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**Performing Urban Citizenship – contesting social rights in multi-level  
policy spaces**

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**Abstract**

Global migration movements challenge the linkages between state, citizenship and democratic participation which becomes especially evident at the local level. Concurrently legitimate representation is undermined by the rescaling of the terrains of policy-making that entangles different scales (from the local to the global) to multi-level policy spaces. However, the shift from government to governance breaks new grounds for non-state actors and civil society to engage in political processes. If this constitutes a path to more legitimacy though depends on the ways and means less powerful actors can articulate their interests. This paper focuses on the question how these transformations affect the political opportunity structures for participation and representation of weak interests exemplified on the topic of irregular migration in Europe.

The political opportunity structures for irregular migrants and pro-migrant organisations at the local level have changed with the emergence of multi-level governance structures. On the basis of two international advocacy processes this paper aims to investigate how this interaction of multiscale spaces interferes with the practices in the field of irregular migration in order to draw conclusions on the sociopolitical impacts it has for weak interests.

## **Introduction**

The issue of legitimacy in the context of global governance evokes questions about who governs, who has access to political decision making, who is held accountable by whom, and who is represented? Depending on the perspective and analytical approaches the answers to these questions may vary enormously. In this paper I will address these questions with the linkage of two topics that have been rarely linked in political science so far especially not with regard to global governance: irregular migration and urban governance.

Undocumented migration is a social phenomenon that is crucial to many migrant communities in most cities nowadays. The terms 'undocumented' or 'irregular' do not primarily describe a form of migration but foremost a juridical status that refers to the interactions of migrants with political regulations. Many irregular migrants access the European Union on legal terms and only become undocumented with the expiring of their visa. Furthermore the irregular entrance to a country does not automatically imply illegal residency. In earlier phases of the EU migratory system irregular migrants could easily legalise their status especially with presenting a job offer (cf. Sciortino 2004). Even nowadays some European countries (e.g. Spain) now and then undertake regularisation processes through which undocumented migrants can adjust their status.

A lot of sociological research has been done on the precarious living conditions of irregular migrants in European cities. From a political science perspective irregular migration has been mainly addressed though as an issue of the national level and international co-operation with respect to national sovereignty, security and migration control. Accordingly researchers of social movements have mainly focused on political mobilisation of irregular migrants addressing the national, European or international level (cf. Schwenken 2006). The local level as an arena of political struggle for social rights of irregular migrants has been rather neglected. However, irregular migrants face a constant gap between international human rights law and their experiences in daily life in the countries where they reside. Of course this gap is obvious at the border but it also constitutes the conditions under which irregular migrants are coping with everyday life in cities. In the end it is the local level where the access to social services like health care, housing and education is granted or denied.

Global migration movements challenge the linkages between state, citizenship and democratic participation which becomes especially evident at the local level. At the same time legitimate representation is undermined by the rescaling of the terrains of

policy-making that entangles different scales (from the local to the global) to multi-level policy spaces. Here the urban scale has gained importance not only because local self-government is considered crucial for upholding means of democratic participation due to the proximity to its citizens but also because local governments and stakeholders have become relevant actors in the context of global and regional governance. In order to strengthen their influence at the global scale local authorities have formed various networks and alliances among each other. Additionally they seek the co-operation with civil society actors at the local as well as the international level. This shift from government to governance breaks new grounds for non-state actors and civil society to engage in political processes. If this constitutes a path to more legitimacy though depends on the ways and means less powerful actors can articulate their interests.

The aim of this paper therefore is to investigate how the political opportunity structures for irregular migrants and pro-migrant organisations have changed with the emergence of multi-level governance structures and the embeddedness of the urban level in these. The thesis I deduce from these new structurations is that there are new operational and discursive openings for weak actors to engage in political contestation at the local as well as the international level. A key argument here is that especially the multiscale nature of political processes enhances the possibilities for political mobilisation. On the basis of two examples I want to frame the conception of urban citizenship as a societal discourse that is performed within multi-level policy spaces. The two examples are the translation of the human rights framework to cities and the Campaign "Access to Health Care for Undocumented Migrants."

At first I will discuss the role of the local level in the context of global and regional governance with regard to democratic participation and legitimacy. In this context I will place the two examples and analyse their impact on the contestation of social rights. Finally I will draw upon debates about urban citizenship as a discursive and operational frame to put forward claims for social rights at the local level.

### **Cities in the context of global and regional governance**

The political, economic and social alterations in the context of globalisation entail a profound transformation of statehood. The nation state indeed still possesses the formal sovereignty, its capacities to govern are undermined though by the relocation of these capacities to other levels (cf. Jessop 1994). At the same time the shift from government to governance at all levels calls for proactive involvement and participation of non-

governmental actors in political processes. However, this doesn't mean that the state retires entirely from fulfilling responsibilities that are considered as public goods which should be secured. The state rather takes on the position of a manager who controls the outcomes whereas the processes are open. For weak interests in general governance is ambiguous: on the one hand it might break new grounds for participation, on the other hand power relations within civil society undermines the representation of marginalised groups. Irregular migrants have access to governance structures only indirectly through pro-migrant organisations and partly through self-organisations since their illegal status prevents them from public appearance. Therefore the general assumption that governance disposes a horizontal and non-hierarchical mode of policy making in which all actors can participate equitably does not hold true. Furthermore the agenda setting and definition of problems which become subject to governance processes are already the result of asymmetrical power relations. Hence, for weak actors and especially for irregular migrants the main effort is to challenge hegemonic discourses in order to be heard at all. For example, the necessity for strict migration control is hardly questioned within European societies and thus irregular migrants and pro-migrant organisations often refrain from addressing the topic of legalisation when operating in governance structures. Instead they frame their claims for certain rights in the context of human rights and societal responsibility (cf. Schwenken 2006).

Another obstacle for weak interests to articulate their interests is the accessibility of the supranational level for those actors. This questions the legitimacy and democratic scope of the global governance system. As an solution the handling of problems at the local level where governing is closest to the citizen is proclaimed.

The relevance of the urban level in the context of global governance has been pointed out by many scholars. However, the focus of most researches has been on the role of cities and urban agglomerations to enhance the competitiveness of nation states within global economy. In doing so the transformation of urban politics from managerialism to entrepreneurialism (cf. Harvey 1989), the emergence of new forms of urban governance (like New Public Management) and the alterations in state spatiality (cf. Brenner 2004) have been extensively discussed. Although in these works cities are recognised as one of the crucial strategic sites for global politics few is said about their (changing) relevance for social contestation on the global scale.

The self-conception of local governments in Europe has changed enormously during the past decades in the process of globalisation. Up to the 1970s local authorities were

predominantly the executive extension of national governments, even in federal government systems where local governments enjoy a high degree of autonomy. This nexus still persists but at the same time cities are expected to be more proactive in designing policies to enhance economic development, social cohesion and environmental protection. Taking on this increased accountability it became more important for local governments and stakeholders to enter the international political stage mainly for two reasons: first, decisions made at a regional (e.g. European Union) or international level may highly effect the scope for policy outputs at the local level. Therefore urban actors engage in lobby politics in order to represent their interests and influence political processes (agenda setting, decisions). Second, the interdependence of local politics with other geographical scales (national, regional and international) constitutes also an arena for deliberation among urban actors. Non-governmental actors like social initiatives and corporate capital seek support for their interests and arguments at other levels for the purpose of influencing local policy decisions. To what extent this double engagement in global governance takes on legitimate forms depends strongly on the accessibility of the international level for weak actors. This is very crucial to elaborate since particularly the local level is often referred to be inherently more democratic. One of the main arguments for decentralisation (political, administrative and fiscal) and the strengthening of local self-governments is the position that the local level is seen as essential for democracy and democratic processes in the context of global governance. This view is supported and reaffirmed by several international conventions, e.g. the European Charter on Self-Government or the Worldwide Declaration of Local Self-Government adopted by the International Union of Local Authorities (IULA). The preamble of the European Charter on Self-Government states:

*"that the local authorities are one of the main foundations of any democratic regime; (...) that the right of citizens to participate in the conduct of public affairs is one of the democratic principles that are shared by all member States of the Council of Europe; (...) that it is at local level that this right can be most directly exercised; (...) that the existence of local authorities with real responsibilities can provide an administration which is both effective and close to the citizen;"<sup>1</sup>*

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<sup>1</sup> <http://conventions.coe.int/Treaty/en/Treaties/Html/122.htm> (accessed 3.9.07)

Considering decentralised local structures as automatically more democratic neglects the existence of power relations at the local level. Local elites have usually more resources at hand as well on the local level as to be present in the spheres of multi-level-governance. Therefore to avoid the "local trap" (cf. Purcell 2006) it is essential not only to investigate the participatory channels at the local level but also the articulation and representation of interests at other scales.

The building of networks and alliances with others in order to gain influence plays a significant role in the context of global governance (cf. Schwenken 2007). Networks are often read as a response to the social challenges and growing complexity of global politics that exceed the capacities of state governments and market mechanisms to regulate them. In various cities irregular migration is increasingly perceived as a persisting social phenomenon that has to be addressed in other terms than apprehension and migration control. The awareness that the repressive politics of the European Union and its member states towards migrants produces ever more irregular migrants pouring into the cities have caused some local officials to pave the way for more socially oriented approaches. Through international networks and alliances this position gained influence among European local authorities.

The question here is to what extent networks can enhance the means of weak actors to influence political decision making. Of special interest is furthermore the interdependency of various levels. How does networking at a regional scale not only enlarge the influence at the very same level but also at the local level? Is democratic participation at the local level a channel to articulate ones interests at the global or regional level? For the analysis of these questions with regard towards irregular migrants, networks of cities at the international level and advocacy coalitions between pro-migrant actors and local authorities are of interest. An example for the former is the ongoing process of drafting a Global Charter of Human Rights in the City and for the latter the campaign "Access to Health Care for Undocumented Migrants" organised by the Platform for International Cooperation on Undocumented Migration (picum).

## **Networking for Human Rights in the City**

During the last decades several international network organisations and joint programmes representing the interests of cities at an international scale have emerged. Networks are defined as

*"a) relatively stable arrangement of non-hierarchical and interdependent relations between actors who operate autonomously from each other, b) who share an agenda of political processes and/or public aims, and c) who thereby exchange resources and interact through negotiations and co-operations. (Kohlmorgen et al. 2007: 16; own translation)*

The biggest organisations are the International Union of Local Authorities (IULA), already founded in 1913, and the Worlds Federation of United Cities/United Towns Organisation (FMCU-UTO) founded in 1960. Together with Metropolis, founded in 1984 as the international organisation of cities with more than a million inhabitants, they formed the United Cities & Local Government Association (UCLG) in 2004. Over 1000 cities across 95 countries and almost every existing Local Government Association are members of the UCLG. Engaging "in lobbying and advocacy to promote the role and status of local government in the international arena and to influence international policy making" is declared as a crucial task of the UCLG.<sup>2</sup> In the last two decades the UCLG has associated with other organisations to launch several programmes aiming at poverty and slum reduction, sustainable development, human rights etc. Furthermore the UCLG participates in and provides various international urban forums. This development can clearly be read as an indicator for the changed role and function cities take on in the context of global governance. Cities are responding to these challenges by networking among themselves, sharing best practices and building up new partnerships at an international level. The central objective of these measures is to enforce their capacities as well for global economic competition as for delivering urban services to their residents. The involvement of various local stakeholders is considered essential in the development of an effective urban governance regime.

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<sup>2</sup><http://www.cities-localgovernments.org/uclg/index.asp?pag=template.asp&L=EN&ID=6>  
(accessed 8.9.07)

In the course of the last decade the application of human rights in cities has become a prominent topic for several International Organisations and networks. The current process to draft a Global Charter of Human Rights in the City is a far reaching effort co-ordinated by the Commission of Social Inclusion and Participatory Democracy (CSIPD) of the United Cities and Local Governments (UCLG). However, the incentive for this process has to be seen in the context of the World Social Forum in Porto Alegre. Since 2001 the Forum of Local Authorities for Social Inclusion (FAL) is meeting there annually. The FAL is a forum of mayors that seeks, together with civil society, for alternatives of public management in the process of globalisation. In 2005 a work plan was approved which put Human Rights in Cities on the agenda of FAL<sup>3</sup> and one year later the Global Citizenship Workgroup: Immigration and Human Rights of the CSIPD was established. The CSIPD identifies migration as one reason for the necessity for a Charter of Human Rights in Cities:

*"The patterns of migration around the world, the daily arrival in Europe of fishing boats with immigrants from Africa, the population shifts towards cities in Latin America, and the migration from Mexico into the United States are some of the many manifestations that appear every day on television screens and in newspapers, often leading to compassion fatigue and revealing political inadequacy, repressive and uncharitable responses, insecurity and a lack of respect for human dignity. The Charter-Agenda will need to cover these situations that are today the pulse of history."*<sup>4</sup>

In sync with this Charter Project can be seen several initiatives put forward during the past years. In 1998 the first European Cities for Human Rights Conference was held in Barcelona. This conference was the outcome of a process of dialogue and debate between local officials from different European Cities, NGOs and academic scholars. Two years later the European Charter for the Safeguarding of Human Rights in the City was adopted. It states:

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<sup>3</sup> <http://www.hic-net.org/documents.asp?PID=646> (accessed 3.9.07)

<sup>4</sup> [http://www.cities-localgovernments.org/uclg/upload/newTempDoc/EN\\_229\\_ciudadaniaglobal\\_eng.pdf](http://www.cities-localgovernments.org/uclg/upload/newTempDoc/EN_229_ciudadaniaglobal_eng.pdf), (accessed 28.07.07)

*"And finally, in the face of the crisis facing elected democracy in the national states today and in view of the concern over European bureaucracy, the city emerges as a possible new political and social space. Here exciting possibilities for an accessible democracy are emerging. All city dwellers will be able to participate in civic life and thus in citizenship. If all of the rights laid down below are for everyone, then each citizen must secure those rights for all others in freedom and solidarity."*<sup>5</sup>

In this declaration the undersigning cities agree that the Universal Declaration of Human Rights and other international human rights frameworks "apply to all, whether inhabitants of cities or otherwise. They acknowledge that human rights are universal, indivisible and interdependent and that all public bodies have a responsibility to guarantee them." Although this Charter is not legally binding it enhances the possibility and awareness of legitimate claims of social minorities to local governments. Furthermore it provides a basis for the evaluation of performance and therefore has some legal weight.

The most far reaching initiative in terms of rights postulated in a charter so far was started by the Habitat International Coalition (HIC), a NGO encompassing more than 400 organisations and individuals working on the issue of human settlement. HIC put forward a "World Charter for the Right to the City" that was debated at several international social forums.<sup>6</sup> Article 2 states:

*"The Right to the City is defined as the equitable usufruct of cities within the principles of sustainability, democracy, equity, and social justice. It is the collective right of the inhabitants of cities, in particular of the vulnerable and marginalized groups, that confers upon them legitimacy of action and organization, based on their uses and customs, with the objective to achieve full exercise of the right to free self-determination and an adequate standard of living. The Right to the City is interdependent of all internationally recognized and integrally conceived human rights, and therefore includes all the civil, political, economic, social, cultural and*

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<sup>5</sup> <http://www.menschenrechte.nuernberg.de/admin/uploads/files/charter-engl.pdf>, p. 2 (accessed 3.9.07)

<sup>6</sup> Social Forum of the Americas, Quito, July 2004; World Urban Forum, Barcelona, October 2004; World Social Forum, Porto Alegre, January 2005; Revision in preparation for Barcelona, September 2005 Discussion paper

*environmental rights which are already regulated in the international human rights treaties."*<sup>7</sup>

Although this charter is not supported by local authorities directly it nevertheless influences the ongoing debate about the World Charter of Human Rights in the City described above. Last but not least HIC is involved in the drafting process of the latter and the initiative was started in the context of the World Social Forum.

Even though the claim for the Right to the City does not effect the formally illegal status of irregular migrants it entails the implicit quest for disregarding migration control at the urban realm because fear of deportation deprives undocumented migrants of their right to the city. Anyhow the political mobilisation around the issue of irregular migration at the local level in general doesn't address questions of legalisation since cities are not considered the crucial level for influence. Pro-migrant actors and organisations of irregular migrations rather focus on the broadening of operational frames such as access to health care, education for children, housing or labour issues. The various human rights approaches for cities undertaken during the past years dispose a discursive frame for irregular migrants to put forward their claims for social rights at the local level. Here the networking with other actors from other cities as well as at other scales (European, international) has become very important in order to influence local policies.

### **Access to Health Care for Undocumented Migrants**

The campaign "Access to Health Care for Undocumented Migrants" initiated by the Platform for international Cooperation on Undocumented Migration (picum) is pillared by a transnational advocacy coalition encompassing a wide range of project partners including public authorities and NGOs alike.<sup>8</sup> The fact that this project is co-funded by

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<sup>7</sup> [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=8218&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=8218&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed 28.07.07)

<sup>8</sup> Public Authorities: CPAS (Centre Public d'Aide Sociale de Bruxelles (Belgium), Primary Care Trust Newham (United Kingdom), Stelle für interkulturelle Arbeit der Landeshauptstadt München (Germany), Gemeentelijke Gezondheidsdienst Rotterdam (Netherlands), Fundación Progreso y Salud (Spain), EUROCITIES (International); NGOs: Menedék – Hungarian Association for Migrants (Hungary), Jesuit Refugee Service (Portugal), Comede (France), Medinetz (Germany), NAGA (Italy), \_Rosengrenska (Sweden), Evangelisches Hilfswerk in Österreich (Austria), Medimmigrant (Belgium), Caritas Europa (International), Médecins du Monde (France); Health Care Providers: Hospital Punta de Europa (Spain), Lampion (Netherlands), European Public Health Association (EUPHA) (International)

the European Commission<sup>9</sup> already indicates that despite the repressive migratory system of the EU the access to health care for people without documents is a negotiable issue. A conference held in June on the topic was organised together with EUROCITIES, a network of around 130 bigger cities in Europe founded in 1986. On the homepage of EUROCITIES the project's aims are described as follows:

*"On a thematic level, it addresses the social exclusion of this group of migrants and and thus enhance social cohesion in society. On a methodological/institutional level, this project aims to strengthen the Social Inclusion Strategy (SIS) firstly by improving the involvement of local actors and NGOs in writing the NAPs/incl, and secondly by making sure the SIS encompasses this important aspect of social reality in Europe: the presence of undocumented migrants."(EUROCITIES)<sup>10</sup>*

With a system of reporting picum and the associated partners accomplished a solid review of the situation in Europe identifying legal and practical barriers as well as successful practices despite institutional hindrances. The main aim of the project is to build networks and promote local partnerships because *"it is precisely at local level where the consequences of an insufficient access to health care are felt directly and, moreover, where national and European policies are executed"* (picum).<sup>11</sup> Nevertheless the European level is considered crucial as well since it helps actors to exchange experiences and find support. Moreover the EU disposes a relevant policy channel for advocacy coalitions since the institutional setting is more permeable than most national contexts and therefore more open for influence of less institutionalised actors (cf. Schwenken 2007).

The co-operation in the project "Access to Health Care for Undocumented Migrants" is an example for transnational advocacy coalitions (TNC).

*"A transnational advocacy network includes those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services. Such networks are*

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<sup>9</sup> it is funded by DG Employment, Social Affairs and Equal Opportunities within the framework of the Community Action Program to Combat Social Exclusion.

<sup>10</sup> <http://www.eurocities.org/main.php>, (accessed 3.9.07), NAP = National Action Plan

<sup>11</sup> <http://www.picum.org/> (accessed 25.05.07)

*most prevalent in issue areas characterized by high value content and informational uncertainty." (Keck/ Sikkink 1998: 2)*

In the project " Access to Health Care for Undocumented Migrants" the relevant actors are local authorities, medical institutions, pro-migrant initiatives, and of course irregular migrants themselves. For the latter public appearance is usually very difficult. However, in the context of such a network a protected space is constituted for undocumented migrants to participate. Equally the issue is definitely one of high value and informational uncertainty. Such TNCs are very important in the struggle for social rights because they may not only influence the outcome but also help to create new issues and categories and therefore may influence the terms and nature of a debate (cf. Keck/ Sikkink 1998). TNCs usually consist of a variety of actors ranging from official authorities ore single politicians to social movements, academics, trade unions, and church institutions. In the case of the health care project it is mostly local initiatives and national NGOs dealing with the topic but also local authorities, e.g. represented in EUROCITIES, and international NGOs. The strength of this variety of actors lays in the multifaceted relations among those actors and also their access to different policy-arenas (cf. Schwenken 2007). Especially the involvement of EUROCITIES entails access to several local authorities and beyond means an influential partner at the European level.

To focus on an advocacy coalition rather than on a sole network opens up the perspective on transnational relations and negotiations. At the conference held in June a variety of practices and approaches to the topic of health care for undocumented migrants were debated and possibilities for strategic interventions exchanged. Particularly in a context like the European Union successful practices within one country can be advocated through the European level to be adapted in another country. Even if those practices are far from being a binding legal framework such advocacy coalitions still dispose a societal space for social contestation. Therefore the campaign for health care can clearly be read as an successful attempt to strengthen the legitimacy of social claims of irregular migrants at the local level.

## **Performing Urban Citizenship**

*"The global city is the denationalized space where people from all over the world come together and claim-making is not confined to formal citizens" (Sassen 2004: 176)*

Local authorities are affected and addressed in the context of irregular migration in two ways: On the one hand, state governments expect their local officials to follow national legislation and thus to perceive of undocumented migrants as illegal residents. To what extent local governments have to execute national regulations varies. In Germany for example local officials are obliged to denounce irregular migrants whereas in Spain migrants without documents can even register as residents at the local level which becomes especially relevant in regularisation processes that require some years of residency. On the other hand, cities are strongly affected by the social consequences of the growing number of irregular migrants in the EU. They face a cumulation of social risks and problems within their realm. Nevertheless, since social rights and citizenship are linked very strongly and are apart from juridical frames sociopolitically contested in the past municipalities have mostly refrained from exercising a politics of integration towards irregular migrants. The Human Rights Charter and also the campaign for health care for undocumented migrants can indeed be seen as an starting inclination to more socially oriented approaches, but the overall situation for irregular migrants is still very precarious. Therefore in most cases NGOs, social initiatives, ethnic communities, and self-organisations of undocumented migrants have tried to meet the primary needs of irregular migrants. Hence, around the issue of irregular migration we find many social and political forms of citizenship practices that are constitutive for social cohesion within communities and that dispose a societal space to put forward claims for social rights.

Citizenship is generally conceptualised as the affiliation to a nation state (either through birth or naturalisation) and is associated with civil, social and political rights that are expected to be guaranteed and protected by democratic states. In recent years this very narrow and formal conception of citizenship has been put into question for several reasons: First, the process of globalisation has diluted traditional conceptions of the nation state as a container for a certain territory and a certain people. Some scholars argue that in the follow forms of postnational/transnational citizenship are emerging that

are no longer exclusively linked to the nation state. Indicators for these forms of citizenship are seen in the transnational social relations of immigrants and international human rights policies that generate postnational models of societal belonging (cf. D'Amato 2004, Soysal 1994). Second, the meaning and boundaries of citizenship is nothing static but a terrain for social actors and groups to put forward their claims (e.g. women, gay/lesbians, migrants). This can be seen as forms of citizenship practices through which individuals revise the prevailing conceptions of citizenship (cf. Isin/Siemiatycki 1999). And finally, it is the local level that is seen as the crucial site where claims for rights and citizenship practices not only originate but also are voiced and expressed.

*"Rather, cities are places where the very meaning , content and extent of citizenship are being made and re-made (...) Many groups such as women's, lesbians and gays, ecological, ethno-racial and others argue that traditional, civil, political and social rights do not adequately address their needs and so seek new rights such as gender, multicultural, ecological, sexual, and other rights. (...) Cities, particularly global cities, have therefore become political spaces where concentration of different groups and their identities are intertwined with the articulation of new claims and citizenship rights (...). It is this vast domain of groups, identities and appropriation and use of urban space to articulate claims that constitutes urban citizenship as a field of research" (Isin/ Siemiatycki 1999: 7f).*

Thus to see citizenship only from the perspective of formal rights blinds out the multifaceted practices through which social actors and groups engage in the (re-)making and discourse of social and political rights, societal inclusion and appropriation of identities. This becomes especially evident in cities where the diversity of identities is the biggest. The urban space constitutes a political space in which various actors demand for new rights and the maintenance of existing rights on the basis of difference. Lynn Staeheli describes this as "standing within a political community" (Staeheli 2003: 97) and as the substantive sense of citizenship. The notion of urban citizenship refers to the groundedness of these communities by the appropriation of urban space: localities are shaped and produced by specific cultural practices and the organisation of the daily life. It is in this substantive sense that undocumented migrants can actually be considered as citizens.

Further reasons to link citizenship to the urban are at hand as well for the social citizenship dimension as for the political citizenship dimension. Starting again from a formal conception of citizenship the provision of social justice through access to public goods and welfare politics is crucial for citizenship (cf. García 2006). These entitlements are mostly realised at the local level. Health care, education, housing, public transport, child care, and the care for the homeless and poor are only some of the managerial functions of local governments. To what degree and to whom these provisions should be granted though is constantly subject of public debates. Especially the introduction of market mechanisms to local politics and the growing pressure to be competitive internationally has led to a withdrawal of formal citizenship entitlements in various spheres. Nevertheless in most European countries and cities the idea of social cohesion remains rather strong and civil society has emerged as a crucial resource for achieving this aim and thus a partial dilution of social citizenship from the state has occurred. Consequently the notion of community and also the enactment of community in terms of mutual solidarity and collective social action becomes more important.

In urban research immigrants have long been considered as "the others" who have to be integrated in or assimilated to the receiving society. While scientists and politicians have much argued about the best ways to achieve this, immigrants have managed - although highly expounded as problematic by the former - to form their own communities within cities. The large number of residents who are not formally recognised as citizens and therefore excluded from political decision making (e.g. through elections) at all national scales undermines the legitimacy of representative democracy. At the same time conceptions of citizenship exclusively linked to the state are questioned by citizenship practices enacted daily within immigrant communities.

Irregular migrants form part of the civil society in the sense that they demonstrate civic involvement and responsibility in their communities and therewith perform relevant citizenship practices.

*"Informal practices and political subjects not quite fully recognized as such can nonetheless function as part of the political landscape. Undocumented immigrants who are long-term residents engage in practices that are the same as those of formally defined citizens in the routine of daily life; this produces an informal social contract between these undocumented immigrants and the community. (...) Insofar as citizenship is at least partly shaped by the conditions within which it is embedded,*

*conditions that have today changed in certain very specific and also general ways, we may well be seeing a corresponding set of changes in the institution itself: These may not yet be formalized, and some may never be fully formalized." (Sassen 2004: 181)*

Therefore it is important when thinking about citizenship or legitimate residency not only to consider formal rights but also self-organised community life, because "[p]eople who act on the basis of citizenship attain an identity that allows them to act as members of a community who either have rights or who should have rights" (Staeheli 2003: 100). Some scholars even argue that cities should circumvent national legislation that exclude non-european citizens from local elections by formalising local citizenship as a *ius domicili* that is accessible as a public good to all residents (cf. Bauböck 2003). The notion of the "Right to the City" which has become one of the central keywords of urban social movements and is also proclaimed in a World Charter for the Right to the City" (see above) can be seen as the discursive frame for such conceptions of citizenship.

## **Conclusion**

Urban Citizenship is performed at various scales and its legal and substantive formation is influenced through processes and institution at the local, the national, and the international level. Hence, the national scale is not the sole level where citizenship is filled with meaning. Rather citizenship has to be understood as a process in which the adhered meaning is constantly reworked and altered through social contestation. To what extent marginalised groups can claim citizenship rights for themselves at various levels conveys their accessibility for weak interests. However, this accessibility may be improved by advocating through other levels. As I have shown above the Charter for Human Rights in the City as well as the campaign for health care, both located at the international level, successfully influence the discourse on social rights at the local level. Thus, advocacy for social rights in multi-level policy spaces may bring about new operational and discursive openings for weak actors to engage in political contestation at the local as well as the international level.

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