justice outcomes. All three also demonstrate paradoxes in public space management: how to deal with openness, which is critical, but seemingly undermined by too much management, often in the form of security, which is also crucial.

Analysis of the management of public dwelling at Pieter Roos Park, with regard to crucial links between different public places, is an important contribution to understanding the complexity of interaction between public space and spatial justice in Johannesburg. The blur between different levels of publicness, as well as between public and private, is a unique feature of Constitution Hill. Thus, it is an important case study that reveals a great deal about different aspects of publicness, with important lessons regarding how these are managed, controlled and produced through space. Gandhi square provides important nuance to the debates over privately managed space because of its dialectical relationship with justice concerns. Namely, how attempts at spatial control produce publicness at the same time as undermining it.

9.4 Limitations

One limitation of this study is the focus on only inner-city public places, notwithstanding the aforementioned relevance of such a focus. This comes at the expense of a potentially valuable comparison with public places in townships, informal settlements, suburbs, and other business districts. Another limitation, as mentioned in chapter 3, is that while I tried to read the spaces for ‘absences’, the geographical boundaries of my case sites meant that to some extent I could not research those who didn’t use the case study spaces and why. Relatedly, the links between the spaces I studied and other parts of the city were to a degree beyond apprehension. Furthermore, as mentioned, public culture is produced not only in material, open, public places, but also in closed, semi-private and private spaces. Therefore, the understanding of public culture in relation to the places studied is limited in this way.

9.5 Reflection on conceptual framing and methods

Lefebvre's spatial triad and related conception of the right to the city have both been drawn in multiple directions academically, institutionally and by activists. However, both concepts remain useful for this kind of research. The spatial triad helps reveal how different drivers, motivations and processes interact to produce space, cutting through the different levels of complexity and temporality in the interactions between public space and spatial (in)justice. The right to the city deepens the politicisation of the production of space, thus undergirding imaginations of processes towards a spatially just city and providing potential political directions for these processes. Accordingly, an ethnographic approach comprising different qualitative methods was well suited to critically explore different elements of space both historically and contemporarily. While multi-site ethnography limits opportunities for immersion within particular places, it was a strength of this study because of how it allowed me to apprehend critical connections and disconnections between different types of public place. Relatedly, it was an exciting and revealing experience to alternate between reading about, walking in and writing about the city. Connections drawn across different places and times, as I walked Rissik Street considering snippets of its history, may seem abstract, though as mentioned, they are real. People's understandings and use of public space seem guided by perceptions in which layers of history, the present and even future are blurred.

Regarding publicness and justice as processes rather than outcomes has been crucial for tracing shifting inter-relationships between management and use. The nature of these shifts, and the public cultures that shape and reflect these shifts, are significant in determining how places relate to publicness as well as justice. The way that changes in case study sites reflected core issues of justice and injustice suggest that continuing similar research is valuable, as discussed in the next section.

9.6 Recommendations for planning and management

The key recommendations for the direction of Johannesburg's public space, which have emerged from my findings and are read through the conceptual framework outlined in chapter 2, involve the need for increased collaboration and creativity in the management and understanding of public space. This involves responding directly to the interplay of factors that undergird the potential of public space to facilitate processes of spatial justice, which necessitates partnerships between the individuals and groups involved in different aspects of the production of particular spaces. Siloed understandings and management practices

undermine attempts at collaboration. This results from historically based spatial injustices, the intensity of spatialised socio-economic problems, and the complexity of local governance, involving a lack of resources, party politics, and corruption. These factors contribute to a general lack of holistic approaches towards public space management. These constraints imply as well as reinforce the need for more collaboration and creativity to manage public space in a spatially just manner. The lack of holistic approaches also relates to an uncaring, insular and thus exclusionary public culture, which undermines inclusion and social integration. In divided and diverse societies like Johannesburg, for a space to be truly inclusionary, it must be integrated, which has long been an aim in planning documents (CoJ, 2016, 2018; South Africa, 2016). This indicates that for the type of social integration desired in public space, it is necessary that institutions and individuals involved in public space management and use need to be better integrated as well.

Paradoxically, processes towards truly public space can occur through political struggle or appropriation of space, sometimes necessarily extra-legal, but also must be facilitated by the state. This resonates with Marcuse's (2014: 102) assertion that "[t]he means and the end [of genuinely public space] are inseparable." This paradoxically implies that to have spatial justice, you need a just society, and to have a just society, you need spatial justice. I argue in this thesis, because of the divisions and inequalities that mark South African society and its publics, that processes towards cohesion and integration must be predicated on processes of contestation that occur in and through public space. Accordingly, multiple cultures coalesce in Johannesburg into a broader public culture, even if this is one often defined by fear, conflict and sometimes necessary transgression. Conflict in public space over key social issues is socially generative and can be part of processes towards a more spatially just urban society.

Because of the interlocking levels of spatial (in)justice in any one space, public space management under a spatial justice framework must emerge dialectically, avoiding the notion of trade-offs. For example, it may be well appear beyond the scope and mandate of JCPZ to deal with the root causes of what manifests in parks like Pieter Roos, but better collaboration with other City as well as non-state entities would surely mitigate some of the adverse effects of current official approaches. It would also go towards inculcating a public culture of care and support, rather than one of hardened exclusion. With more creative, light-touch management, and improved safety, the openness of the park can be regained in a more

resilient manner that feeds into a more spatially just city. Supporting and nurturing informality is an important part of this in the local context. Glimmers of self-management, limited at Gandhi Square and Constitution Hill, but shown at Pieter Roos Park through informal policing, sharing amongst residents, people involved in starting community soccer or exercise groups, and those pushing to start a food garden in a portion of the park, need to be nurtured and supported. If they are, spatial justice in the sense of a culture that facilitates emergent, creative, reciprocal and inclusive practices, can be inculcated.

9.7 Further research avenues opened by this research

Continuing to trace processes of publicness at the case study sites, especially in terms of connections to other places, represents a valuable avenue for further research. Similarly, comparisons with other networks and individual places, both in the inner city of Johannesburg as well as other urban contexts, would be fruitful in developing clearer understanding of the dialectical interactions between public spatial justice. Accordingly, a more sustained engagement with a walking route, such as the one discussed in chapter 8, would deepen the opportunities for comparisons across spaces. Engagements with walking routes in similar and different contexts would be useful for understanding more of how public space is experienced as a network and what the implications of this are for existing management practices. As mentioned, it is important to trace the impacts of CIDs, in Johannesburg as well as other cities, because these models as well as their critiques have been transposed too directly from the global North. Their contribution to urban safety, as well as valid critiques over the nature of their private control, must be further interrogated. Finally, a deeper engagement with the meaning of public space in South Africa, Africa and the global South would provide interesting and valuable comparison with the meanings and uses of public space elsewhere.

9.8 Conclusion

Johannesburg has for most of its history been denied possibilities of *public* space because of its inherently exclusionary nature, though there have been important moments in which people have produced genuinely public space. However, the historic denial of public space, combined with a current inadequacy of open, public space in the inner-city, along with either exclusionary controls, or the overwhelming crystallisation of social problems, implies that what is at stake in Johannesburg is not the end of public space, but the potential for its

beginnings on a broader level. While people have at moments made places into public space through public uses, the exclusionary origins and tendencies towards increased control over public places mean that their publicness is under threat. Accordingly, the potential for public places to be part of emergent processes of spatial justice is also undermined.

The interactions between spatial (in)justice and public space are mutual, complex and multi-faceted, manifesting on multiple scales. Public space is continually produced and reproduced by a continuous dialectical interplay between, on the one hand, space shaping experience and culture (through management and design based in conceptions of space); on the other hand, people shaping space according to public culture (through representational, appropriative and participatory acts; by constructing meaning through use). This elaborates Lefebvre's spatial triad, with the former an articulation of conceptions through spatial practice, and the latter a demonstration of representational space where people claim aspects of the right to the city by *participating* in the production of space and or *appropriating* space. More broadly, tending towards genuinely *public* space tends towards a manifestation of the right to the city in terms of reframing the value of the urban as public. These are ongoing contestations with power shifting between state, private, community and survivalist actors which will continue to determine the extent of spatial justice and injustice for individuals.

Contestations produce and reflect tendencies towards inclusionary or exclusionary public cultures which determine the extent of justice in each space, and these continue to shift and change. These tendencies, which shape both management and use, also tend towards enabling or limiting claims on the right to the city. Repressive management and exclusionary public cultures reproduce each other, limiting the potential for appropriation through spatial control. In cases such as the displacement of people from Pieter Roos Park, this creates further marginalisation of some of the city's most marginalised. While Constitution Hill's conception is framed through civic and public use, the management of the precinct at times undermines these uses, though at other times its civic value manifests strongly. Gandhi Square represents a well-used, valuable, safe space in the inner-city, though spatial controls restrict possibilities for a right to the city.

An inclusionary, open and generous public culture can also tend towards reciprocal uses of public places in which users act for the benefit of the space and other users as much as for their own benefit. This can also be a way in which privileged people can share skills and resources to improve Johannesburg's public space for marginalised people. However, the

potential for reciprocal use of public space is circumscribed by the city's high levels of poverty, unemployment and inequality. Nevertheless, there remain possibilities for creative, collaborative, and holistic approaches to public space that can facilitate claims on the right to the city and thus move towards spatial justice. The need for a creative approach returns me to a reiteration of the importance of mystery in understanding (or not understanding) public space. As articulated by Lefebvre (1968/1996:148): "The past, the present, the possible cannot be separated."

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Appendix A: Calendar of site visits

Wednesday 17.1.2018:	Gandhi Square (GS)- mid-morning until late afternoon
Thursday 25.1.2018:	Pieter Roos Park (PRP)- early morning until lunchtime
Monday 5.2.2018:	Constitution Hill (CH)- early morning until lunchtime
Tuesday 6.2.2018:	CH- all day at Women's Jail attending People's Tribunal on Economic Crime
Wednesday 7.2.2018:	Walking around and between CH and PRP
Thursday 8.2.2018:	CH- afternoon
Wednesday 14.2.2018:	Walk from GS through CH to PRP in the morning, walk back to GS in the afternoon (Rissik Street Walking Route (RSWR))
Saturday 17.2.2018:	Drive from GS on RSWR to CH mid-morning. Walk to PRP afternoon
Tuesday 20.2.2018:	GS all day
Thursday 1.3.2018:	Drive from GS on RSWR to CH mid-morning. Drive from CH to PRP afternoon
Wednesday 7.3.2018:	Walk RSWR north in the morning, south in the afternoon
Thursday 8.3.2018	Walk RSWR north in the morning, south in the afternoon
Monday 15.3.2018	PRP all day
Tuesday 16.3.2018	Walk RSWR north in the morning, south in the afternoon
Wednesday 17.3.2018	GS all day
Wednesday 18.4.2018	Walk RSWR north in the morning, south in the afternoon
Thursday 19.4.2018	CH all day
Friday 20.4.2018	PRP morning
Saturday 21.4.2018	GS mid-morning until late afternoon
Sunday 22.4.2018	PRP mid-morning until mid-afternoon
Wednesday 25.4.2018	GS morning, CH afternoon
Thursday 10.5.2018	Walk RSWR north in the morning, south in the afternoon
Saturday 12.5.2018	PRP afternoon
Sunday 13.5.2018	GS afternoon
Wednesday 16.5.2018	GS morning, walk RSWR north mid-morning, south late afternoon
Thursday 17.5.2018	Memorialising inequality workshop including parts of RSWR
Friday 18.5.2018	GS morning, walk RSWR north morning, south afternoon
Saturday 19.5.2018	Morning at GS
Wednesday 23.5.2018	CH daytime, walk to PRP afternoon
Friday 29.6.2018	Between CH and PRP all day
Monday 2.7.2018	CH afternoon
Monday 16.7.2018	GS afternoon
Thursday 19.7.2018	Walk RSWR north mid-morning, afternoon in PRP
Thursday 23.8.2018	Walk RSWR north lunchtime, south late afternoon
Friday 31.8.2018	CH morning, PRP afternoon
Monday 10.9.2018	Walk RSWR morning, south afternoon

Tuesday 11.9.2018	GS all day
Wednesday 19.9.2018	GS morning, CH day
Thursday 20.9.2018	CH all day (SAHA), walk to PRP for lunchtime
Friday 21.9.2018	CH all day (SAHA), walk to PRP for lunchtime
Monday 24.9.2018	CH all day (SAHA) [On full days spent at SAHA I periodically spent break times around the precinct]
Tuesday 25.9.2018	CH all day (SAHA)
Saturday 29.9.2018	Walk RSWR north in the morning, south in the afternoon
Sunday 30.9.2018	Walk RSWR north in the morning, south in the afternoon
Tuesday 2.10.2018	PRP morning, CH daytime
Monday 8.10.2018	CH all day (SAHA), walk to PRP for lunchtime
Thursday 11.10.2018	CH all day (SAHA)
Friday 12.10.2018	CH mid-morning (SAHA) to late afternoon
Monday 15.10.2018	CH all day (SAHA)
Tuesday 16.10.2018	CH all day (SAHA)
Thursday 18.10.2018	CH morning (SAHA), PRP afternoon
Friday 19.10.2018	CH mid-morning to mid-afternoon, GSQ late afternoon
Saturday 20.10.2018	GS morning till early afternoon
Tuesday 30.10.2018	CH morning (SAHA), GS afternoon
Friday 2.11.2018	CH mid-morning to mid-afternoon
Tuesday 22.1.2019	PRP all day
Wednesday 23.1.2019	GS all day
Friday 25.1.2019	GS afternoon
Tuesday 29.1.2019	PRP morning
Wednesday 30.1.2019	Drive to CH morning, walk to PRP mid-morning, back to CH late afternoon
Wednesday 6.2.2019	Walk RSWR north in the morning, south in the afternoon
Monday 18.2.2019	GS afternoon
Tuesday 19.2.2019	PRP morning, march to CH mid-morning, CH rest of day
Wednesday 20.2.2019	GS afternoon
Monday 25.2.2019	PRP afternoon
Wednesday 27.2.2019	PRP mid-morning until late afternoon
Monday 4.3.2019	PRP morning
Tuesday 5.03.2019	GS afternoon
Thursday 7.3.2019	PRP afternoon
Friday 8.3.2019	Walk RSWR north in the morning, south in the afternoon
Saturday 10.3.2019	Walk RSWR north mid-morning morning, south mid- afternoon
Sunday 11.3.2019	Brief afternoon visit to each site

Appendix B: list of cited interviews and conversations

Table 1: Expert Interviews

Date	Location	Interviewee	Position/ relevance
8.4.2016	Johannesburg	Former JDA Official	Worked at JDA from 2005 to 2010
6.7.2018	Interviewee home	Flo Bird	Long-term Parktown resident and public space user, historian, heritage activist since 1972, Founder of the Parktown and Westcliff Heritage Trust and founder member of the Johannesburg Heritage Foundation
10.7.2018	Johannesburg	Inner-city community activist	Long-term community activist and public space user in the inner-city
16.07.2018	Braamfontein, Johannesburg	JICP Member	Involved in public-private partnerships in the inner city since 2003
1.08.2018	Johannesburg	Urban Designer	Johannesburg-based practicing and teaching architect and urban designer
2.11.2018	Constitution Hill, Johannesburg	Play Africa Employee	Working at Play Africa at Constitution Hill, previously involved in community partnership with JCPZ
25.1.2019	OPH Headquarters, Johannesburg	OPH Official	Senior Official at OPH since 2009
25.1.2019	Johannesburg	Former JDA Official	Worked at JDA from 2005 to 2010
30.1.2019	Brixton, Johannesburg	Historian of Johannesburg's public space	Historian focussed on researching aspects of Johannesburg's public space.
30.1.2019	Johannesburg	ICO official	Official in the Inner-city Office of the City of Johannesburg
18.2.2019	Interviewee home, Johannesburg	Constitution Hill Consultant	Design and interpretation consultant involved in Constitution Hill's original development; currently involved in planning the new visitors centre
27.2.2019	Johannesburg	Former CoJ Official	Worked in the City Manager's office in the 1990s and early 2000s, later worked for Kagiso Urban Management.
4.3.2019	JCPZ House, Braamfontein	JCPZ official 1	Official involved in management of multiple inner-city parks including Pieter Roos, since 2008
12.3.2020	Johannesburg	CoJ official	Official involved in public safety in Johannesburg
14.3.2019	JCPZ House, Braamfontein	JCPZ official 2	Official involved in research and resource management at JCPZ
19.3.2019	Johannesburg	CCID manager	Involved in managing CCID

Table 2: Public Space User (PSU) interviews and conversations

Date	Location	Interviewee/ Type	Relevance
8.2.2018	Constitution Hill	PSU17, conversation	Young woman of Indian descent, regular user of Constitution Hill
14.2.2018; 19.9.2018; 15.10.2018	Constitution Hill	CoJ Safety Officer, conversations	Stationed at Constitution Hill to assess safety and improve comfort for guests; young black man
20.2.2018	Gandhi Square	PSU8, conversation	Regular commuter through Gandhi Square, young black man.
7.2.2018	Rissik Street	PSU14, 15 conversation	Young black couple living in inner-city near Rissik Street, regular users of Gandhi Square, Rissik Street and Constitution Hill
18.4.2018	Rissik Street	PSU18, conversation	Young man mugged near Pieter Roos Park
18.4.2018	Rissik Street	PSU4, conversation	Regular user of CBD
16.5.2018	Gandhi Square	Sharlene Davis, interview	Regular commuter through Gandhi Square, middle-aged coloured woman
16.5.2018	Gandhi Square	PSU11-13, conversation	Three elderly men, regular commuters through Gandhi Square for several decades
16.5.2018	Gandhi Square	PSU9, conversation	Middle-aged coloured woman
18.5.2018	Gandhi Square	PSU16, conversation	Young white man
23.5.2018	Johannesburg	PSU20, interview	Regular user of Pieter Roos Park and Constitution Hill
23.5.2018	Constitution Hill	PSU6, conversation	Young man from Soweto, user of Gandhi Square and Constitution Hill.
23.5.2018	Constitution Hill	PSU5, conversation	Young black man
31.5.2018	Sandton, Johannesburg	PSU2 aka M, interview	User of all case study sites over time, young black man.
2.7.2018	Constitution Hill	Albie Sachs, conversation	Former Constitutional Court Justice
16.7.2018	Johannesburg	PSU21, interview	User of Pieter Roos Park, Constitution Hill; young white man
10.9.2018	Kotze Street	PSU28, conversation	Security Guard for Kotze street toilets
18.9.2018	Constitution Hill	PSU27, conversation	Journalist covering Constitutional Court proceedings and public protest
19.9.2018	Constitution Hill	PSU1, interview	Young man from Soweto, regular user of Constitution Hill and Gandhi Square
30.1.2019	Pieter Roos Park	PSU24, conversation	Resident of Pieter Roos Park, young black man
19.2.2019	Pieter Roos Park	PSU25, interview	Resident of Pieter Roos Park, middle aged black man
26.2.2019	Johannesburg	PSU23, interview	Resident of Princess Place road adjacent Pieter Roos Park. Academic focussed on socio-economic rights litigation, regular user of Constitution Hill

27.2.2019	Pieter Roos Park	PSU22, interview	Regular user of Pieter Roos Park
5.3.2019	Gandhi Square	PSU10, conversation	Middle aged black man
8.3.2019	Pieter Roos Park	PSU26, interview	Informal trader in Pieter Roos Park, middle-aged black woman
8.3.2019	Pieter Roos Park	PSU19, conversation	Regular user of Pieter Roos Park
8.3.2019	Gandhi Square	PSU7, interview	Middle-aged black woman
14.3.2019	Johannesburg	PSU3, interview	Resident of Marshalltown, regular user of Gandhi Square and Constitution Hill, part of jogging group that uses parts of the walking route as well as Pieter Roos Park.

Appendix C: Questions for expert interview respondents

Hi, thank you for agreeing to be interviewed. As mentioned I will be asking you some questions about your understanding of public space in Johannesburg. Please interrupt me at any time and let me know if you have questions or if you are uncomfortable about any of the questions. So if you're ready, let's start.

1. What is the state (or states), in your opinion, of public space in Johannesburg and South Africa, and what are your key concerns in this regard?

2. What are some of the macro-trends shaping the nature of public space in Johannesburg?

3. How have these trends changed over time?

4. How do you evaluate current understandings of the notion of spatial justice? How may these help us understand public/shared/common space in South Africa?

5. What role can/does/should public space play in promoting spatial justice? How do broader spatial injustices such as the peripheral location of townships impact the potential of public space?

6. How do responses towards the manifestation in public space of broader problems shape public culture?

6. What are the key competing interests in public space, if they are in competition? What drives this competition?

7. What is the nature of this competition and how is it adjudicated?

8. How do you see the international trend towards privatisation of public space manifesting in Johannesburg?

9. What do you see as the importance of public space?

10. What do you understand as ideals for public space?

11. What thinking guides different understandings of and planning for public space in Johannesburg?

12. What, if anything, are important differences between local understandings of or imperatives for public space and those of other cities, countries, or regions?

13. Can you describe any important dynamics or processes that are manifesting in the public spaces under study, i.e. Gandhi Square, Pieter Roos Park, Constitution Hill?

14. How does the nature of the design of these spaces impact on what is acceptable behaviour within them, and who is welcome within them? How else do you see this being shaped?

15. In what ways do you think these, or other similarly designed public spaces, successful in promoting spatial justice or some form of public good?

16. What, if anything, are gaps between planning for these public space and the realities of those spaces for users?

17. Can you identify and describe any possible interventions for improving these spaces?

18. In what ways are people able to appropriate these or other spaces to fulfil their needs?

19. How do you see the past, current and future role/s of the private sector in contributing to public space?

20. Can you describe the key strengths or benefits of CIDs as a model for improving public space?

21. Can you describe the key weaknesses or problems of CIDs, if any?

Thank you very much for your time and help. As mentioned I might need to ask some follow up questions in a few weeks time. I hope you're ok with me contacting you again. Can you recommend any interview candidates that you think would be valuable for this research?

Appendix D: Questions for public space users

Hi, thank you for agreeing to be interviewed. As mentioned I will be asking you some questions about your experience of public space in Johannesburg. Please interrupt me at any time and let me know if you have questions or if you are uncomfortable about any of the questions. So if you're ready, let's start.

1. How often do you visit this space?

2. For what reasons or purposes do you visit here?

3. What sort of access do you have to other places for these activities?

4. How easy is it to access this space for you? Why?

5. How do you travel to and from this space?

6. Are there other public spaces that you would like to access that you can't? If so, why?

7. Could you share a good memory you have of this space? Do you have memories or observations of other similar experiences here?

8. Could you share a bad memory of this space? If you don't such have a memory or don't want to share it, is there another memory of something you witnessed happening to someone else?

9. Which rules or by-laws do you know about for this place? Have you ever experienced any of these being enforced and how did you find this experience?

10. Can you describe how you feel about whether the rules are enforced equally for all people?

11. In which ways do you feel affected by crime or fear of crime?

12. Can you describe any times where you thought other people were using this space inappropriately?

13. Can you describe your experience of the policing/ security in this space?

14. What do you think public space should be used for?

15. Why do you think public space is important?

16. Do you think different people in SA have different needs from public spaces? If so, what?

Thank you very much for your time and help. As mentioned I might need to ask some follow up questions in a few week's time. I hope you're ok with me contacting you again.

Appendix E: Presentations, workshops and conferences

Date/ Regularity	Place	Title	Nature of Involvement
22-24 February 2018	Wits Institute for Social and Economic Research	Reflections on Memory and Political Time at Wiser, 22-24 February 2018	Attendee
26 March 2018	JDA headquarters, Newtown	Johannesburg Development Agency Co-production workshop, where JDA employees reflected on attempts at co-production, 26 March 2018	Attendee
17 May 2018	56 Pimm Architecture Studios, Newtown	Memorialising Inequality workshop at 56 Pimm Studios	Attendee
6-8 June 2018	Wits University	Practices of the State in Urban Governance workshop with CUBES (Centre for Urbanism and Built Environment Studies)	Attendee
27-8 September 2018	Wits University	Wits School of Architecture and Planning PHD symposium	Presentation on PhD progress
28 September 2018	Wits University	Space, Place and Power: critical spatial ethnography workshop with Gillian Hart	Attendee
12 November 2018	Maboneng, Johannesburg	Chicago Architecture Biennale Roundtable Discussions on Architecture, Memory and Time	Attendee
14 November 2018	Wits University	Knowing the City Workshop by African Centre for Cities,	Attendee (from my inputs I was asked to prepare a short essay to due for publication in 2020 in a book from workshop proceedings)
	Wits University: History Workshop and SoAP	Falling Monuments and Reluctant Ruins colloquium by the (at which I), 23-4 November 2018	Presentation of a paper from which a chapter for an edited volume is currently under

			peer-review for publication in 2020
21 February 2019	JCPZ House, Braamfontein	Presentation to CoJ inter-disciplinary task-team on homelessness/ public dwelling	Presentation on public dwelling findings
13 June 2019	Edinburgh	European Conference on African Studies	Presentation on aspects of my methods through the framework of Encountering Publics.
15-6 August 2019	Wits University	Just Urban Imaginaries, CUBES (Centre for Urbanism and Built Environment Studies) and the South African Research Chair in Spatial Analysis and City Planning (SA&CP) in the School of Architecture and Planning	Presentation on spatial justice findings
12-3 September 2019	Wits University	Wits SoAP 2nd PHD symposium	Presentation on PhD progress
Weekly (term-time)	Wits University	Lunchbox seminars (weekly student run seminar for PHD's in progress)	Regular attendee
Weekly (term-time)	Wits University	PhD colloquium (professor led sessions on aspects of the PhD journey)	Sporadic attendee
Weekly (term-time)	Wits University	Faces of The City weekly urban studies seminar, SoAP with GCRO	Regular attendee
Weekly (term-time)	Wits University	History workshop seminars (weekly history seminars on South and southern African history.	Sporadic attendee
Yearly	Wits University (2018); Durban University of Technology (2018); University of Venda (2019)	Yearly workshop under the NRF PhD programme on Spatial Justice and Urban Resilience, including cohort of PhD students and supervisors from across all three universities.	Presented PhD progress each year

Appendix F: Participant information sheet for expert interviews

Participant information Sheet for Research Project on Public space: public space experts

Dear Sir/Madam,

I am a PhD student at Wits University and I am doing a research project about public space in Johannesburg. I am focusing on Pieter Roos Park, Gandhi Square, and Constitution Hill, as well as looking at the walking route that connects them, mostly along Rissik Street. I am inviting you to participate in this research given your expertise regarding public space. I am researching the interactions between public places in central Johannesburg and spatial justice or injustice. This is with the hope of finding out how public space can be improved.

If you are willing, I would like to speak to you about your understanding of public space in the city. This would involve me asking you questions about what you think are the key issues in Johannesburg's public space, what the thinking behind public space design is and how this is contested. Our conversation could last between 30 and 60 minutes, if you are willing to share your time. I would also like to record the audio if you agree to this. If you are uncomfortable answering any of the questions, you may ignore them. There is no problem if you prefer not to participate in my research project, however, there is no re-imbursement or particular benefit for participating.

If you prefer, your information and identity will be kept as confidential and anonymous as possible. In such a case, I will use a pseudonym (false name) in my research report. If you agree to our conversation being recorded, information will be kept securely and will not be shared with anyone else. If you become uncomfortable, we can stop the interview at any time.

If you have any questions about the project, please feel free to contact me on the details below. My research will be written up as a thesis, and when completed it will be available to access on the university website. If you would like a summary of the research, I will be happy to send it to you when it is done. If you have any queries, concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (non-medical), telephone + 27(0)11 717 1408, email hrec-medical.researchoffice@wits.ac.za/ Shaun.Schoeman@wits.ac.za

Yours sincerely,

Temba Middelmann
071-522-9589
tjdm90@gmail.com

Supervisor: Dr. Marie Huchzermeyer
083-424-2457
marie.huchzermeyer@wits.ac.za

Appendix G: Consent form for expert interviews



Consent form for Research project on The Interactions between Public Space and Spatial Justice: Public space experts

I have been asked to participate in and be interviewed for Temba Middelmann's research project on public space for his doctoral degree at the University of Witwatersrand. The research has been explained to me and I understand that I am being interviewed because of my expertise in urban issues and knowledge on Johannesburg's public space. I understand that I will not be reimbursed for participating but that I will receive a summary of or copy of the research report when completed.

- If my official position or identity is relevant to the research, it may be included in the research report. (Yes / No)
- My identity will be kept completely anonymous. (Yes / No)
- The researcher may use quotes from me in their research report. (Yes / No)
- The interview may be audio recorded . (Yes / No)
- The information I give for this project may be used anonymously for future research. (Yes / No)

Signature: ……

Name: ……

Date: ……

Appendix H: Participant information sheet for public space users

Participant information Sheet for Research Project on Public space: Users of public space

Dear Sir/Madam,

I am a PhD student at Wits University and I am doing a research project about public space in Johannesburg. I am inviting you to participate in this research because you use this space and I am interested in the experiences of people who do so. This is with the hope of finding out how public space can be improved in central Johannesburg.

If you are happy to be involved, I would like to speak to you about your experience of public space in the city. This would involve me asking you questions about how you use public space, which spaces you like, and what you think should be done with public space in Johannesburg. It should be approximately a 15 minute conversation, depending on how much time you have available. I would like to record the audio of the conversation if you agree to this. If you are uncomfortable answering any of the questions, you may ignore them. There is no problem if you prefer not to participate in my research project, however, there is no re-imbursement or particular benefit for participating.

If you prefer, your information and identity will be kept as confidential and anonymous as possible. In such a case, I will use a pseudonym (false name) in my research report. If you agree to our conversation being audio recorded, information will be kept securely and will not be shared with anyone else. If you become uncomfortable, we can stop the interview at any time.

If you have any questions about the project, please feel free to contact me on the details below. My research will be written up as a thesis, and when completed it will be available to access on the university website. If you would like a summary of the research, I will be happy to send it to you when it is done. If you have any queries, concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (non-medical), telephone + 27(0)11 717 1408, email hrec-medical.researchoffice@wits.ac.za/ Shaun.Schoeman@wits.ac.za. The ethics committee is located at Wits University, of the 10th Floor Solomon Mahlangu House (Senate House), in room 10004. This can be accessed from the Jorrisen street entrance of Wits.

Yours sincerely,

Temba Middelmann
071-522-9589
tjdm90@gmail.com

Supervisor: Dr. Marie Huchzermeyer
083-424-2457
marie.huchzermeyer@wits.ac.za

Appendix I: Script for obtaining informal oral consent

Hello, my name is Temba Middelmann. I am a PhD student at Wits University and I am doing a research project about public space in Johannesburg. If you are willing to talk, I would like to speak to you about this project. I would like to find out what is working and not working in public places in central Johannesburg with the hope of finding out how public space can be improved. If now is an ok time to talk, I will tell you more about the project.

I will have a conversation with you where I will ask a whole range of questions about how often you use the space, whether you feel safe and happy in the space, whether the space feels accessible to everyone in the city, what you use the space for, etc. The answers you give will form the basis of my research dissertation. The personal information you will share with me will not be passed to anyone else. This research will be anonymous if you prefer, which means that in my publications, your name will not be used, unless you are happy for me to use your name. This is completely voluntary and we can stop any time you like. During the interview, I will use an audio recorder to make sure I'm getting an accurate record of your thoughts. OR I can take notes in my notebook. Which would you prefer? I may want to re-contact you to clarify information from your interview. In that case, I will ask you if you have time to answer some more questions about your interview.

My research will be written up as a thesis, and when completed it will be available to access on the university website. If you would like a summary of the research, I will be happy to give you a copy when it is done. I can post it to you, or we can arrange to meet so I can give you a copy. On this sheet of paper I am giving you now, there are details about the project and contact information for the university's ethics committee in case you have any questions or problems.

- Do you have any questions?
- Do you give your permission for me to interview you?
- Do you give me permission to record you?
- Do you give your permission for me to re-contact you to clarify information? And if so can I have your cellphone number for this purpose?
- If you are ready, let's start. If you prefer not to continue, that's ok.

Appendix J: Ethics Clearance Certificate

Research Office

HUMAN RESEARCH ETHICS COMMITTEE (NON-MEDICAL)
R14/49 Middelman

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER: H17/11/33**
PROJECT TITLE	The interactions between public spaces and spatial (in)justice: Comparing case-studies in inner-city Johannesburg
INVESTIGATOR(S)	Mr T Middelman
SCHOOL/DEPARTMENT	Architecture and Planning/
DATE CONSIDERED	17 November 2017
DECISION OF THE COMMITTEE	Approved
EXPIRY DATE	04 December 2020

DATE 05 December 2017 **CHAIRPERSON** J. Knight
(Professor J Knight)

cc: Supervisor : Professor M Huchzermeyer