

ABSTRACT

This study tests the relevance of the theory of rights to the city in asking how migrants go about claiming rights to the city of Francistown, Botswana despite a highly restrictive immigration regime and general levels of xenophobia. The theory of rights, my theoretical framework proposed by Lefebvre (in Mitchell 2003), states that all urban dwellers, regardless of their legal status, have an equal right to the city due to the mere fact that they work towards its development. This is a normative position that has questionable practicability in the hostile context of Francistown where people face the threat of deportation by government officials. Nonetheless, Zimbabweans living there illegally find ways to claim rights. This thesis explores how they do that and from whom they claim.

Based on 29 semi-structured qualitative interviews with migrants and officials conducted in Gaborone and Francistown from the 7th October 2011- 29th November 2011, I argue that there are great disjunctures between popular opinions of a hostile Francistown and street level practice. While policy remains exclusionary, in practice Francistown does not offer newcomers great formal restrictions. Similarly, while xenophobia remains strong at an abstract level, this rarely translates into objective obstacles. By understanding that the environment of Francistown is accommodating and operates on the basis of *botho* (compassion), one can then comprehend the rights being accessed and claimed by migrants and that to some extent, they are aided by Botswana government officials. Moreover, it is evident that the rights migrant seeks and strategies they use are not in accordance with the theory of rights to the city. Indeed, the emphasis on formal mechanisms of claiming rights as stipulated by Lefebvre works against undocumented migrants. In addition to this, it is clear that the informal economy needs to exist for it highly compliments undocumented migrants claiming strategies and way of life. Therefore my findings have important theoretical implications for how we understand rights and policy lessons for organisations like UNHABITAT who have adopted the language of rights without understanding how rights are being negotiated and claimed from the bottom up.