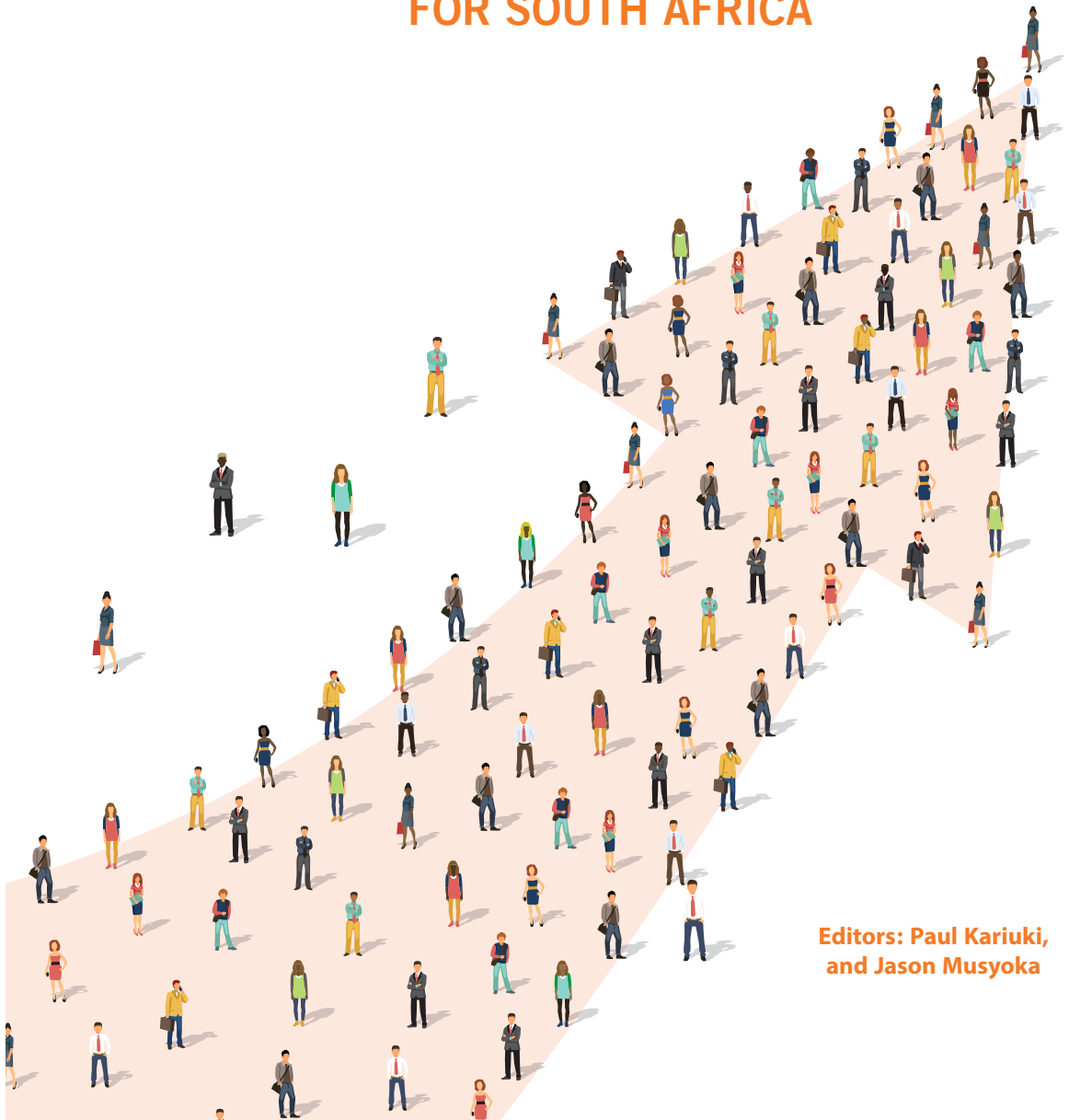


DEVELOPMENTAL MIGRATION

POLICIES, PROBLEMS, AND POSSIBILITIES
FOR SOUTH AFRICA



Editors: Paul Kariuki,
and Jason Musyoka



Migration Compendium

Developmental Migration

Policies, Problems and
Possibilities for South Africa

Paul Kariuki & Jason Musyoka (Eds)



Democracy Development Program NPC

www.ddp.org.za

Migration Compendium

Developmental Migration: Policies, Problems and Possibilities for South Africa

Produced by UJ Press
University of Johannesburg
Library
Auckland Park Kingsway Campus
PO Box 524
Auckland Park
2006
<https://ujonlinepress.uj.ac.za/>

Compilation © Paul Kariuki & Jason Musyoka 2022
Chapters © Individual contributors 2022
Published Edition © Paul Kariuki & Jason Musyoka 2022
First published 2022

<https://doi.org/10.36615/9780639741192>

978-0-6397-4118-5 (Paperback)
978-0-6397-4119-2 (PDF)
978-0-6397-4120-8 (EPUB)

Copy editor: Alida Buckle
Typeset in 10/13pt Merriweather Light



Contents

Biographies	i
List of Acronyms	vii
Migration and development: hubris in the abyss	1
Chapter 1: Background	7
Chapter 2: The political economy of migration in South Africa Marlie Holtzhausen	17
Chapter 3: Migration and social disruption: the impact of migration on the traditional social arrangement in South Africa	41
Adefemi A. Obalade	
Chapter 4: Migration and statelessness: the challenges of stateless citizens in South Africa	65
Adebimpe Esther Ofusori	
Chapter 5: Migration and human rights: the management of cross-border mobility in the era of a pandemic – a human rights perspective	83
Nyasha Mpani	
Chapter 6: Migration and media: the influence of the media on migration management in South Africa	103
Princelle Dasappa-Venketsamy and Thithi Maseko	
Chapter 7: Migration and health in the era of the COVID-19 pandemic: social protection for migrants' equitable access to health services in South Africa	121
James Ndirangu and Donna Jacobs	

Chapter 8: Migration and social protection: managing socio-economic vulnerabilities of internal migrants in South Africa in the era of COVID-19	147
Florence A. Shisanya	
Chapter 9: Trends and patterns of migration status and data before and during COVID-19 era in South Africa	165
Olusola Bodede	
Chapter 10: Migrant entrepreneurship: opportunities and challenges faced by migrants in the informal trade, and the politics of policing xenophobia	183
Lily Hlophe and Tawanda Matema	
Chapter 11: Assessing South Africa's political and policy response to migrants from the SADC region	209
Lizzy Ofusori	

Biographies

Editors' biographies

Paul Kariuki is the executive director of the Democracy Development Program (DDP). He has a PhD in administration from the University of KwaZulu-Natal (UKZN) and has served in various leadership roles in the civil society sector for the last 22 years. He is also a research fellow at the School of Management, IT and Governance at UKZN. His research interests are public governance, public participation, citizenship, electronic governance, social cohesion, civil society, and monitoring and evaluation in the public sector. Kariuki has published widely in these interest areas and is a reviewer of several national and international academic journals. He is a regular commentator on various topical themes on politics, governance, elections, human rights, gender mainstreaming, development economics, development in Africa, migration and social cohesion, and public participation, among other themes, on various national radio and television stations.

Jason Musyoka (PhD) holds a Ph.D. in Business Leadership and Masters' in Development Studies. He is a Pan-Africanist Scholar, and a distinguished Development Economist, based at the Department of Political Sciences, Centre for Mediation in Africa, University of Pretoria, South Africa. Dr. Musyoka has particularly been consulted widely on Migration and Development, by national and regional governments (including by IGAD and SADC regional blocs), as well as by the International Organization (IOM). He has also been contracted by the United Nations Development Programme (UNDP) as the lead investigator for Kenya's 9th Human Development Report. In addition, Dr. Musyoka is also the Chief Executive Officer of The Frontline Group, the President of The Frontline Training Institute, and the Chief Editor of Africa Monthly. Dr. Musyoka is a thought leader in the continent on Africa's Political Economy and has featured prominently on national print media in South Africa, as well as TV and Radio media platforms, including but not limited to continental media (DSTV channels 403 (ENCA), channel 405 (NewzRoom Africa) and global media (BBC)..

Contributors' biographies

Adebimpe Esther Ofusori is an innovative researcher and lecturer. She has a PhD from UKZN. Her area of expertise is analytical chemistry and natural products. She attended international conferences and had training in modern analytical and biotechnological instruments. Other areas of expertise include women's development schemes, youth empowerment, and politics. She has several publications in highly reputable peer-reviewed journals and has an outstanding ability to work collaboratively with others.

Adefemi A. Obalade is a senior lecturer in the School of Business and Finance at the University of the Western Cape. He was a postdoctoral fellow and a part-time lecturer at UKZN. He also worked as a graduate assistant at Benue State University and a finance lecturer at Ekiti State University. His research interests include financial markets and economics, time series analyses, environmental finance, and sustainability. Obalade has published several articles in national and international journals. He has also written several blog articles on social and political issues in South Africa.

Lizzy Oluwatoyin Ofusori has a PhD in information systems and technology from UKZN. She is a postdoctoral research fellow at UKZN and the editorial manager of the *African Journal of Computing & ICT* and the *African Journal of Management Information Systems*. Her research interests include information security, bring-your-own-device, mobile security, big data and e-governance.

Olusola S. Bodede earned his PhD in chemistry in 2017 from UKZN. He published six research articles from his PhD and has been involved in interdisciplinary, collaborative research to date, with significant outputs in the form of publications in reputable journals of Elsevier, Taylor and Francis, Springer, etc. He has also communicated his research findings through oral and poster presentations at local and international conferences, including the recently concluded 18th Annual Conference of the Metabolomics Society, held in Valencia, Spain. In the past years, Bodede has developed a strong passion for mentoring postgraduate students, effective writing, thorough editing and review of research papers of international standards.

Marlie Holtzhausen has a PhD in political sciences from UP and is a part-time post-doctorate candidate at the Centre for Mediation in Africa. She also works as an embedded researcher at the James 1:27 Trust, a non-governmental organisation (NGO), while working

part-time as life and organisational coach. Her research interest is in exploring relational approaches to development. The research is interdisciplinary to deepen the understanding of relationships and care interventions in development. Her work entails bridging the gap between research and practice.

Florence A. Shisanya is the executive director of Governance and Livelihoods Agenda, a non-profit organisation in South Africa. She holds doctoral and master's degrees in social sciences (public policy and development) from UKZN. Shisanya has a multidisciplinary background in monitoring and evaluation, research, education, and community development. She worked in the NGO sector for over ten years and was an educator in Kenya and South Africa.

Hlekani Kabiti is a researcher at the Risk and Vulnerability Science Centre, also serving as a steering committee member of the Sustainable Agriculture and Rural Development Research Niche area at Walter Sisulu University. She has a PhD in rural development and an MSc in agriculture (agricultural economics) from the University of Venda. She has more than nine years of research experience, focusing on agricultural economics, rural development, rural livelihoods, social development, food security, and socioeconomic and community engagement themes.

James Ndirangu is a programme director at the Division of Public Health, University of the Free State. He has a PhD in population health from University College London, United Kingdom, and an MSc (medicine) in epidemiology from the University of the Witwatersrand (Wits). He is an epidemiologist with 19 years of experience leading research, implementing programmes and strengthening health systems at national and international levels. He is also a principal investigator in COVID-19 research studies. He has co-authored 30 peer-reviewed scientific publications. Ndirangu has been involved in several international expert committees, including the Africa Centre for Disease Control Vaccine-Preventable Diseases and the World Health Organisation (WHO) border health capacities. He is a board member of Elim Trust, an NGO that advances mental health in Kenyan communities by tackling psychosocial challenges in adolescents, youth in learning institutions and adults in communities.

Donna Jacobs has been a medical doctor and public health specialist with over twenty-four years of experience in global health issues. She has managed and provided strategic direction to public and private

institutions at the national and international levels for over twenty years and has worked on HIV/AIDS and TB programs in Sub-Saharan Africa while also providing oversight for global infectious disease programs, focusing on preparedness for emerging pandemic threats, including strengthening responses to climate change and migration. Jacobs is also a certified master trainer and Cochrane Collaboration contributing author. She has worked on program activities funded by the United States President's Emergency Plan for AIDS Relief, the United States Agency for International Development, WHO, the South African Medical Research Council, the World Bank and the Ministries of Health, Education, Justice and Social Development. She has co-authored over ten peer-reviewed scientific publications and has been involved in several international expert committees.

Nyasha McBride Mpani is the new project officer for the Data for Governance Alliance at the Institute for Justice and Reconciliation. He is also a parliamentary program assistant with DDP. Mpani is a sociology and development studies graduate from the University of Cape Town (UCT) and is currently a PhD student at UCT. He has recently worked as an advocacy fellow with the Centre for the Study of Violence and Reconciliation.

Lily Hlophe has a master's degree in sociology and two honours degrees in general psychology and psychological counselling. She trained as a researcher at Wits, the National Institute of Health and the University of Los Angeles. She has over seven years of experience in research in the social sciences. Moreover, she is passionate about skills development and rural and township-based research to develop custom-made interventions for the betterment of the lives of the residents of these areas. Hlophe is a member of the South African Sociological Association, and she is also an Education, Training and Development Practices Sector Education and Training Authority (ETDP SETA) accredited skills development facilitator and assessor.

Tawanda Matema is a project manager at the Konrad Adenauer Stiftung working on the European Union Migration Project implemented by the DDP. He is a PhD candidate in international relations at Wits. As a former Konrad Adenauer Stiftung Scholar (2020), Tawanda has worked as a research scholar at the South African Institute of International Affairs (SAIIA) from 2020 to 2021. Tawanda's areas of research are in conflict resolution, peace and security, Southern African development, particularly in migration, poverty alleviation through agricultural development and food security, improving healthcare and the fourth

industrial revolution, which he has also published on. He has a bachelor's degree in political science from the University of Zimbabwe (2014), an honours degree in development studies from Wits (2019) and a master's qualification in development studies from Wits (2021).

Princelle Dasappa-Venketsamy has more than 15 years of experience in demography and research. She has held the position of subject specialist for migration statistics at the National Statistics Office in South Africa and has been instrumental in the development of various schedules of questions for census and extensive surveys on migration, population, and development issues, as well as in providing analysis and publication of results, relevant to migration policies and emerging demographic and development issues. Dasappa-Venketsamy works as a consultant for the United Nations to coordinate policy-relevant migration research activities throughout the 16 countries in the Southern African region.

Thithi Maseko has an honours degree in human settlements. A communicative and team-oriented professional with a proven history of lending her inclinations and professional skills to meet team, individual, and management objectives. Maseko has a program support background and strong knowledge of African urban development and migration research.

List of Acronyms

ANC	African National Congress
AU	African Union
ACA	Aliens Control Act
AIDS	Acquired immunodeficiency syndrome
BRC	Broadcast Research Council of South Africa
CIPC	Company and Intellectual Property Commission
COVID-19	Coronavirus disease of 2019
CSOs	Civil Society Organisations
CSIR	Council for Scientific and Industrial Research
DDP	Democracy Development Programme
DHA	Department of Home Affairs
DHET	Department of Higher Education and Training
DHIS	District Health Information System
DNLMP	Draft National Labour Migration Policy
DRC	Democratic Republic of the Congo
DWB	Doctors Without Borders
EU	European Union
GDP	Gross Domestic Product
HIV	Human immunodeficiency syndrome
HSRC	Human Sciences Research Council
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFIs	Informal Financial Institutions
IHR	International Health Regulations
ILO	International Labour Organisation
IMF	International Monetary Fund
IOM	International Organisation for Migration
IPB	ILO Policy Brief
KZN	KwaZulu-Natal
Mhadri	Migration, Health, and Development Research Initiative
MIPEX	Migrant Integration Policy Index

Developmental migration

MNCs	Multinational Corporations
MPFA	Migration Policy Framework for Africa
NGO	Non-Governmental Organisation
NICD	National Institute for Communicable Diseases
NIEs	Newly Industrialised Economies
NSFAS	National Student Financial Aid Scheme
OECD	Organisation for Economic Cooperation and Development
SA	South Africa
SADC	Southern African Development Community
SADCC	Southern African Development Coordinating Conference
SAHRC	South African Human Rights Commission
SARS	Severe Acute Respiratory Syndrome
SDG	Sustainable Development Goals
StatsSA	Statistics South Africa
TB	Tuberculosis
TEBA	Taste of the Employment Bureau of Africa
UDHR	Universal Declaration of Human Rights
UHC	Universal Health Coverage
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs
Unesco	United Nations Educational, Scientific and Cultural Organisation
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNPD	United Nations Population Division
URC	University Research Company
WHO	World Health Organisation
WFP	World Food Programme

Migration and development: hubris in the abyss

This volume took on the very complex, difficult, ever-changing, politically charged, and socio-economically disrupting issue of migration. “And development” is meaningful in the title of the work because it is principally about migration and the controversies that revolve around how some, mainly the African poor in South Africa, have responded to growing numbers of immigrants from Africa (and South Asia), including violence that has sometimes been described as xenophobic or afrophobic. This book wishes to see this issue through the development lens.

This lens is useful for two reasons: The first is that the subject of migration is easily reduced into a tool for this or that extreme political agenda in a context where stakes are high. Stakes are high where there is high competition for meagre or dwindling resources or where the elite is desperate to find pons for their elitist agenda or a scapegoat for their political campaigns (Akokpari, 1998). It is useful because migration, as a movement of people between spaces, has to do with the state and level of development, defined as the improvement in the quality of lives people in a place live. It becomes about quality of life and how migration impacts these.

The second reason is that in the South African case, the migration issue is a lot about uneven development about which scholars of regional integration like Mayuyuka Kaunda and Mwesiga Baregu long warned will generate difficulties for the integration of the people and economies of the region (Baregu & Landsberg, 2003; Kaunda, 2008). This territorial nature of inequality creates a number of margins and peripheries in southern Africa, which is itself wholly a periphery in the global order.

While migration has many driving factors, underdevelopment and undemocratic regression seem to be major factors in this case. South Africa has many opportunities that attract decently skilled people of the entire continent to seek an Eldorado from difficulties in places of their usual residence or simply for a change in environment or as a transit to explore elsewhere in the world (Crush, Ramachandran & Pendleton, 2013). They often come to South Africa to make a living rather than take a living from others. Their usual intention is not to steal anyone’s development opportunities, jobs, or businesses.

Immigrants often find people locked in the margins of a largely prosperous country, desperate to make a living, apprehensive about competition with more poor people like them, and caught up in despair and anger against the establishment. They find the poor angry and hungry for opportunities and quickly to see immigrants as a direct threat to their bare existence (Aliber, 2010). The immigrant poor are also hungry for opportunities to make a living. Co-existence happens a lot, but conflict also happens. The latter is of greater interest to commentators than the former.

We have known for a time that modernity creates problems that it cannot solve. It creates the problem of a poverty trap for the majority and affluence for a few. It engenders structural violence that brutalises the poor and turns them into assumed monsters whose violence has no cause but a mere emotion of hatred for one another (Rylko-Bauer & Farmer, 2016). The language of xenophobia, like the language of “stealing our jobs”, reinforce this easy explanation for complex things.

The conduct of modernity/coloniality, which is colonial in origin in its iteration in Africa, reinvents the poor as the problem of society in the manner William du Bois saw with the negro in the early twentieth century, leading him to ask the question: What does it mean to exist as a problem? (Du Bois, 1903). Modernity/coloniality constructs them as disposable, dispensable and as a people permanently near death. They are death-bound subjects in JanMohamed’s terms (JanMohamed, 2005). These people live precariously and, like the enslaved (now enslaved by poverty), live with death itself: “social death” it is, to use Orlando Patterson’s phrase (Patterson, 2018).

The migrants and the vast majority of people responding violently to migrants are from this class of brutalised and violated beings. Migrants are caricatured as robbers, coyotes, smugglers, thieves, and other evils, implying that they can attack easily (Cleaveland, 2010; Crush & Peberdy, 2018). This demonisation that precedes violence is a form of psychological violence produced by people who are also themselves victims of caricatures as breeders of future criminals, lazy people, drop-out, ama para and so forth. This demonisation attempts to name them as people who are a problem rather than people with problems. After their violence against migrants, they earn another caricature as xenophobes or afrophobes, which means they have to be known not as people with problems but as people who are a problem, the haters (Tewolde, 2020).

Development is a much bigger problem than is often theorised. It is not a shortage of development that generates these problems described, but the very logic of modern development. In *Invention of development*, Arturo Escobar shows how modernity/coloniality left us with a logic of development that reinforced a hierarchy of human beings and created problems it could not solve (Escobar, 1999). This development assumingly comes in stages, one after another, in a hierarchy from the big bottom to the tiny top. This idea of development displaced other ways and logics of development, including an indigenous logic of development as the expansion of a circle of mutually humanising each other, including more and more people. This dominant logic of development makes a pool of the poor at the bottom a natural and necessary part of the process of development. The poor and marginalised are not a failure of modernity's logic of development but its by-product. This development divides and thrives on competition and harbours violence and conflict.

Both the “notion of development” and the “nation-state” are the “ghosts of empire”, to use Kwasi Kwarteng's phrase, that did not die when the colonial empire seemed to die (Kwarteng, 2012). The neo-colonial state masquerades as postcolonial when it is neo-colonial. It is a state as a project of national liberation as an elite project rather than social liberation, as Nzungu-Ntalaja would have it (Nzungu-Ntalaja, 1987). It is a state that maintains boundaries necessary to satisfy the narrow nationalist impulses while failing to satisfy the aspirations of the people that make up the nation, leaving many to fend for themselves on the gruelling margins of society. When its poor citizens get into clashes with immigrant poor, the state does not know where it stands on matters of human well-being because it is neither African nor Western as a state but something of a schizophrenic thing that exists to preserve the status quo. This neo-colonial state, its neighbouring states and global powers work together to produce and reproduce the margins and the violence of the margins. They also reproduce them as a problem on a problem, a double whammy against order and peace.

* * *

The hubris in the abyss

The African citizen is not.

The African immigrant is a citizen of a world that does not exist.

Developmental migration

They are disposable at home and abroad.
People denied their humanity by all coming from here and there.
Their tears are not tears, their pain is not pain.
Their plans and aspirations in vain, they eke out a living in the
abyss and earn scorn.
After all, they are African citizens.

African citizens do not exist. They are not African.
They are invented and conjured up. They exist by not thriving
but by surviving.
They dodge life-ending whirlwinds of questions, shouts and
even stones thrown.
They earn scorn.

The South African black poor are no African citizens.
African citizens do not exist, Africa does not exist.
They are the problem the bourgeoisie see. They are the nuisance
the elite loathe.
They are the menace others fear.
They are imagined out of the circle of humanity.

They are African citizens only in oxymoron, a nonity
claiming being.
They are neighbours to prosperity while barely scratching living.
They live in violence, live with violence and live violence.

Their being, both, is in fact perpetual becoming.
It is a never-ending journey to being.
Such is life on the margins where development means lack,
shortage and destitution;
the abyss. Such is life within and across borders
that render deadly to claim being while in the land of the living.

Source: Own.

* * *

If this book is of any value, it reminds us of the prayer Frans Fanon made, adapted as follows: “Ohhhh my being make a person that questions” (Fanon, 2008). It is to ask another set of questions about a subject too often discussed in simple us-against-them, angels and devils, migrants against citizens, and other binaries that hide more than reveal about African citizenship. It invites us to think again about terms so loosely employed to simplify rather than to explain, to vilify instead of understanding.

This book should stimulate more and continuous discussion of this problem of violence experienced by African migrants at the hands of those claiming to be a citizen of post-colonial South Africa. It should be engaged critically only to encourage non-extraverted discourses about what it means to be a post-colonial African and decolonial people.

Prof Siphamandla Zondi

Institute for Pan-African Thought and Conversation
University of Johannesburg

Chapter 1:

Background

Since the 1950s, debates on migration and development have tended to swing from one extreme to another. Between the 1950s and 1970s, neoclassical notions related to transferring skills, experience, and remittances concluded a positive correlation between migration and development. In the 1970s and 1980s, these optimistic postulations gradually replaced the Marxist historical-structural paradigm, which contended that migration (in all its forms) served to break down community (and household) structures and, consequently, eroded their development potential. The historical-structural regime further argued that remittances created non-productive dependency (of the receiving communities) and enhanced inequalities in the migrant-sending areas.

The Marxist approach ran its course through the 1980s, as the closing decade of the twentieth century heralded increasing scholarly interest in the heterogeneity of migration and how various strands of migration (environmental, social, political or economic) interact with development in a more dynamic fashion than neoclassical orthodoxy and Marxism seemed to suggest. Popularised as the “new economics of labour migration”, the dominant approach in the 1980s onwards understood migration as part of livelihood strategies employed by individuals to circumvent market and state constraints. This approach is enabled by the relative ease of border crossing, whether by capital (goods and services) or labour.

In the efforts to make sense of the dynamism attendant to migration (including but not limited to the heterogeneity of migration) in the twenty-first century, contemporary debates have been fragmented, with some parts of the debate focusing on trade opportunities, others cautioning on the national security threat posed by the movement of people, and others still, on the social and economic challenges introduced by migration, particularly in the receiving countries. The debate around migration and trade is robust, but the security and socio-economic aspects of the migration debate remain nationalistic, shallow and schismatic, yet at the same time, deeply institutionalised. Most of the fluxes against migration are situated in the nationalistic position, which is more concerned with the security and socio-economic well-being of host communities.

In South Africa, the nationalistic debate seems the most dominant, increasingly so post-1994. This is not to suggest that migration did not occur before 1994. Perhaps, the conversation and actions around migration changed, with the dominating part of the debate focused on increasing pushback against African migrants. What started as musings of discontent in the early 2000s exploded into national-level afrophobic violence. A second major afrophobic explosion would follow five years later, in 2013, 2015, 2017 and 2022. As Vahed and Desai (2013) argue, this systematic and more frequent outbreak of violence against migrants has become a permanent feature of contemporary South Africa. Over time, anti-migrant sentiments have become institutionalised, with coded and not so coded anti-migrant messaging from government officials, the media, and organised groups such as the rapidly emerging (and yet organic) #OperationDudula,¹ the All Truck Drivers Foundation (ATDF), the #SouthAfricaFirst campaign, and most recently, lone voices from the Patriotic Alliance.

These sentiments circumvent any meaningful engagement of migration data and remain oblivious to the positive correlation between migration and development. They also often avoid the fact that South Africa's democracy is a twenty-first-century phenomenon. Consequently, the country's development pathway fails to confront the global moment of migration in any meaningful way. Instead, the discourse is trapped in skilled labour migration bias.

The skilled labour bias produces a “loser losses all” society, where migration conversation and policy are shaped by nationalists, who dodge the hard questions and dynamics the migration phenomenon poses. And yet, these questions must be urgently posed – and addressed. All stakeholders – public, government and academia – should participate in deciphering not just the causes of migration but also the networks of processes and outcomes which lie beneath the surface. These insights are likely to assist the South African government in informing responsive and developmental migration policies and interventions, which – after all – would provide impetus to desperately needed economic growth and development in the country.

This volume brings together migration scholars and practitioners and engages complex questions of migration and development in South Africa. The volume seeks to present insights that should translate to policy and good migration practice in South Africa and further afield

1 Dudula is a Zulu word which means ‘force out’ or ‘knock out’.

by focusing on a range of themes that intersect with migration and development in dynamic ways. These themes are presented in eleven chapters, summarised below.

In Chapter 2, using political economy lenses, the volume identifies the fault lines of migration debates in South Africa, positing that migration debates in the country seem trapped in reductionist crucibles, consequently grappling with redundant questions of “why people move”. This quest, Holtzhausen argues, relates its conclusion to the history of labour migration in South Africa, which dates back to the late nineteenth century, with European migrants occupying high-skilled jobs while African labour migrants occupying low-skilled jobs. The outcome of such racialised labour migration is migration policies which employ deterrence (based on skills levels). In this light, South Africa’s migration policy, the chapter argues, seems obsessed with labour migration and, as a result, enables the sort of widespread anti-migrant sentiments linked to notions of migrants as threats to economic opportunities. The current reductionist view, focused on migration in general as if it is only labour migration, is at the core of afrophobic and xenophobic attitudes in South Africa. The chapter further cautions that the failure of the state to deliver basic services, along with low levels of job creation and increasing poverty, become easy opportunities for scapegoating economic challenges to migrants. In search of meaningful pathways forward, the author contends that the labour-focused approach to migration policy is outdated at best, at worst, contradictory. Outdated because migration is a development opportunity, contradictory because while South Africa maintains a nationalistic perspective in regard to migrants, the country also seeks to expand its export market to the rest of the continent and police human rights. These contradictions, the chapter argues, should be addressed, and migration policy should move towards a more holistic approach, one that accommodates the ongoing “process of social change” in South Africa and beyond.

In Chapter 3, Obalade weighs in on the question of social disruption consequences of internal and external migration, relating this question to social disintegration in South Africa. The author pays attention to public discourses which suggest that migration in South Africa is largely responsible for social evils such as criminality, gangsterism, drug abuse, and even poverty. These discourses further conclude that the hostility and intolerance toward migrants in South Africa can be linked to the conduct of migrants themselves, as well as the phenomenon of migration, which, in this view, is an import

of social evils. The chapter wedges into the historical difficulties of migration, particularly the specific kind of racialised history such migration created. The racial theatre enabled social disruptions on household and community levels, as black South Africans were compelled to work in mines or, as was the case in Natal, sugarcane plantations. Social disruption is more than a historical phenomenon, as the author argues. Increased household income and the attendant upward social mobility post-1994 have occasioned rural-urban migration, effectively creating further social disruption. The chapter recommends the efficient delivery of public services in rural areas as a means to minimise internal migration and, therefore, social disruption.

Migration and statelessness in South Africa are considered in Chapter 4. In this chapter, Ofusori contends that statelessness is a complex phenomenon, with stateless persons being refugees, asylum seekers, and migrants. Even more complex are persons born in South Africa to asylum-seeking parents or refugee parents. Thus, the children born of stateless people become stateless themselves. Even if the more straightforward issue of asylum-seeking or migration was addressed, the author argues, the dynamic causes of statelessness in South Africa would still perpetuate the phenomenon because social issues such as gender discrimination, health and even education tend to create a demand for migration into South Africa. Migration policy, the chapter concludes, should be more pragmatic towards assimilating stateless citizens at best, or at the very minimum, adopt a human rights perspective by universally providing services to all citizens within the borders.

Chapter 5 turns to migration and human rights, focusing on cross-border trade during COVID-19. In this quest, Mpani draws attention to the cross-border effect of the pandemic, along with the general restriction of movement within South Africa as it was around the world. The author suggests that while the series of lockdowns implemented in South Africa in 2020 and 2021 aimed to contain the pandemic, such measures came at the cost of basic human rights. These restrictions to movement, social distancing, and limited assembly lacked a human face. And even the vaccination drive undermined the right to choose. The author then charges that the greatest losers of human rights during the pandemic were migrants, who were excluded from health services as they were on relief programmes which aimed to assist citizens who were most affected by the pandemic. All in all, the pandemic should provide useful lessons on how to manage the

delicate balance between crisis and human rights, especially the rights of a minority population such as migrants.

The intersection between migration and media is tackled in Chapter 6, where Dasappa employs the illusion of truth effect theory to shed light on the tendency of the South African public to “believe as factual, information which has been repeated over time”. With the media at the forefront of sustaining (and re-establishing new) public perceptions, data and science become largely invisible and ineffective in guiding public discourse on migration in South Africa. The author particularly points out the media-based exaggeration of the number of migrants in the country and the constantly linking migrants to social ills like crime, unemployment, and even “stealing of South African women” from South African men. The recurrent messaging generates reactions from the public in defence of self-interests. The greatest contribution of this chapter to the volume is the call for media platforms to make the desperately needed turn towards data and science and to promote factual information concerning migrants. This chapter uncovers the media as one of the key drivers of “missed moments of development” noted in Chapter 2. These missed moments take a health perspective in Chapter 7.

As an attractive destination for migrants, inevitably, most migrants end up in the informal economy, in poor living conditions, and therefore unable to access decent health. In Chapter 7, Ndirangu and Jacobs argue that most migrants arrive in South Africa already predisposed to health vulnerabilities and with adverse access to South Africa’s healthcare system. Part of this adverse inclusion into the healthcare system relates to a lack of legal documentation and distress of possible incarceration and/or deportation. The authors suggest that in order to effectively address these anomalies, particularly as it pertains to migrants, it is necessary to build capacity in health institutions so that they are able to deliver inclusive health services, consistent with the “leave no one behind” objective of the United Nations’ 2030 Sustainable Development Goals.

There are close links between healthcare coverage among migrants, and the general social protection question, which Shisanya looks into in Chapter 8. The chapter pays particular attention to COVID-19, focusing on how the pandemic impacted the already vulnerable migrants. In this light, Shisanya identifies at least three layers of vulnerabilities in relation to migrants: The first, she argues, is the existing socio-economic vulnerabilities that threaten the livelihoods of would-be (internal) migrants, forcing them to relocate

to areas with more economic opportunities. The second layer of vulnerability tends to occur when internal migrants end up in even more precarious circumstances in their new destination, mainly due to a lack of or weak social capital. Crises such as COVID-19 form the third layer of irregular yet real vulnerabilities. Shisanya concludes that the South African government, private sector and non-government organisations should work together to address the vulnerabilities of migrants.

Staying with the COVID-19 theme, in Chapter 9, Bodede considers the COVID-19 pre- and post-migration patterns in South Africa, arguing that the pandemic impacted border crossing in a significant way. South Africa's borders were generally porous before COVID-19. During the pandemic, however, the closing of borders by the Southern African Development Community (SADC) countries drastically reduced the number of international migrants to South Africa. An important observation in the chapter is that most migrants preferred to be "locked in" in South Africa during the lockdowns rather than travel back home due to the availability of essential services in South Africa. The author further notes that South Africa's economy was perhaps most affected not so much by other kinds of migration but specifically by the limits placed on labour migration by the pandemic. Internally, there was inter-provincial migration during the pandemic. Most of these movements occurred between the announcement and the start of lockdowns.

Entrepreneurship among migrants is an important feature in South Africa, which the volume examines in Chapter 10. Citing primary data from the Migration Project, a project funded by the European Union, Hlope and Matema grapple with questions of migrant integration, the specific form of xenophobia rooted in migrant entrepreneurship, and the migrant dynamics of the informal economy. Navigating their analysis of migrants in the informal economy, the authors argue that the same challenges faced by actors in this economy – lack of social security and limited government regulation – are the same factors which seem to promote migrant entrepreneurship. Hlope and Matema uncover the vagaries of politicised migrant discourse, linking these to "political capital". The authors advance that the country's migration policies should be responsive to entrepreneurship within the migrant population, part of which should include major reforms in migration policing.

The final chapter, Chapter 11, pivots South Africa's political and policy responses to migrants from within the SADC region. Linking

her argument to the preceding chapter, Ofusori premises on the fact that migration is a political issue as much as a policy issue. Ofusori further establishes the boundaries of the chapter to SADC, considering that most migrants in South Africa originate from this region. In terms of policy, Ofusori faults SADC member countries for poorly harmonised migration policies, which often create opportunities for human smuggling. The chapter brings the arguments of the volume to a fitting conclusion and points to the opportunities presented by the African Continental Free Trade Area and the need for the SADC region and the continent at large to promote migration in general and labour migration in particular.

In general, this volume's contribution to the migration debate and practice uncovers the phenomenon as complex and multi-faceted. The authors suggest the need to ensure ongoing interrogation so that all stakeholders involved in migration research, governance, and management can better understand the changes occurring in the sector globally and in South Africa. This approach is important because it facilitates a shared understanding of how migration needs to be managed and governed for development in these troubled times.

Ultimately, our intention is not to settle raging migration debates but rather to make it easier for migration policymakers and practitioners to forge more sustainable interventions for the facilitation of orderly and developmental migration and to find present patterns and rhythms within migration discourse and practice, which cast light on the problems, policies and possibilities for migration in South Africa.

References

- Akokpari, J.K. 1998. The state, refugees and migration in Sub-Saharan Africa. *International Migration*, 36(2):211–234. <https://doi.org/10.1111/1468-2435.00043>
- Aliber, M. 2010. Anger, policy, data: perspectives on South Africa's 'poverty question.' In: P. Hebinck & C. Shackleton (eds). *Reforming Land and Resource Use in South Africa: Impact on Livelihoods*. London: Routledge. 49–73.
- Baregu, M.L. & Landsberg, C. 2003. *From Cape to Congo: Southern Africa's evolving security challenges*. Boulder, Colorado, US: Lynne Rienner Publishers.
- Cleaveland, C. 2010). 'We are not criminals': social work advocacy and unauthorized migrants. *Social Work*, 55(1):74–81. <https://doi.org/10.1093/sw/55.1.74>
- Crush, J. & Peberdy, S. 2018. Criminal tendencies: immigrants and illegality in South Africa. *Africa Portal*, 11 April 2018. <https://www.africaportal.org/publications/criminal-tendencies-immigrants-and-illegality-south-africa/>
- Crush, J., Ramachandran, S. & Pendleton, W. 2013. Soft targets: xenophobia, public violence and changing attitudes to migrants in South Africa after May 2008. *Africa Portal*, 11 January 2013. <https://www.africaportal.org/publications/soft-targets-xenophobia-public-violence-and-changing-attitudes-to-migrants-in-south-africa-after-may-2008/>
- Du Bois, W.E.B. 1903. *The souls of black folk*. Mineola, New York: Dover Publications.
- Escobar, A. 1999. The invention of development. *Current History*, 98(631):382–386. <https://doi.org/10.1525/curh.1999.98.631.382>
- Fanon, F. 2008. *Black skin, white masks*. New York: Grove Press.
- JanMohamed, A.R. 2005. *The death-bound subject: Richard Wright's archaeology of death*. Durham, North Carolina, US: Duke University Press. <https://doi.org/10.2307/j.ctv11cw3xk>
- Kaunda, J.M. 2008. The effectiveness of institutional restructuring in SADC. In: H.R. Schillinger (ed). *Revisiting Regionalism in Southern Africa: Proceedings of the Fourth Southern African Forum on Trade (SAFT)*, Pretoria, South Africa, 3–4 September 2007. Midrand: Institute for Global Dialogue.

Chapter 1: Background

- Kwarteng, K. 2012. *Ghosts of Empire: Britain's Legacies in the World*. London: Bloomsbury Publishing.
- Landau, L. 2008. Attacks on foreigners in South Africa: more than just xenophobia. *Security Review*, 30(2):1-23.
- Nzongola-Ntalaja, G. 1987. *Revolution and counter-revolution in Africa*. London: Zed Books.
- Patterson, O. 2018. *Slavery and social death: a comparative study, with a new preface*. Cambridge, Massachusetts, US: Harvard University Press.
- Rylko-Bauer, B. & Farmer, P. 2016. Structural violence, poverty, and social suffering. In: D. Brady & L.M. Burton (eds). *The Oxford Handbook of the Social Science of Poverty*. London: Oxford University Press. 47-74. <https://doi.org/10.1093/oxfordhb/9780199914050.013.4>
- Tewolde, A.I. 2020. Reframing xenophobia in South Africa as colour-blind: the limits of the Afro phobia thesis. *Migration Letters*, 17(3):433-444. <https://doi.org/10.33182/ml.v17i3.789>
- Vahed, G. & Desai, A. 2013. The May 2008 xenophobic violence in South Africa: antecedents and aftermath. *AlterNation*, 7:145-175.

Chapter 2:

The political economy of migration in South Africa

Marlie Holtzhausen

Abstract

South Africa is confronted with the complex and diverse changes in international migration flows in the twenty-first century. The country's migration practice seems to straddle between two centuries, the twentieth and the twenty-first, in search of responsive migration policy and practice. This has restrained meaningful conversation on migration as a complex, multi-faceted phenomenon that requires developmental and progressive research and policy responses.

South Africa is part of a globalised twenty-first century with unique migration characteristics, but it has also been shaped by twentieth-century political and economic traditions tethered on nationalistic and reductionist migration debates. This straddling has implications on how the country manages domestic political interests, its status as an immigration country and its reluctant embrace of the emerging global consensus of immigration as a livelihood strategy. This has also had limitations on the conceptualisation of the political economy of migration in South Africa.

In the last few decades, migration theories have deepened due to the nexus between migration and development conversations. As a result, migration in the twenty-first century is increasingly understood from different theoretical perspectives as a normal development process. However, South Africa might have missed the opportunity for meaningful engagement on the migration question thus far, considering the persistence of narrow conversations and inadequate responses to migration.

This chapter explores South Africa's ideological position on migration in light of the broader discourses, theories, debates and realities of migration. The aim is to place South Africa within the broader debates on migration to contribute to conceptual shifts in South Africa's migration debates. It requires deepened understanding of the nexus between development and migration to tap into further

research and policies that promote development for locals and migrants in South Africa. The purpose is for South Africa to engage more meaningfully in migration through re-visiting developmental migration conversations.

Keywords: political economy, migration, development, South Africa, twenty-first century, theories

Introduction

South Africa is confronted with the complex and diverse changes in the composition, orientation, and dynamics of international migration policy and practice in the twenty-first century. However, the country seems to be straddling between unique twenty-first-century migration characteristics and challenges on the one hand and, on the other, twentieth-century political and economic traditions that have trapped migration policy in nationalistic and shallow debates. This incomplete turn to the current moment of migration practice undermines any meaningful conversation on otherwise a complex, multi-faceted phenomenon that requires developmental and progressive research and policy responses.

This chapter explores South Africa's options, considering the twenty-first-century migration features and how migration theories have developed conceptually as a normative and development process. It includes multiple motives, perspectives, patterns and migration experiences shaped by the broader processes of social change. The purpose is to expand migration and development beyond a merely economic perspective and overcome the nation-state approach.

International migrants face multiple challenges in South Africa. An important factor to consider is how South Africa's political economy has developed due to labour migration before and after the end of apartheid. The alliances formed in 1994 between the South African state, multinational corporations (MNCs), labour unions and migrants have left international migrants in a precarious position. Nationalists seem to be "winning", and, as a result, South Africa seems to be neglecting the hard questions and dynamics that the migration phenomenon poses.

South Africa is grappling with its status as an immigration country. The country has responded mainly through a narrow focus on the security and socio-economic well-being of local South African communities. As a result, migration governance is used as leverage

in domestic politics, and migrants have become scapegoats for the government's failure to address critical socio-economic issues in the country.

This political economy analysis aims to contribute towards a conceptual richness (and practice) of South Africa's migration debates. The nexus between migration theories and development has deepened the understanding of migration and have produced evidence-based research. The deepened understanding engaged with migration as part of broader social change on micro-, meso- and macro levels of development. South Africa needs to

1. engage in broader debates on migration to distil politics and development,
2. deepen the understanding of the nexus between development and migration,
3. tap into the potential for further research and policy development that promote development for locals and migrants in South Africa, and
4. consider broader geopolitical factors of migration that South Africa must confront as part of its development pathways in the twenty-first century.

Twenty-first -century features of migration and South Africa's immigration status

Globalisation has shaped the movement of people across borders. The main drivers are the liberalisation of economies globally and increased interdependence among nations, mainly due to digital connectivity and infrastructure and the new transportation infrastructure. There have been massive flows of capital, information, ideas, technology and goods across state frontiers. The emergence of global governance and new technologies have also given new impetus to human mobility (Audebert & Doraï, 2010). Contemporary geopolitical tension and increasing environmental crises have also changed migrant flows. The number of international migrants more than doubled between 1970 and 2005, from 81.3 million to 190.6 million (UN, 2006). However, even within a more globalised world, the total population of immigrants still represents a small minority of the world population, with a total of 3.4% (UNDESA, 2017).

The above numbers become more significant when considering the changes in the composition, orientation, and dynamics of

international migration flows. These flows are more diverse and complex (Audebert & Doraï, 2010). Changes include the increase of female migrants; new categories of migrants that are more mobile, such as students, businessmen, agents of MNCs and retirees (IOM, 2003); and informal transnational merchants. Geopolitical changes have also impacted the movements of refugees and asylum seekers (UNHCR, 2006). New migrant categories and undocumented migration are more dynamic because, in post-industrial societies, these newcomers come from diverse places. New immigration destinations have emerged, and the four largest groups of international migrant flows include:

1. 22% north-to-north migration (57 million),
2. 5% north-to-south migration (14 million),
3. 38% south-to-south migration (97 million), and
4. 35% south-to-north migration (89 million).

The south-to-south flows are now as large as the south-to-north flows (Pison, 2019). Many former emigration countries have recently become immigration countries, and many societies are experiencing simultaneous inflows and outflows of people. The changes in inflows and outflows of people make the dichotomy between an emigration country versus an immigration country more difficult.

Nevertheless, immigration countries are traditionally categorised in terms of legislative progress on immigration, settlement and integration. This categorisation includes, firstly, the established nations of immigrants who are traditional immigrant-receiving nations, such as the United States, Canada and Australia. Immigration into these countries has grown over many decades, and the composition of immigrants has shifted from predominantly European countries as the source towards Asia, Africa and Latin America. Secondly, the newer but also more established countries of immigration, such as Germany, France, Austria and the United Kingdom. Thirdly the newest or more recent countries of immigration, such as Italy, Spain and Ireland (Migali et al., 2018). For centuries, European countries have historically sent out migrants, but after 1945 Europe mainly became an immigration-receiving society, attracting significant numbers of workers from abroad. Migrants were initially drawn mainly from southern Europe, but by the late 1960s, migrants increasingly came from developing countries in Africa, Asia, the Caribbean, and the Middle East. Most developed countries are, or are moving decisively towards, diverse and multi-ethnic societies, which is indicative of the

strength and coherence of the underlying forces of migration (Massey et al., 1993).

However, even within more established immigration countries, the confrontation with the rapid movement of people leads to new cultural and political challenges for nation-states and the perceived collective identity of people in the receiving countries. Strong resistance and harsh measures of state and supranational protectionism have been evident in strict security and control over the flow of people across borders (Audebert & Doräi, 2010). For instance, the United States and Mexico have one of the most liberal frameworks for the international movement of goods and capital through the North Atlantic Free Trade Agreement. Nevertheless, the free movement of people between the countries is still not on the agenda. Immigration flows have also become one of the greatest concerns in European countries in relation to African and Mediterranean countries. This has also played a significant role in the rise of right-wing political parties that use migrant concerns as central in political campaigns (Podobnik, Jusup, Kovac & Stanley, 2017).

The tension between the free flow of people and restricting these flows is also evident in the fourth group of emerging economies of newly industrialised countries of east and south-east Asia and, more recently, the Persian Gulf and south-western Europe. These newly industrialised nations are labour-seeking and have resorted to migrant workers to ensure their expansion but are also restrictive on allowing the flow of skilled workers, being stricter on unskilled labourers. South Africa's migration policy and practice mirror other emerging economies. South Africa faces increased immigration and growing anti-migrant sentiments, leading policymakers to adopt policies that prefer deterrence over inclusivity. South Africa is open to free movement in principle but is wary of the impact that it will have on the local job market (Maunganidze, 2021).

South Africa has to grapple with its own status as a top (regional) immigration destination. The country's middle-class income status, relatively stable democratic institutions and comparatively industrialised economy has led to an increase in migrants, especially since 1994. South Africa is ranked as the sixth-highest migrant-receiving country globally (Ferraro & Weideman, 2020). It also has the largest number of immigrants on the African continent, with about 2.9 million immigrants (almost 5% of the total population). This is likely an underestimation due to the large numbers of unauthorised migrants, mainly from neighbouring countries. Between 2016 and 2021, the net

immigration was highest among Africans (894 400) and Asians (49 900), but South Africa is also experiencing large emigration, especially from the white population (91 000 leaving between 2016 and 2021). There is also anecdotal evidence that black South African professionals and professionals from other African countries are steadily leaving South Africa due to factors such as economic pressures and growing xenophobic sentiments that have led to attacks on black foreigners (Moyo, 2021).

Similar to trends in other emerging economies, South Africa is open to skilled migration while placing restrictions on the migration of unskilled labour. The country is currently faced with high levels of poverty and unemployment, which have been exacerbated by the COVID-19 pandemic and driving the deterrence of foreigners coming in. This approach limits the development potential of migration, mainly because it assumes a narrow economic posture.

South Africa's response to migrants is inextricably linked with its migrant labour history as well as the political and economic alliances that were formed between the state, MNCs, labour unions and migrants. The following section provides a brief historical overview of immigration in South Africa to highlight the current tensions and limitations of South Africa's migration regime before considering more progressive migration-development debates for the twenty-first century that are missing in South Africa.

South Africa's history of migration

The history of immigration to South Africa often follows the labour migration history, which was influenced and regulated by economic and political factors. South Africa's migration history dates back centuries, but regularised cross-border migration dates to the discovery of minerals between 1890 and 1920. The discovery of diamonds and gold led to a highly regulated and formalised mine contract-labour system, while informal and unregulated movements continued across borders, especially from neighbouring countries (Crush & Frayne, 2007). Immigrants to South Africa arrived from mostly European countries and were encouraged to take skilled jobs, while migrants from neighbouring countries worked mostly as unskilled labourers in the mining and agricultural sectors. The above was regulated through a racialised migrant labour system (Ferraro & Weideman, 2020). There were also other streams of migrants brought in during the late

1800s and early 1900s from places such as India and China to work on plantations and in mines (Musoni, 2020).

From the 1940s, when apartheid was officially instituted, the apartheid economy mobilised all the social forces at its disposal to further the interest of the apartheid South African state.

Since the primary productive force in the apartheid South African economy was gold and the concomitant social relations of the mining process [were] by mostly black labour force, the industry attracted heavy migrant labour from Southern African regions, notably Zimbabweans, Malawians and Mozambicans, to the fast-thriving industry. The immediate result of this was that, as the foreign labour force began to gain social mobility in the gold industry and the black South Africans [were] continually subjected to the repressive policies of apartheid, social tensions rose in the political economy of the state and [have] since remained a dominant part of the social relations of the post-apartheid South African state (Fayomi, Chidozie & Ayo, 2015:2).

South Africa's current socio-economic challenges can be understood in light of the history rooted in and conditioned by the structure of the apartheid economy. Since the dismantling of apartheid in 1994, South Africa has been viewed as an economic powerhouse in the region and had a progressive human-rights framework which led to a further increase in migrants, especially from the Southern African Development Community (SADC) and other African countries. The consensus argument in the literature is that "1994 constituted a turning point, during which 'labour migration' in the region 'sharply shifted' from 'demand driven influx control' to 'supply driven diverse migration flows' characterised by 'undocumented influx'" (Ferraro & Weideman, 2020:13).

Immigration in South Africa post-1994 and the social, political and economic tensions surrounding it is a political economy issue. The transition in 1994 led to significant negotiations and compromises in the political economy of the country, which was shaped by the dynamics of the relations between the state, MNCs, labour unions and migrants. Before 1994, labour migration was driven mainly by economic interests in leading sectors, notably mining and commercial agriculture, and played a crucial role in developing large-scale and highly profitable production. International migration has been central to the South African economy. A highly regimented contract-labour

system was developed jointly by businesses and the state to ensure that domestic labour shortfalls were covered in periods of rapid growth (Peek, 1998).

During the transition to a democratic dispensation, the state-aligned more closely with unions to protect the labour and social rights of labourers. This shift made it more difficult for businesses to engage with migrants as cheap labour. However, labour unions have been split on the subject of migrant workers in the country. Leading trade unions have sympathised with the plight of documented migrant workers, while the wider trade union movement continues to debate the policy options that protect all workers in South Africa while safeguarding the jobs of South African nationals (Trimikliniotis, Gordon & Zondo, 2008). The growing demands on the South African economy and popular aspirations for socioeconomic advancement and redress of apartheid injustices have created political conditions for anti-foreigner sentiment and restrictions on migrants.

In the meantime, important sections of the business community continued to advocate for labour market flexibility (Trimikliniotis, Gordon & Zondo, 2008). The MNCs have shifted to skilled migrant labour obtained primarily from outside South Africa and aligned with the political ideologies of other new industrialised economies. This process coincided with technological changes and automation to ensure that businesses are efficient and productive within the labour laws. The state has raised the barriers, which makes market flexibility more difficult for businesses, but the state is also losing out on capital and information flows. While the state, business and unions focus on their respective interests, the semi-skilled, unskilled, and illegal international immigrants in the country are excluded and often pushed to the informal economy for economic survival.

South Africa's narrow economic posture fails to address migration as a twenty-first-century phenomenon and a natural process of change and development. Instead, it gets stuck in debates and actions that are driven by the interests of a few groups, yet it has massive repercussions for societies living together in spaces with limited resources. The South African state needs to carefully balance domestic political interests and support while embracing the emerging global consensus of immigration as a livelihood strategy (Hiropoulos, 2017). However, the government's own failures to adequately respond to domestic, political, economic, and social crises have led public officials to scapegoat migrants.

South Africa's nationalistic response to immigration

South Africa seems to be straddling between two centuries, balancing the nationalistic and progressive sides of the migration debate. It appears that the nationalists are currently winning. As far back as 1998, a Human Rights Watch (1998) report stated, "South Africa's public culture has become increasingly xenophobic, and politicians often make inflammatory statements that the 'deluge' of migrants is responsible for the current crime wave, rising unemployment, or even the spread of diseases". The anxieties and hostilities towards foreign nationals are prevalent through the form of violence, particularly expressed through xenophobic attacks.

Recurrent flares of violence have occurred since 1994. Most notable were incidents in 2008 when mobs attacked immigrant communities and looted foreign-owned businesses, leading to the death of 62 people (including 21 South Africans). In September 2019, foreign-owned shops in Johannesburg were burnt, and there have been attacks on foreign-born truck drivers, mostly targeting black Africans. Early in 2022, fear of renewed xenophobic violence emerged after a Zimbabwean was killed by a vigilante group. This has increased speculation that xenophobic nationalism can be linked to a few political actors. Researchers have shown that attacks on foreign nationals in South Africa are often a result of identified political actors who mobilise communities based on a nationalist agenda. Immigrants are often portrayed as the cause of unemployment and other socioeconomic problems to solidify support. In the November 2021 local elections, the focus on tougher immigration policies was prevalent on the manifesto agendas of many political parties (Moyo, 2021).

The causes of xenophobic violence have been much debated by academics and analysts. Some scholars argue that migration governance is used as leverage in domestic politics and as a scapegoat for the government's failures to address the country's high levels of poverty, inequality, unemployment and poor economic performance (Landau et al., 2018; Van Lennep, 2018). South Africa is an example of how migration and refugee policies become intertwined and embedded in political interests, which reinforces widespread xenophobic sentiments. Politicians will publicly oppose xenophobic violence, but messages have been mixed and evading. Complicity persists, and there is a lack of implementation of policies among the spectrum of politicians and civil servants (Chigumadzi, 2019; Carciotto & Mavura, 2016; Peberdy, 2000, 2013; Polzer & Takabvirwa, 2010). The outcry

by politicians is not backed up when there is little protection for foreigners, exclusionary policies, limited basic government services, and a harsh immigration system of arrest and deportation as a way to regulate migration (Hiropoulos, 2017).

South Africa is open to free movement and has, for example, been lauded for progressive refugee protection laws, but this is mostly on paper (Dodson & Crush, 2015). Instead, the evidence seems to point to government failures to implement policies, regulations and court rulings (Amnesty International, 2019). Migration laws have also become increasingly restrictive in the last decade. It has become “a refugee regime that still goes by the guise of ‘protection’ but is characterised by negligence, deterrence and glaring contradictions ... piling on logistical and administrative barriers to the asylum process” (Van Lennep, 2018).

Migration policy in South Africa is only partially responsive to migration dynamics since an estimated 1.5 million (24%) of the 6.2 million migrants in South Africa are illegal immigrants, although it is very difficult to know accurately (StatsSA, 2011). Existing policy developments attempt to shift blame onto migrants instead of addressing endemic administrative issues within the government. The Department of Home Affairs (DHA) seems to prioritise deterrent measures, including highly controversial asylum processing centres. These are expensive, ineffective, and a distraction from real issues. The anti-migration sentiments and negative attitudes in South Africa against low-skilled African immigrants and asylum seekers are evident in the disjuncture between South Africa’s desire to align its migration policies and practices with African-centred foreign policy and actions by the DHA that indicate the opposite. DHA has made promising policy proposals focused on addressing the realities faced by migrants from neighbouring countries, but these have not been implemented. Instead, DHA prioritises restrictive measures that disproportionately and negatively impact African migrants from the country’s immediate and regional neighbours and over-reaches to problematise asylum seekers and low-skilled Africans despite a lack of evidence (Mbiyozo, 2018).

South Africa’s White Paper on International Migration (DHA, 2017) advocates for free movement for highly skilled migrants to embrace global opportunities. However, restrictive policies are included as part of a risk-based approach to ensure public safety and national security (DHA, 2017). The White Paper highlights a tendency of South Africa’s governance system towards restrictive and bureaucratic burdens

placed especially on asylum seekers. Some argue that South Africa “focuses on national security and securitisation of borders rather than applying a human rights-based approach” (Amnesty International, 2019; Hiropoulos, 2017). There is no evidence that migrants are an elevated security risk or justify heavy-handed military or criminal responses. Instead, they pose a management challenge (Mbiyozo, 2018). Part of the pervasive anti-migration rhetoric is the difficulty in knowing what the exact numbers of asylum seekers, refugees and migrants in the country are (Amnesty International, 2019; Dodson & Crush, 2015; Segatti & Landau, 2008; Ouchou & Crush, 2001; Carciotto & Mavura, 2016). Another challenge is the conflation of migrants and asylum seekers (Van Lennep, 2018; Africa Check, 2016; UNHCR, 2016; Moyo & Zanker, 2020).

The remainder of the chapter will describe some key developments in migration theories. The idea is to further explore factors not always considered in South Africa’s approach to migration and open different conversations and new opportunities towards more responsive migration policies within unique twenty-first-century characteristics.

Missing in action: limitations to South African conversations on migration

South Africa’s conversations on migration seem to be limited in terms of important conceptual and practical discussions that have developed in migration and development literature in the last few decades. In the South African conversation, a sifting of politics and development is necessary. Additionally, a conceptual shift within the state needs to happen to focus on migration as development to include capital, goods and information. South Africa cannot expect to follow international protectionist examples while simultaneously achieving development and prioritising human rights in the African context. Harnessing the benefits of migration while managing the risks is difficult. South Africa should be realistic about the true threats and opportunities it faces and implement progressive migration tools (Mbiyozo, 2018).

Evident from the discourse on migration is the shift to a non-linear relationship between migration and development. Migration is conceptualised as a normal and development process that includes multiple motives, perspectives, patterns and experiences of migration. The above is shaped by the broader processes of social change to expand migration and development beyond a merely economic perspective and overcome the nation-state approach. It

is widely recognised that migration is a complex phenomenon that is an integral part of society shaped by processes of social change. It includes factors such as economic restructuring, technical advances, political changes and cultural as well as social reasons. These factors provide an awareness of the context within which migration appears or changes. Understanding migration as a social process allows for a socially embedded understanding of migration processes. This provides conceptual avenues to link the causes, consequences, and internal dynamics of migration processes (De Haas, 2021).

These shifts occurred in migration theories due to scholarship that attempted to “disentangle the patterned relationship between stages of development and migration behaviour” (Migali et al., 2018:16). It led to the use of quantitative studies using datasets that cover a global and comparative dimension on the different levels. These studies included surveys that analysed the medium- and long-term interactions between migration and social and economic processes, which helped better understand migration. Thus, there are signs of convergence, cross-fertilisation and efforts to bridge the gap between different migration theories and empirical work by also connecting migration theories to general social-scientific theories. The key to the argument is that “migration is a social process that cannot be seen in isolation from the broader processes of change of which it is a constituent part” (De Haas, 2021:12).

Migration as a normal process of social change

South African debates on migration require much deeper and more robust conversations by researchers, politicians, policymakers and the public on understanding migration conceptually. South Africa seems to fail to view migration as a normal developmental process that moves beyond economic and nation-state approaches. In migration research over the last few decades, migration theorists have found more synergy between different disciplines and paradigmatic backgrounds to combine and integrate different theoretical perspectives on migration that are not necessarily mutually exclusive (Massey et al., 1993). It has led to stronger relational links between migration and development. Migration is not an independent phenomenon from other developmental and social processes. An in-depth investigation of the theoretical link between migration and development allows for analytical innovation in studying international movements of

people and the social and economic role of migrants within the transnational space.

A relational approach between migration and development points out the weaknesses of the traditional macro-societal conceptions of development (De Haas, 2006). Theoretical debates on migration tended to be more polarised between neo-classical and historical-structural theories and models on migration. The closing decades of the last century were inundated with notions of migration either as the antithesis of development (historical-structural accounts) or as a temporary response to development disequilibria (neo-classical accounts). Neo-classical models focused largely on interpreting migration as a function of income and other opportunity gaps between origin and destination countries based on the explicit or implicit assumption that people make rational decisions to maximise income or utility (prominent representative of functionalist migration theories) (Harris & Todaro, 1970). The other side of the debate was the historical-structuralist views (neo-Marxist, dependency and world systems) on migration, focused on the structural factors that create conditions in which migration takes place. Historical-structuralist theories view migration as a function of modernisation and globalisation. Key to the argument is that mobility is generally triggered by the existence of prior and structural links between sending and receiving countries based on colonisation, political influence, trade, investment or cultural ties (Castles, De Haas & Miller, 2014).

More recent theories and evidence on migration suggest exploring migration from various levels and conceptualisations of development. In the twenty-first century, migrants do not necessarily originate from poor areas. They originate from nations or areas undergoing rapid change. Therefore, migration is mainly caused by development rather than underdevelopment. International migration originates from political, social and economic changes which accompany the expansion of capitalist markets (Massey, 2009). It also emerges from the inadequacies of capitalist expansion in attending to changing societies. Both movements tend to disrupt established social and economic structures (De Haas, 2010). Today, population movement can also be investigated from technological and environmental perspectives.

How different forms and processes of social, economic, technological and political change shape, forms, trends and patterns of migration can also be studied (De Haas, 2021). During the 1990s, the concept of agency became a more prominent focus in migration

scholarship due to Amartya Sen's (1999) seminal piece on the capability approach in the conceptualisation of development and poverty. Studies increasingly started to focus on capabilities (structural/institutional) and aspirations (individual/personal) as factors modulating human mobility. It also includes how individual dimensions (aspiration, desire and emotion) intersect with mesostructures such as social relations and migration infrastructures and macro-structures such as large-scale demographic forces and economic settings, interstate relationships and policies (Audebert & Dorai, 2010).

What migration theorists and researchers have started to do is expound on the causal mechanisms that underlie correlations in migration and the concept of agency. This has helped to move beyond understanding migrants as passive actors that simply obey push and pull forces or simply move due to the calculation of individual utility maximisation, which was prominent in prior migration theories (De Haas, 2010). For instance, to what extent financial and social transfers of emigrants contribute to the development process of source countries depends on our own conception of development and the spatial scale of analysis (Stark, 2003; Kuznetsov, 2006). It "compels scholars to bear in mind the notion of development in an innovative way by paying attention to family and kin strategies at the local level of villages and regions of origin" (Audebert & Dorai, 2010:16). For instance, brain drain is often viewed as a problem and detrimental for emigrating countries that need the skills and expertise. However, remittances of migrants and experience and skills from returnees to their countries produce different results, which require more research. This opens avenues of research that more closely links migration and development to help us better plan for the future.

Applying this to South Africa, research seems to increasingly point to the promotion of the informal economy in South Africa, where many migrants in the country reside along with the local population. There are growing studies that point to the potential of informal economies as so-called "township economies" (Charman, Petersen & Govender, 2020), "human economies" (Hart & Sharp, 2015) and "solidarity economies" (Satgar, 2014). The answer to resolving existing hostilities will inevitably involve the state promoting the informal economy while delicately balancing domestic political interests and support on the one hand and, on the other, embracing the emerging global consensus of immigration as a livelihood strategy. This should be done through active promotion of data collection on

the development benefits of migration, which is where this book aims to contribute.

South Africa's focus on the respective group interests of states and MNCs have left most unskilled or semi-skilled international migrants in the cold. This is a lost leadership opportunity to promote and even drive South Africa's informal economy to benefit both local and migrant development. It has also gone unnoticed because the growing nexus in migration theories with development beyond traditional macro-societal conceptions of development has not been fully understood.

There are some data from a largely economic focus that migrants contribute to the South African economy (IOM, 2021; Kalitanyi & Visser, 2010; Budlender & Fauvelle-Aymar, 2014; World Bank, 2018) as well as evidence of contributions of migrants in the informal economy (Crush, Chikanda & Skinner, 2015a). However, South Africa faces overriding socio-economic challenges, a health crisis (most recently the COVID-19 global pandemic) and years of deep-rooted corruption. In this difficult situation, discussions on migration are shallow, nationalistic and based on political interests in migration. Ways of understanding and addressing migrant concerns and challenges are low on the policy agenda, but migrants have become an easy scapegoat to divert the focus away from the state's failure to deliver. Very little data drives the South African debate on migration, and it does not align well with broader debates on migration as a development and a social process central to the twenty-first century. These limitations can be linked further with geopolitical factors, as explained in the next section.

Geopolitical factors in migration and development

The geography of forced migration is shaped by a regional geopolitical context of instability intimately related to developmental concerns and directly challenges South Africa's narrow nationalistic approaches to migration. Political instability, persecution, and economic factors are still some main reasons people migrate. Conflict remains the main driver of displacement today, accounting for 80% of displaced people. The global conflicts are 60% higher than a decade ago, meaning violence and oppression remain central to global displacement, and 70% of all refugees come from five countries Syria, Venezuela, Afghanistan, South Sudan and Myanmar (UNHCR, 2020).

In the twenty-first century, other unpredictable forces can lead to major changes in migration patterns. Between 2000 and 2018, 22.5 million people were displaced due to climate reasons (UNHCR, 2020). This number is expected to rise to an estimated two hundred million climate-displaced persons by 2050, with unpredictable weather changes due to climate change. Legal pathways to accept climate-displaced persons should become part of the policy and the practice of countries, but discussions on this are still limited.

The Fourth Industrial Revolution is also underway, which dramatically changes not only the way that our economies and societies interact but also produces a major shift in the labour market and the movement of people. More socio-economic disruptions should be expected following the onset of the Fourth Industrial Revolution. In addition to the above, the African Continental Free Trade Agreement, aiming to open up the movement of capital, goods and people among African states, is expected to create further disruptions in migration practice. This will affect South Africa directly.

Numerous sources provide recommendations about the above challenges, such as prioritising SADC visas for low-skilled workers that match the demands of the South African labour market, urgently executing regularisation programmes, and abandoning plans for asylum processing centres. Other recommendations are diverting resources to improve immigration management and implementing or avoiding policies and practices that make empty promises. DHA should also be open to the challenges it faces, and South African politicians and the public should oppose institutionalised xenophobia at all costs (Mbiyozo, 2018). Digitalised and e-governance policy and initiatives should extend to migration management and should be included in the e-government documents and projects backed up by research on the access of migrants to e-services. South Africa needs to work with migrant-sending countries to provide policy harmonisation aimed at promoting the circular movement of migrants. Additionally, regional and national institutions should multiply their efforts to implement strategies designed to minimise vulnerability to environmental risks, boosting resilience and coping capacity (Migali et al., 2018).

The economic downturn caused by the COVID-19 pandemic and the increased economic insecurity of various population groups in the country could lead to xenophobic reactions and rejection of immigrants. However, adapting migration legislation to scientific research should be a priority. Moreover, a collaboration between various stakeholders, training, public debates, and conversations are

needed with a drive to better integrate policies to alleviate the mistrust of locals towards immigrants and be better prepared for the challenges of the twenty-first century.

Conclusion

South Africa is straddling two centuries, balancing the nationalistic and progressive sides of the migration debate. The nationalists seem to be winning. The South African state needs to carefully balance domestic political interests and support while embracing the emerging global consensus of immigration as a livelihood strategy.

South Africa needs to confront its status as an immigration country in the twenty-first century, where migration is a normal process of social, political, economic, environmental, technological, and other changes. It includes forced migration shaped by a regional geopolitical context of instability intimately related to developmental concerns and directly challenges South Africa's narrow nationalistic approaches to migration.

South Africa's narrow and nationalistic debates are embedded in the political economy of its labour migration history with a legacy of policy and law requirements and practices that are still exclusionary of low-income and unskilled migrants. South Africa's current debates on migration are often driven by political interests and specific narratives that neglect data, facts, and scientific-based research as central to the debates. The country is faced with severe levels of corruption and recurrent socio-economic and political crises, which have forced debates on migration back to shallow discussions driven by political interests. Instead of placing development as central to debates on migration, the scramble for questions on development has led to pushing developmental problems of the country on migrants.

A shift towards a more progressive side of the migration debate will require the sifting of politics and development in South African debates on migration. It also means a conceptual shift within the state to include capital, goods, and information as part of understanding migration as development. Debates on migration require much deeper and more robust conversations by researchers, politicians, policymakers and the public to understand migration.

This chapter explored South Africa's position on migration in broad strokes and in light of the broader discourses, theories, debates and realities of migration to open ways of re-imaging its position within the twenty-first century.

References

- Africa Check. 2016. Is South Africa home to more than a million asylum seekers? The numbers don't add up. *Africa Check*, 15 August 2016. <https://africacheck.org/reports/south-africa-home-million-refugees-numbers-dont-add/> [Accessed 17 March 2022].
- Amnesty International. 2019. South Africa: living in limbo: rights of asylum seekers denied. *Amnesty International South Africa*, 29 October 2019. <https://www.amnesty.org/en/documents/afr53/0983/2019/en/> [Accessed 17 March 2022].
- Audebert, C. & Doraï, M.K. 2010. *Migration in a globalised world: new research issues and prospects*. Amsterdam: Amsterdam University Press. <https://doi.org/10.5117/9789089641571>
- Budlender, D. & Fauvelle-Aymar, C. 2014. *Migration and employment in South Africa: statistical and econometric analyses of internal and international migrants in Statistics South Africa's labour market data*. Migration for Work Research Consortium (MiWORC) Policy Brief 2. Johannesburg: African Centre for Migration & Society, University of the Witwatersrand.
- Carciotto, S. & Mavura, M. 2016. *The evolution of migration policy in post-apartheid South Africa: emerging themes and new challenges*. Cape Town: Scalabrini Institute for Human Mobility in Africa. <https://sihma.org.za/reports/the-evolution-of-migration-policy-in-post-apartheid-south-africa> [Accessed 3 March 2022].
- Castles, S., De Haas, H. & Miller, M.J. 2014. *The age of migration: international population movements in the modern world*. Fifth edition. New York: Guilford Press.
- Charman, A., Petersen, L. & Govender, T. 2020. *Township economy: people, spaces and practices*. Cape Town: HSRC Press.
- Chigumadzi, P. 2019. *Afrophobia is growing in South Africa. Why? Its leaders are feeding it*. <https://africanarguments.org/2019/10/afrophobia-is-growing-in-south-africa-why-its-leaders-are-feeding-it/> [Accessed 3 March 2022].
- Crush, J., Chikanda, A. & Skinner, C. 2015a. *Mean streets: migration, xenophobia and informality in South Africa*. Cape Town: Southern African Migration Programme (SAMP). <https://doi.org/10.2307/j.ctvh8r45r>

- Crush, J. & Frayne, B. (ed). 2007. The migration–development nexus in Southern Africa. *Development Southern Africa*, 24(1):1–40. <https://doi.org/10.1080/03768350601165710>
- Crush, J., Skinner, S. & Chikanda, A. 2015b. *Informal migrant entrepreneurship and inclusive growth in South Africa, Zimbabwe and Mozambique*. Cape Town: Southern African Migration Programme (SAMP). <https://doi.org/10.2307/j.ctvh8r08d>
- De Haas, H. 2006. *Engaging diasporas: how governments and development agencies can support diaspora involvement in the development of origin countries*. Oxford: Oxford University Press.
- De Haas, H. 2010. Migration transitions: a theoretical and empirical inquiry into the developmental drivers of international migration. *International Migration Institute (IMI) Working Paper*, 24. Oxford: Department of International Development, University of Oxford. <https://www.migrationinstitute.org/publications/wp-24-10>
- De Haas, H. 2021. A theory of migration: the aspirations capabilities framework. *Comparative Migration Studies*, 9(8):1–35. <https://doi.org/10.1186/s40878-020-00210-4>
- Department of Home Affairs (DHA). 2017. *White Paper on international migration for South Africa*. Pretoria: Government Printing Works.
- Dodson, B. & Crush, J. 2015. *Migration governance and migrant rights in the Southern African Development Community (SADC): attempts at harmonization in a disharmonious region*. United Nations Research Institute for Social Development (UNRISD) Research Paper 2015–3, presented at the Regional Governance of Migration and Socio–Political Rights: Institutions, Actors and Processes Conference, Geneva, Switzerland, 14–15 January.
- Fayomi, O., Chidozie, F. & Ayo, C. 2015. *A retrospective study of the effects of xenophobia on South Africa–Nigeria relations*. Tokyo, Japan: World Academy of Science, Engineering and Technology. <https://core.ac.uk/download/pdf/32225837.pdf> [Accessed 17 March 2022].
- Ferraro, F. & Weideman, M. 2020. *Labour-related experience of migrants and refugees in South Africa: summary of research findings*. Cape Town: Scalabrini Institute for Human Mobility in Africa. <https://www.icmc.net/future-of-work/report/04-south-africa/> [Accessed 17 March 2022].
- Harris, J.R. & Todaro, M.P. 1970. Migration, unemployment and development: a two–sector analysis. *The American Economic Review*, 60(1):126–142.

Developmental migration

- Hart, K. & Sharp, J. 2015. *People, money and power in the economic crisis: perspectives from the global south*. New York: Berghahn.
- Hiropoulos, A. 2017. *Migration and detention in South Africa: a review of the applicability and impact of the legislative framework on foreign nationals*. Pretoria: Department of Home Affairs.
- Hiropoulos, A. 2020. South Africa, migration and xenophobia: deconstructing the perceived migration crisis and its influence on the xenophobic reception of migrants. *Contemporary Justice Review*, 23(1):104–121. <https://doi.org/10.1080/10282580.2019.1700368>
- Human Rights Watch Report. 1998. *Human Rights Watch World Report 1998*. New York: Human Rights Watch. <https://www.hrw.org/news/1997/12/03/human-rights-watch-world-report-1998> [Accessed 16 March 2022].
- International Organisation for Migration (IOM). 2003. *World migration 2003: managing migration: challenges and responses for people on the move*. IOM World Migration Report Series 2. Geneva: IOM.
- International Organisation for Migration (IOM). 2021. *The socioeconomic contributions of migrant business owners in South Africa's informal urban settlements and inner-city areas: a case study of the City of Johannesburg*. Pretoria: IOM.
- Kalitanyi, V. & Visser, K. 2010. African immigrants in South Africa: job takers or job creators? *South African Journal of Economic and Management Sciences*, 13(4):376–390. <https://doi.org/10.4102/sajems.v13i4.91>
- Kuznetsov, Y. 2006. *Diaspora networks and the international migration of skills: how countries can draw on their talent abroad*. Washington: World Bank. <https://doi.org/10.1596/978-0-8213-6647-9>
- Landau, L.B., Misago, J.P., Sarkar, A., Mathebula, J., Murahwa, B. & Freemantle, I. 2018. *Free and safe movement in Southern Africa: African Centre for Migration & Society: research to promote people's safe and unencumbered movement across international borders*. Cape Town: African Minds.
- Massey, D.S. 2009. *International migration and human rights*. Berkeley, California: University of California Press. <https://doi.org/10.2307/2938462>
- Massey, D.S., Arango, J., Hugo, G., Kouaouci, A., Pellegrino, A. & Taylor, J.E. 1993. Theories of international migration: a review and appraisal. *Population and Development Review*, 19(3):431–466.

Chapter 2: The political economy of migration in South Africa

- Maunganidze, O.A. 2021. *Migration policy in South Africa: lessons from Africa's migration magnet for European policymakers*. DGAP Report, 17. Berlin: Research Institute of the German Society for Foreign Policy.
- Mbiyozo, A.N. 2018. *Aligning South Africa's migration policies with its African Vision*. <https://issafrica.org/research/policy-brief/aligning-south-africas-migration-policies-with-its-african-vision> [Accessed 16 March 2022].
- Migali, S., Natale, F., Tintori, G., Kalantaryan, S., Grubanov-Boskovic, S., Scipioni, M., Farinosi, F., Cattaneo, C., Benandi, B., Follador, M., Bidoglio, G., McMahon, S. & Barbas, T. 2018. *International Migration Drivers*. Luxembourg: Publications Office of the European Union.
- Moyo, K. 2021. South Africa reckons with its status as a top immigration destination, apartheid history, and economic challenges. *Migration Information Source*, 18 November 2021. Washington: Migration Policy Institute. <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history> [Accessed 10 March 2022].
- Moyo, K. & Zanker, F. 2020. *Political Contestations within South African migration governance*. Osnabrück, Germany: German Foundation for Peace Research. https://www.arnold-bergstraesser.de/sites/default/files/political_contestations_within_south_african_migration_governance_moyo_and_zanker.pdf [Accessed 3 March 2022].
- Musoni, F. 2020. *Border jumping and migration control in Southern Africa*. Bloomington, Indiana, US: Indiana University Press. <https://www.jpc.de/jpcng/books/detail/-/art/francis-musoni-human-migration-in-southern-africa-border-control-on-the-limpopo-river/hnum/9117272> [Accessed 10 March 2022]. <https://doi.org/10.2307/j.ctv104tb2v>
- Oucho, J.O. & Crush, J. 2001. *Contra-free movement: South Africa and the SADC Migration Protocols*. Oxford: Oxford University Press. <https://doi.org/10.1353/at.2001.0059>
- Peberdy, S.A. 2000. *Selecting immigrants: nationalism and national identity in South Africa's immigration policies, 1910 to 1998*. Johannesburg: Wits University Press. <https://doi.org/10.20446/JEP-2414-3197-29-4-67>
- Peberdy, S.A. 2013. From the past to the present: regulating migration and immigration in post-apartheid South Africa. *Journal Für Entwicklungspolitik* [Journal for Development Policy], 29(4):67–93.

- Peek, P. (ed). 1998. *Labour Migration to South Africa in the 1990s*. International Labour Organisation Policy Paper Series, 4 (February). Harare, Zimbabwe: International Labour Office Southern Africa.
- Pison, G. 2019. The number and proportion of immigrants in the population: international comparisons. *Population & Societies*, 563:1-4. <https://doi.org/10.3917/popsoc.563.0001>
- Podobnik, B., Jusup, M., Kovac, D. & Stanley, H.E. 2017. Predicting the rise of EU right-wing populism in response to unbalanced immigration. *Complexity in Neural and Financial Systems: From Time-Series to Networks*, 2017: Article 1580526. <https://doi.org/10.1155/2017/1580526>
- Polzer, T. & Takabvirwa, K. 2010. 'Just crime?' Violence, xenophobia and crime: discourse and practice. *South African Crime Quarterly*, 33:3-10. <https://doi.org/10.17159/2413-3108/2010/voi33a878>
- Satgar, V. 2014. *The solidarity economy alternative: an emerging theory and practice*. Pietermaritzburg: University of KwaZulu-Natal Press.
- Segatti, A. & Landau, L. 2008. *Migration in post-apartheid South Africa: challenges and questions to policy-makers*. Paris: Agence Française de Développement [French Development Agency].
- Sen, A. 1999. *Commodities and capabilities*. Oxford: Oxford University Press.
- Stark, O. 2003. Rethinking the brain drain. *World Development*, 32(1):15-22. <https://doi.org/10.1016/j.worlddev.2003.06.013>
- Statistics South Africa (StatsSA). 2011. *Census 2011*. Pretoria: StatsSA. <https://www.statssa.gov.za/publications/P03014/P030142011.pdf> [Accessed 10 March 2022].
- Trimikliniotis, N., Gordon, S. & Zondo, B. 2008. Globalisation and migrant labour in a 'rainbow nation': A Fortress South Africa? *Third World Quarterly*, 29(7):1323-11339. <https://doi.org/10.1080/01436590802386476>
- United Nations (UN). 2006. *International Migration 2006*. New York: Population Division, Department of Economic and Social Affairs.
- United Nations Department of Economic and Social Affairs (UNDESA). 2017. *Trends in international migrant stock: the 2017 revision, and International Migration Report 2017*. <https://www.un.org/en/development/desa/population/migration/data/index.shtml> [Accessed 3 March 2022].

Chapter 2: The political economy of migration in South Africa

- United Nations High Commissioner for Refugees (UNHCR). 2006. *The state of the world's refugees: human displacement in the new millennium*. Geneva: UNHCR.
- United Nations High Commissioner for Refugees (UNHCR). 2016. *Global Trends Forced Migration Report 2015*. Geneva: UNHCR.
- United Nations High Commissioner for Refugees (UNHCR). 2020. *Figures at a Glance*. Geneva: UNHCR.
- Van Lennep, T. 2018. *The state of the South African refugee protection regime: Part I – current status*. Johannesburg: Helen Suzman Foundation.
- World Bank. 2018. New study finds immigrants in South Africa generate jobs for locals. *The World Bank*, November 13. <https://www.worldbank.org/en/country/southafrica/publication/new-study-finds-immigrants-in-south-africa-generate-jobs-for-locals> [Accessed 3 March 2022].

Chapter 3:

Migration and social disruption: the impact of migration on the traditional social arrangement in South Africa

Adefemi A. Obalade

Abstract

Social arrangement connotes a pattern of familiarity, behaviour, relationship, or interaction among people in a group, society or community. Traditionally, the living arrangement in South Africa and other African nations was built on the extended family system and socially integrated neighbourhood. In South Africa, there have been increasing incidences of social disruptions and breakdowns of traditional social arrangements and kinship organisation, which have been heavily blamed on a host of factors, among which migration into South Africa is key.

The apartheid system forced indigenes to reside in too small households, disrupting the extended family system in favour of the nuclear family system. The native people of South Africa now have freedom of movement, but it is not clear whether the traditional extended family system can be restored in modern society as gangsterism, family breakdown, and social disruption can be traced to colossal in-migration from rural to urban areas. Consequently, it has become necessary to revisit issues surrounding internal and external migration in South Africa by looking at migration in a historical sense and relating it to contemporary South Africa. Based on this background, the aim of this chapter is to evaluate the impact of migration on traditional social arrangements in South Africa; analyse the key elements of the apartheid regime's labour migration and disruption of traditional relations within households through the de-linking of labour migrants from their communities. This chapter employs a critical review of the literature to achieve its objectives. Finally, this chapter will provide recommendations by which social disruption and the negative effects of migration can be ameliorated in South Africa.

Keywords: migration, apartheid, social arrangement, social disruption, social interaction

Introduction

Traditionally, the living arrangement in South Africa and a lot of other African countries was built on the extended family system and the socially integrated neighbourhood (Russell, 1994). Right from the time the first foreign colonisers arrived on African soil, the traditional living arrangement of both native citizens and foreigners have been seriously unstable as a consequence of the support of authorities (Caldwell & Caldwell, 1990). The commencement of contemporary agricultural techniques, organisations of leadership and governance, religious activities and recognised official educational systems all contributed to alterations in the traditional living arrangement. South Africa's traditional living arrangement of each sector of the country's residents was drastically altered by issues such as the civilisation practices in the form of the confiscation of agricultural land, the discovery of natural resources like gold which resulted in the growth of private manufacturing enterprises, and the introduction of labour treaties from other countries (Russell, 2003).

Living arrangements in different cultures have actually followed a particular trend. The people turn out to be separated in the course of modernisation, and the family unit changes from an extended structure to a more nuclear structure through changes in family size to such an extent that within countries, nuclear family units are more abundant in city areas, while on the other hand extended family units are more widespread in rural areas (Ziehl, 2002). There are so many opportunities in the city areas that seem to promote smaller average family sizes as well as autonomous or separate living. Economic circumstances could also be responsible for extended family units trying to pool their insufficient funds or means of livelihood together in order to break even, irrespective of whether they are in an urban or a rural area (Aldrich & Cliff, 2003).

Living arrangements of African and white citizens in the emerging towns and cities in South Africa are still in the public domain, and it seems the family models of Africans were becoming like those of their white neighbours. However, some are still consistent with their culture of living in extended family units regardless of their exposures (Amoateng, 1997). The history and political opinions of South Africa explain whether the African family system has changed as a result of interactions with Western civilization. Currently, the growth in many areas of the country makes it possible to examine the subject of

family change and the resultant living arrangements of South African residents (Sibanda, 2011).

Methodology

The researcher employs a critical review of academic literature and books that centre on migration and social disruption, as well as the impact of migration on traditional social arrangements in South Africa. This type of review involves collecting data from existing resources, combining the findings and interpreting them in view of that. This procedure enabled the researcher to collect and create a summary of current evidence as it concerns migration and social disruption alongside the impact of migration on traditional social arrangements in South Africa. The researcher also used numerous search engines like Google Scholar, Scopus, PubMed and ResearchGate to recognise applicable pieces of writing. This chapter concludes by providing recommendations by which the negative social effects of migration can be minimised in South Africa.

Causes of social disruptions to traditional living arrangements

Fecundity is one of the causes of social disruption to traditional living arrangements in South Africa (Madhavan, 2010), just like in other African countries, and both social as well as biological factors contribute to it (Sooryamoorthy & Makhoba, 2016). The traditional living arrangement leans towards the extended family, where there is a high level of fecundity. On the other hand, a low level of fecundity is characterised by the nuclear family unit (Amoateng, Heaton & Kalule-Sabiti, 2007). Factors such as the societal significance of childbirth, the use of contraception and child mortality rates, among others, affect fecundity (Palamuleni, Kalule-Sabiti & Makiwane, 2007). A high child mortality rate normally triggers the trepidation of extermination, which in turn promotes a high level of reproduction leading to a large family setting. This is with the expectation that some of the births would be alive to carry on the family tree. On the contrary, a low child mortality rate encourages a small family size (Heaton & Amoateng, 2007). The societal importance of childbirth contributes immensely to an extended family unit, especially with the institution of polygamy. The reduction in the societal value of childbirth drifts the traditional living arrangement towards a nuclear family setting. In like manner, the usage or no usage of contraception has a similar outcome.

Paternal or maternal absence is another cause of social disruption to traditional living arrangements in South Africa. This happens more in the cities than the rural areas as a result of the death of one of the partners (Chimbindi, 2016). There is a new pattern that imitates efforts to acclimatise to secular alterations in the educational category, employment status and job-related movement. The single parent normally faces significant difficulty conquering displacement, relocation, and scarcity (Jones, 1999). In South Africa, for instance, apartheid policies in several forms affected family unity and emphasised the negative effects of urbanisation on the family, such as single-parent families as a result of pregnancy outside wedlock or divorce (Preston-Whyte, 1993). Handling the conditions of disruption to traditional living arrangements in nearly all African countries has involved single-parent families in the lower category passing on the role of childcare of their children to their grandparents.

Another cause of social disruption to traditional living arrangements in South Africa is rural interference with an urban lifestyle, which tends to change the status quo (Budlender & Lund, 2011). The collapse in the advantageous interactions involving rural and urban areas is evenly matched by fundamental alterations within rural families. This is a consequence of the disintegration of the conventional African family financial system, where husbands take the main responsibility of providing for the family. This financial system has progressively created an avenue for salary-earning family units where there is mutual cooperation between the husband and wife to work and bring in income. The shift to a salary-earning family occurs without any corresponding shift in power associations between the genders, tending to create a lot of strain that further disrupts the traditional living arrangement (Ellis, 2000).

Effects of social disruptions on traditional living arrangements

Social disruptions in traditional living arrangements refer to actions that disrupt the organisation of individual families. These could be actions like divorce, legal separation, parental death, out-of-home placement and deployment (Ter Weel & Prevoo, 2014).

Divorce is the termination of matrimony; it is the course of action that leads to the official ending of a conjugal union. It involves restructuring the officially authorised responsibilities of a couple with reference to the legal structure of a particular country (Bojuwoye &

Akpan, 2009). Legal separation or marital separation happens when partners in matrimony cease to live jointly without necessarily reaching a divorce. South African law, however, does not exclusively make provision for a legal separation for wedded couples. As far as the law is concerned, there is no middle ground between a couple being married or divorced even though they live separately (Ter Weel & Prevoo, 2014). Parental death occurs when one or both partners die, while out-of-home placements are simply a type of care whereby children have to be separated from their dwelling place. Whichever of the above actions caused disruption: the effects cannot be over-emphasised:

Social disruptions on traditional living arrangement are linked with law-breaking, crime and drug abuse. Studies have shown that the greater number of periods children live through a divorce, the more criminal they tend to become. Family change normally put the children at a greater possibility for disagreement and scandalous problems as the changes stir up sentiments that turn into unlawful acts (Juby & Farrington, 2001).

Social disruption also affects academic performance. Studies show that children have a higher academic performance in families with married parents, especially when the father is engaged in the child's learning (Sun & Li, 2008).

Social disruption can greatly cause dejection up to the maturity period of a child. There are higher risks of dejection in families where the partners are separated at an early age in contrast to families with couples together. Dejection seems to be higher when the children experience much conflict between their parents. The dejection could result from a disagreement between the parents or the fact that the parents separated in the first instance, which could lead to the possibility of committing suicide (Aseltine Jr & Kessler, 1993).

Social disruption heavily impacts character growth. Confidence, responsibility and conduct increase from about 10 to 16 years old. Children who go through a family disruption during these ages are less progressive in their character growth, having lower confidence levels and a lower sense of responsibility (Simmons, Burgeson, Carlton-Ford & Blyth, 1987).

Social disruption has also been connected to nervousness and dejection. Children with separated parents have a much higher threat of nervousness. This is because they are confronted with a phase of doubt and uncertainties, which interferes with their sense of safety,

trustworthiness as well as responsibility. This nervousness could go as far as affecting their behavioural pattern and educational pursuit (Sun & Li, 2008).

How social disruption can be reduced in South Africa

Social disruptions in traditional living arrangements can be reduced in South Africa by addressing the causes and minimising the effects.

Fecundity, as one of the causes of social disruption, can be managed if the government becomes more responsible in addressing the high level of child mortality in such a way that it is reduced to the minimum. In that case, the trepidation of extermination, which promoted high reproduction with the expectation that some of the births would survive and continue the family tree will be unnecessary (Iizuka, Toriumi, Nishiguchi, Takano & Yoshida, 2021). This will then allow the traditional living arrangement to remain unaltered. If there is a stop to the use of new contraception, which was conventionally unsuitable, especially in the rural areas, the natural course of reproduction, such as the traditional extended phase of breast-feeding and postpartum self-discipline will ensure sufficient time interval between children, thereby promoting the traditional living arrangement (Caldwell, 2006).

Paternal or maternal absence happens more often in urban areas. This is because the adjustment to certain changes in educational status, employment status, and job relocation brings about the absence of one or both spouses. The outcome of this is the disruption to the living arrangement. The provision of adequate jobs that are reasonably fixed in geographical locations by the government will minimise disruption in the traditional living arrangement (Riad & Norris, 1996). The establishment of higher institutions of learning by the government, which are in close proximity to the citizens, will reduce social disruption among them (Cernea & Mundial, 1993).

Rural interference by external urban areas can cause disruption to the traditional living arrangement. However, if the status quo is allowed to prevail, such disruptions will be drastically reduced. One interference is the change in the primary income earner for the family to be the husband. When there is no interference, the possibility of the mother also having to leave home in search of a job to sustain the family is prevented. Another interference is trying to break up the originally extended family into smaller nuclear families. The absence

of such interference helps all the extended family members break even by pooling their resources to support one another, thereby preserving the traditional living arrangement (Anderson et al., 2003).

Trends and causes of internal migration in South Africa

According to Bouare, O'Donovan and Kok (2003), internal migration can be defined as a migratory move where the place of origin and destination is within the same country, and it is different from international migration, where moves are across the country's borders. There has been a great application that internal migration is an important demographic change component, providing needed information for services and infrastructure planning. The focus of this trend analysis is to estimate the inter-provincial movements across the nine provinces in South Africa. The data in Table 3.1 to Table 3.3 indicate the net migration rate for all the provinces in South Africa for the intercensal periods: 2006 to 2011, 2011 to 2016 and 2016 to 2021. This analysis investigates the past trends in the number of South Africans moving across all nine provinces between 2006 to 2021. These estimates only indicate the provincial net migration trends nationally. This information will also assist policymakers in formulating migration policies that will enhance development in South Africa.

South Africans began to experience the freedom of movement in 1994, in the wake of the apartheid regime that severely restricted the internal migration of certain South Africans. As stated by Collinson, Tollman and Kahn (2007), over the years, migration within South Africa has been largely rural-urban migration. Internal migration in South Africa continues to be a pervasive socio-economic phenomenon, surpassing that of cross-border movement. The most recent population census indicates that 5% of the population had moved within the country five years prior to the census, while only 1% of the population immigrated from outside the frontiers (Ginsburg et al., 2021). The most recent population census indicates that 5% of the population moved within the country from 2006 to 2011.

The estimates of the net intercensal migration for the nine provinces in South African provinces are shown in Table 3.1:

Table 3.1: Estimated net migration rates for South Africa by province (2006–2011)

PROVINCE	Out migrants	In migrants	Net migrants
Eastern Cape	512 305	153 823	-358 482
Free State	149 393	120 146	-29 247
Gauteng	419 366	1 323 985	904 619
Kwazulu-Natal	322 018	257 968	-64 050
Limpopo	372 131	216 247	-155 884
Mpumalanga	178 826	231 420	52 594
Northern Cape	68 296	69 453	1 157
Northwest	172 074	258 766	86 691
Western Cape	142 758	414 826	272 069

Source: StatsSA (2017).

Migration trends for the intercensal period 2006–2011

The table above indicates the analysis of net migration trends in each of the nine provinces in South Africa. The data analysis indicates that Gauteng experienced net migration from other provinces of 904 619 people (2006–2011) and 981 290 people (2011–2016). Statistics South Africa (StatsSA) projects that between 2016 and 2021, 1 050 231 people will be added to Gauteng's population as a result of internal migration (StatsSA, 2017). Since 2006, Gauteng has experienced the largest influx from other provinces in South Africa, more than any other province, and it remained the most attractive. Gauteng and the Western Cape experienced the largest net gain in that period, while the Eastern Cape and Limpopo experienced the largest net migration losses (StatsSA, 2017). Gauteng is the wealthiest province in South Africa, receiving 904 619 migrants, more than three times the number of people moving into the Western Cape, ranked second. Northwest is ranked third most attractive province, which received 86 691 people, followed by Mpumalanga, which received 52 594 people, and finally, the Northern Cape had the lowest net gain of migrants during the period under review. The following provinces had the largest net loss

of people: the Eastern Cape (358 482), Limpopo (158 884), Kwazulu-Natal (64 050) and the Free State (29 247) (StatsSA, 2017).

Table 3.2: Estimated net migration rates for South Africa by province (2011–2016)

PROVINCE	Out migrants	In migrants	Net migrants
Eastern Cape	499 543	173 372	-326 171
Free State	154 405	133 492	-20 913
Gauteng	481 263	1 462 553	981 290
Kwazulu-Natal	340 228	277 867	-62 360
Limpopo	392 905	249 137	-143 767
Mpumalanga	194 958	258 961	64 003
Northern Cape	72 441	75 752	3 311
Northwest	191 413	289 177	97 764
Western Cape	159 513	451 885	292 372

Source: StatsSA (2017).

Migration trends for the intercensal period 2011–2016 estimates

Like the previous intercensal period, Gauteng experienced the largest influx receiving 1 462 553 and remains the most attractive province. According to StatsSA, the massive population movement into Gauteng is due to its economic strength and the prospect of employment opportunities (StatsSA, 2017).

Table 3.3 shows that from 2011 to 2016, Gauteng, the Western Cape, Northwest, Mpumalanga and the Northern Cape experienced a net gain of migrants while the Eastern Cape, Limpopo, KwaZulu-Natal and the Free State had a net loss of migrants (StatsSA, 2017).

Table 3.3: Projected net migration rates for South Africa by province (2016–2021)

PROVINCE	Out migrants	In migrants	Net migrants
Eastern Cape	515 648	191 435	–324 213
Free State	160 107	147 246	–12 860
Gauteng	544 875	1 595 106	1 050 230
Kwazulu–Natal	360 830	307 123	–53 706
Limpopo	417 453	278 847	–138 606
Mpumalanga	212 271	285 678	73 407
Northern Cape	76 832	82 502	5 670
Northwest	207 662	317 261	109 599
Western Cape	175 831	485 560	309 729

Source: StatsSA (2017).

Migration trends for the intercensal period 2016–2021 estimates

For the period under review, more than a million had migrated to Gauteng, and the Western Cape received about 300 000 people. In the same period, the Northwest experienced a net migration of slightly above 100 000 (StatsSA, 2017). However, the following provinces had the largest net loss of migrants: the Eastern Cape (1 026 866), Limpopo (438 257), KwaZulu–Natal (180 116) and the Free State (63 020). The trends suggest that people are leaving poorer provinces for wealthier provinces, which could be attributed to the socioeconomic development trajectory in the country. The provinces of Gauteng and the Western Cape are the most prosperous of all the nine provinces in South Africa (StatsSA, 2017).

However, there has been a change in trends during the COVID-19 pandemic, as many workers switched to working remotely from home in order to survive, and this has been an eye-opener for a huge number of South Africans and families who found it easier to work from home. Contemporary South Africans are making pragmatic efforts to make permanent changes to achieve a better, quiet and serene lifestyle. This is evidenced by the increase in inquiries for country homes. Evidence

suggests that in line with the international trend, most people prefer a small town where they can be more productive. This migration trend is a reality in present-day South African society (StatsSA, 2017).

Causes of internal migration in South Africa

Martine (2012:10–12) states that the legacy of apartheid in South Africa has also contributed to the increase in rural–urban migration because, previously, certain race groups were prevented from travelling to certain areas. Since the abolishment of apartheid, people have been free to travel, so an increase in internal migration in the country can be seen. Furthermore, Angelopulo (2017:65–69) indicates that rural areas lack the critical infrastructure needed for rapid development. Therefore, they are, to a great extent, disconnected from the development happening in urban areas; hence with limited development, people opt to search for opportunities. Kollamparambil (2017:12) states that the economic inequality between provinces in South Africa will continue to contribute to the inflow of people to Gauteng. According to Ghatak (1995:54–55), the increase in rural migration also results in the underutilisation of resources. If rural people remain behind and work together to contribute towards development, rural areas will develop and grow. However, when they migrate, they migrate with their knowledge and technical know-how; hence the resources meant for rural development may be under-utilised as no one can effectively use them. In South Africa, internal migration is driven by many factors, but the pursuit of different kinds of economic prospects and better life is the driver that motivates people to migrate (Mawire, Mtapuri, Kidane & Mchunu, 2020). Albeit these factors vary from country to country, some of the factors responsible for rural–urban migration are:

Employment prospects

A vast majority of people in South Africa migrate due to a better employment perspective, very often inside Gauteng and Cape Town (Shimeles, 2010). The Organisation for Economic Cooperation and Development (OECD, 2011:80) states that “rapidly developing provinces like Gauteng witnessed a huge inflow of people from across South Africa who are in search of employment opportunities”. This province and the Western Cape are the front player in a wide range of economic sectors and are characterised by fast-growing and booming economies; the likelihood of finding employment in these two provinces is high

compared with other provinces, which makes them employment hotspots in South Africa.

Education

In South Africa, there have been migration streams of young people to the cities who hope for better education for their children (Walker & Mathebula, 2020; Wang, 2013). According to the Head of Education in Gauteng, Edward Mosuwe, in 2016 and 2020, the Gauteng province saw a regular surge in the number of pupils enrolling in its schools. In 2021, the in-migration figures of learners enrolled were about 20 000 less than those enrolled in 2020. The 2021 in-migration figure represents the lowest over the last five years. The decline may be explained as a consequence of the significant disruption caused by the COVID-19 pandemic (UNPD, 2020). In South Africa, rural dwellers are drawn to urban areas with a high probability of quality education.

Wage difference

The people living in urban areas earn better than their rural counterparts (Meng & Zhang, 2001). Kok and Collinson (2006) indicated that “many people from northern KwaZulu-Natal travel to Gauteng to seek better remuneration as northern KwaZulu-Natal is characterised as a rural setting and hence cannot compare with urban areas in Gauteng in terms of salaries”. In South Africa, wealthy provinces such as Gauteng and the Western Cape offer higher salaries compared with others, serving as the motivating factor for people seeking better pay.

External migration in South Africa

Table 3.4 shows the statistics of emigrants from South Africa in 2020. About 800 000 people left South Africa, and approximately 82% of the emigrants relocated to countries like New Zealand, the United Kingdom, Australia, Canada and the United States. While roughly 7% settled in neighbouring countries like Mozambique, Zimbabwe and Eswatini, Germany and the Netherlands received close to 5% of the emigrants (UNPD, 2020). The data in Table 3.4 shows the number of emigrants who left the country in 2020.

Table 3.4: Emigrants from South Africa, 2020

Country	Emigrants
United Kingdom	247 300
Australia	199 700
United States	117 300
New Zealand	73 800
Canada	48 100
Germany	20 400
Mozambique	20 200
Zimbabwe	19 700
Netherlands	17 500
Eswatini	12 700

Source: UNPD (2020).

South Africa experienced a massive increase in emigration over recent decades, and a significant proportion of these emigrants were from the white population. The 2011 Census estimates show that roughly 4.7 million white South Africans were in the Country, which constitutes 8.9% of the total population, however, there has been a steady decline in the population of the white South Africans over the years, down from 9.0% in 2011, to 8.1% in 2016, and 7.9% in 2019, and 7.8% in 202 (StatsSA, 2021).

This shrinking population is in disparity with all other demographics in South Africa, which exhibits increasing trends. Although this does not connote the absence of emigration, anecdotal evidence suggests black experts, notably in the medical and engineering field, are also emigrating (UNPD, 2020).

Causes of external migration in South Africa

The phenomenon of external migration in South Africa has been a rising concern over the years. And it is driven by a wide range of factors, including social-political factors, natural disasters, demographic increase and urbanisation, wars, and family reunification factors, among others. Jigjiddorj, Kho & Zanabazar (2021) clarify various

pull and push factors that influence migration. The push factors are immediate reasons that compel a person to leave their original locale, while the pull factors are factors that draw people to a new location.

Push factors of migration in South Africa

Political instability

Mattes and Richmond (2000:2930) state: “The most well-known politically motivated migration is the flight from oppression and persecution, or political turmoil and instability”. Although there is no empirical data on how many people are leaving the country for good, anecdotal evidence suggests a significant increase in the number of South Africans fleeing abroad, seeking new lives as they become perturbed by the current economic and political situation.

Unemployment

According to statistic South Africa, the “unemployment rate in South Africa has reached its new record high of 35.3% in the last quarter of 2021, up from 34.9 in the third quarter and 34.4 in the second quarter, the rate was the highest since the quarterly labour force began in 2008.” And the consequence has been devastating for South Africans grappling with a host of social ills, including corruption, violent crime, poverty, and inequality level, which is one of the highest in the world (StatsSA, 2017).

Violent crime

In recent times, crime data shows that the murder rate in South Africa in 2021 surged in the last three months of 2021 by 8.9% to 6 859 from 6 297, while attempted murder spiked by 3.5%, and carjacking increased by 13.8%. This is attributed to several factors, including high inequality, poverty, social exclusion, unstable living arrangements, and marginalisation. Statistics have shown that the high crime rate is one of the reasons for emigrating from South Africa (Fourie, 2018).

High skill mobility

South Africa has experienced an upsurge in the number of emigrants compared to immigrants. But unlike immigrants, emigrants tend to be highly educated and motivated by non-monetary factors. South African intellectuals are not replaced, as 75% of immigrants are from Africa, and, as stated by the global ranking, the top four African schools are in South Africa. Skilled emigration erodes efforts to bridge the

skills gap, which has extensive implications for productivity, growth and development (Adepoju, 2004).

Pull factors of migration in South Africa

Improved safety and security

Research indicates that South Africans, fleeing political instability and violent crime, is leaving everything familiar about their birth country as they emigrate in search of safer pastures. In recent months, there has been civil unrest in the country's major cities, notably Durban, which touched on Gauteng, and this triggered an exodus of migrants seeking protection abroad.

Better future for children

Millions of children are crossing the frontiers with or without their parents in many African countries, including South Africa and the three major factors that triggered this population movement include poverty, inequality and violence. According to UNICEF South Africa, "more than 40% of children, in general, are poor and income poor, and two-thirds of children in rural areas are impoverished." More than 50% of children in South Africa live below the poverty line. Most parents are not sure of their children's safety in South Africa, and they are of the opinion that children's future is secured abroad in a crime-free environment.

Career advancement

Many South Africans emigrate to pursue career progression and advancement overseas, as they are pessimistic that their passions and career might not be provided for in their country.

Analysis of the key element of apartheid on migration

In the primitive age of development, when agricultural production could no longer sustain the rural economy due to the constraint on land, the redundant male worker was compelled to migrate to developing urban areas. The migration of labour would only be for the initial stage and eventually lead to permanent urbanisation. However, the reverse is the case in South Africa during the apartheid regime, when the black worker had no permanent urban settlement. According to Vosloo (2020:1):

Developmental migration

The migrant labour system was a historical system manipulated by capitalist, colonial, and apartheid powers as a means of reconciling the conflict needs for cheap labour in the mines and cities of 'white' South Africans, with the desire to restrict black people to rural areas far away from the 'white' cities. As part of this system, people (mostly men) were forced to migrate in search of employment but were not permitted to do so with their families or stay permanently, resulting in a system of oscillating migrancy.

The apartheid and its concomitant system of migrant labour have, in many ways, shaped contemporary migration patterns in South Africa, and its impact was devastating for black South Africans (Hale, 2010). Black South Africans were prevented from accessing the urban centres except under strict instructions (Bouare, O'Donovan & Kok, 2003). Under apartheid, many legislative measures were taken to restrict black people. For instance, in the nineteenth century, when diamonds were discovered in Kimberley, development triggered the influx of the white population into Kimberley (from the Cape), which constituted about 33% of the residents. The rapid growth in the mining industry and its concomitant increase in demand for labour instigated large-scale labour migration from the homelands (rural areas) to the white areas (urban). These migrant workers were housed in closed compounds designed to strictly control and discipline black migrant workers by applying draconian apartheid laws and exploitative policies. Furthermore, in 1896, when gold was discovered on a large scale in the Transvaal Republic, the mine owners recruited labour from three different political zones: labour from within the borders of South Africa, men from the former high commission, and miners from foreign countries (Pogue, 2006). According to Chelkowska, Harington and McGlashan (2004:65), the main area that supplied such labour were Lesotho, Mozambique and the former Transkei, which contributed to over 60% of the entire labour force. Chelkowska, Harington and McGlashan (2004:65) state that black migrants were not allowed to bring their families, buy a property or have permanent resident status in South Africa. Hence the hostels were introduced to provide cheap and temporary accommodation for migrant workers. According to Kok and Collinson (2006), circular and temporary migration is expected to reduce due to family bound; however, there has been evidence of circular and temporary migration.

Effects of migration on traditional social arrangements in South Africa

Social arrangement implies a pattern of familiarity, behaviour, relationship and interaction among the members of a group, society or community. Traditionally, the living arrangement in South Africa and other African nations was built on the extended family system and socially integrated neighbourhood (Indongo & Sakaria, 2016). In South Africa, there have been increasing incidences of social disruptions and breakdowns of traditional social arrangements, which have been heavily blamed on a host of factors, among which migration into South Africa is key. For example, the movement of European settlers to South Africa was said to disrupt the nation's social arrangement and kinship organisation (Amoateng, Heaton & Kalule-Sabiti, 2007). The domination of settlers created apartheid and labour control systems characterised by racial discrimination and family breakdown, causing a significant alteration in the traditional social arrangement of the indigenous people of South Africa. The apartheid system forced indigenes to reside in households that were too small to contain a large number of their relations, disrupting the extended family system in favour of the nuclear family system.

Since the end of apartheid and the labour system, South Africans have experienced increased freedom of movement into cities and increased connections to social networks. Migrants connect to their families, friends, communities, and a plethora of other social organisations. These trends are driven by black Africans and suggest that the migratory labour system persists despite increased mobility among black South Africans. According to the South African institute of race relations, the number of children growing up without their fathers increased from 42% in 1996 to 47% in 2010. As asserted by Amoateng, Heaton & Kalule-Sabiti (2007), households are moving away from nuclear forms of household composition, and the new family households in South Africa, common among black people, are skipped households. These are families where grandparents raise children and parents are absent from the households. It is worth noting that black South Africans delight in cultural values and practices, as evidenced in the 1996 and 2010 population census data, which shows that the occurrence of the extended family living arrangement increases marginally across all races, but it was more pronounced among black South Africans elites, as they are able to interact with their extended kin in the cities and rural areas. The reason is not far-fetched, as Hadler (2006) explained: the mass movement has a socioeconomic

effect on families, which has greatly affected some children in developing countries.

Conclusion

The impact of migration on traditional social arrangements in South Africa is quite enormous. Social disruptions affect the traditional living arrangement in different ways beginning with family disruptions due to divorce, separation or death of one or both partners. Job relocation also affects the traditional living arrangement by not allowing the family to remain together as they would have naturally been. Internal and external migrations are also not ruled out as major causes of disruptions to the traditional social arrangement in South Africa, especially in view of the apartheid regime. Lastly, rural-urban migration can be minimised if public services in rural areas are operated by skilled and competent personnel because most skilled professionals prefer urban areas. This will reduce rural-urban migration to an extent and improve the services rendered to rural people.

References

- Adepoju, A., 2004. Trends in international migration in and from Africa. In: D.S. Massey & J.E. Taylor (eds). *International migration: prospects and policies in a global market*. Oxford: Oxford University Press. 59. <https://doi.org/10.1093/0199269009.003.0004>
- Aldrich, H.E. & Cliff, J.E. 2003. The pervasive effects of family on entrepreneurship: toward a family embeddedness perspective. *Journal of Business Venturing*, 18(5):573–596. [https://doi.org/10.1016/S0883-9026\(03\)00011-9](https://doi.org/10.1016/S0883-9026(03)00011-9)
- Amoateng, A.Y. 1997. The structure of urban black households: new survey evidence from a coloured and an African community on the Cape Flats in the Western Cape of South Africa. *African Sociological Review*, 1(2):22–40.
- Amoateng, A.Y., Heaton, T.B. & Kalule-Sabiti, I. 2007. Living arrangements in South Africa. In: A.Y. Amoateng & T.B. Heaton (eds). *Families and households in post-apartheid South Africa: socio-demographic perspectives*. Cape Town: HSRC Press. 43–59.
- Anderson, L.M., Charles, J.S., Fullilove, M.T., Scrimshaw, S.C., Fielding, J.E., Normand, J. & Task Force on Community Preventive Services. 2003. Providing affordable family housing and reducing residential segregation by income: a systematic review. *American Journal of Preventive Medicine*, 24(3):47–67. [https://doi.org/10.1016/S0749-3797\(02\)00656-6](https://doi.org/10.1016/S0749-3797(02)00656-6)
- Angelopulo, G. 2017. A competitive assessment of South Africa's leading cities: national, continental and global perspectives. *Strategic Review for Southern Africa*, 39(1):65–92. <https://doi.org/10.35293/srsa.v39i1.323>
- Ardenbaum, B. 2021. *Legal separation agreements in South Africa*. Durban: Benita Ardenbaum Attorneys. <https://benitaardenbaum.com/legal-separation-agreements-in-south-africa/> [Accessed 4 April 2022].
- Aseltine Jr, R.H. & Kessler, R.C. 1993. Marital disruption and depression in a community sample. *Journal of Health and Social Behavior*, 34(3):237–251. <https://doi.org/10.2307/2137205>
- Bojuwoye, O. & Akpan, O. 2009. Personal, familial and environmental perspectives in children's reactions to parental divorce in South Africa. *Journal of Family Studies*, 15(3):260–273. <https://doi.org/10.5172/jfs.15.3.260>

Developmental migration

- Bouare, O., O'Donovan, M. & Kok, P.C. 2003. *Post-apartheid patterns of internal migration in South Africa*. Cape Town: HSRC Press.
- Budlender, D. & Lund, F. 2011. South Africa: A legacy of family disruption. *Development and Change*, 42(4):925–946. <https://doi.org/10.1111/j.1467-7660.2011.01715.x>
- Caldwell, J.C. 2006. Social upheaval and fertility decline. In: J.C. Caldwell (ed). *Demographic transition theory*. Dordrecht: Springer. 273–299. https://doi.org/10.1007/978-1-4020-4498-4_12
- Caldwell, J.C. & Caldwell, P. 1990. Cultural forces tending to sustain high fertility. In: G.T.F. Ascadi, G. Johnson-Ascadi & R.A. Bulatao (eds). *Population and growth and reproduction in sub-Saharan Africa: technical analysis of fertility and its consequences*. Washington: World Bank.
- Cernea, M.M. & Mundial, B. 1993. *The urban environment and population relocation*. Volume 152. Washington: World Bank. 47. <https://doi.org/10.1596/0-8213-2057-2>
- Chelkowska, E., Harington, J.S. & McGlashan, N.D. 2004. A century of migrant labour in the gold mines of South Africa. *Journal of the Southern African Institute of Mining and Metallurgy*, 104(2):65–71.
- Chimbindi, C.A. 2016. *Parental status of African children in South Africa: the relationship to household composition and household socio-economic status*. Doctoral dissertation. Durban: University of KwaZulu-Natal.
- Collinson, M.A., Tollman, S.M. & Kahn, K. 2007. Migration, settlement change and health in post-apartheid South Africa: triangulating health and demographic surveillance with national census data. *Scandinavian Journal of Public Health*, 35(69):77–84. <https://doi.org/10.1080/14034950701356401>
- Dyomfana, B. 2021. Gauteng ready for upcoming final matric exam. *CareersPortal*, October 25. <https://www.careersportal.co.za/news/gauteng-ready-for-upcoming-final-matric-exam> [Accessed 27 April 2022].
- Ellis, F. 2000. *Rural livelihoods and diversity in developing countries*. Oxford: Oxford University Press.
- Fourie, W. 2018. Aligning South Africa's National Development Plan with the 2030 Agenda's Sustainable Development Goals: guidelines from the policy coherence for development movement. *Sustainable Development*, 26(6):765–771. <https://doi.org/10.1002/sd.1745>

- Ghatak, S. 1995. *Introduction to development economics*. London: Routledge. <https://doi.org/10.4324/9780203020630>
- Ginsburg, C., Collinson, M.A., Gómez-Olivé, F.X., Gross, M., Harawa, S., Lurie, M.N., Mukondwa, K., Pheiffer, C.F., Tollman, S., Wang, R. & White, M.J. 2021. Internal migration and health in South Africa: determinants of healthcare utilisation in a young adult cohort. *BMC Public Health*, 21(1):1–15. <https://doi.org/10.1186/s12889-021-10590-6>
- Hadler, M. 2006. Intentions to migrate within the European Union: a challenge for simple economic macro-level explanations. *European Societies*, 8(1):111–140. <https://doi.org/10.1080/14616690500491324>
- Hale, F. 2010. The impact of apartheid on the educational endeavours of two missionary agencies. *Studia Historiae Ecclesiasticae* [Church Studies Histories], 36(2):1–20.
- Heaton, T.B. & Amoateng, A.Y. 2007. The family context for racial differences in child mortality in South Africa. In: A.Y. Amoateng & T.B. Heaton (eds). *Families and households in post-apartheid South Africa: socio-demographic perspectives*. Cape Town: HSRC Press.
- Iizuka, R., Toriumi, F., Nishiguchi, M., Takano, M. & Yoshida, M. 2021. *Corrective information does not necessarily curb social disruption*. Ithaca, NY: arXiv, Cornell University. <https://arxiv.org/abs/2101.09665>
- Indongo, N. & Sakaria, N. 2016. Living arrangements and conditions of older persons in Namibia. *Advances in Aging Research*, 5(05):97. <https://doi.org/10.4236/aar.2016.55010>
- Jigjiddorj, S., Kho, N.S. & Zanabazar, A. 2021. The push and pull factors affecting the migration of Mongolians Republic of South Korea. *SHS Web of Conferences*, 90:a01023. <https://doi.org/10.1051/shsconf/20219001023>
- Jones, S. 1999. Singlehood for security: towards a review of the relative economic status of women and children in woman-led households. *Society in Transition*, 30(1):13–27. <https://doi.org/10.1080/10289852.1999.10520165>
- Juby, H. & Farrington, D.P. 2001. Disentangling the link between disrupted families and delinquency: sociodemography, ethnicity and risk behaviours. *British Journal of Criminology*, 41(1):22–40. <https://doi.org/10.1093/bjc/41.1.22>
- Kok, P. & Collinson, M. 2006. *Migration and urbanisation in South Africa*. Pretoria: Statistics South Africa.

- Kollamparambil, U. 2017. *Labour market impact of internal in-migration: A district level analysis of South Africa*. Economic Research Southern Africa Working Papers 667. <https://ideas.repec.org/p/rza/wpaper/667.html>
- Kumwenda-Mtambo, O. 2022. South Africa's unemployment rate hits new record high in Q4 2021. *Reuters*, March 3. [https://www.reuters.com/world/africa/south-africas-unemployment-rate-hits-new-record-high-q4-2021-2022-03-29/#:~:text=PRETORIA%2C%20March%2029%20\(Reuters\),statistics%20agency%20said%20on%20Tuesday](https://www.reuters.com/world/africa/south-africas-unemployment-rate-hits-new-record-high-q4-2021-2022-03-29/#:~:text=PRETORIA%2C%20March%2029%20(Reuters),statistics%20agency%20said%20on%20Tuesday) [Accessed 27 April 2022].
- Madhavan, S. 2010. Early childbearing and kin connectivity in rural South Africa. *International Journal of Sociology of the Family*, 36(2):139-157.
- Maharaj, B. 2002. Economic refugees in post-apartheid South Africa: Assets or liabilities?: implications for progressive migration policies. *GeoJournal*, 56(1):47-57. <https://doi.org/10.1023/A:1021756902951>
- Mariotti, M. 2012. Labour markets during apartheid in South Africa. *Economic History Review*, 65(3):1100-1122. <https://doi.org/10.1111/j.1468-0289.2011.00621.x>
- Mattes, R. & Richmond, W. 2000. The brain drain: What do skilled South Africans think? *Africa Insight*, 30(2):1-10.
- Mawire, C., Mtapuri, O., Kidane, T. & Mchunu, K. 2020. Socio-economic effects of migration on the family: evidence from Zimbabwean and Congolese families living in Durban, South Africa. *Mankind Quarterly*, 61(1):117-135. <https://doi.org/10.46469/mq.2020.61.1.11>
- Meng, X. & Zhang, J. 2001. The two-tier labour market in urban China: occupational segregation and wage differentials between urban residents and rural migrants in Shanghai. *Journal of Comparative Economics*, 29(3):485-504. <https://doi.org/10.1006/jcec.2001.1730>
- Organisation for Economic Co-operation and Development (OECD). 2011. *Education at a glance 2011: OECD indicators*. Paris: OECD Publishing.
- Palamuleni, M., Kalule-Sabiti, I. & Makiwane, M. 2007. Fertility and childbearing in South Africa. In: A.Y. Amoateng & T.B. Heaton (eds). *Families and households in post-apartheid South Africa: socio-demographic perspectives*. Cape Town: HSRC Press. 113-133.
- Pogue, T.E. 2006. *The evolution of research collaboration in South African gold mining: 1886-1933*. PhD thesis. Stockton, California: University of the Pacific.

- Preston-Whyte, E. 1993. Women who are not married: fertility, 'illegitimacy', and the nature of households and domestic groups among single African women in Durban. *South African Journal of Sociology*, 24(3):63-71. <https://doi.org/10.1080/02580144.1993.10432905>
- Riad, J.K. & Norris, F.H. 1996. The influence of relocation on the environmental, social, and psychological stress experienced by disaster victims. *Environment and Behavior*, 28(2):163-182. <https://doi.org/10.1177/0013916596282001>
- Russell, M. 1994. Do blacks live in nuclear family households? An appraisal of Steyn's work on urban family structure in South Africa. *South African Sociological Review*, 6(2):56-67.
- Russell, M. 2003. Understanding black households: the problem. *Social Dynamics*, 29(2):5-47. <https://doi.org/10.1080/02533950308628674>
- Shimeles, A. 2010. *Working Paper 119: migration patterns, trends and policy issues in Africa*. African Development Bank Group Working Paper Series, 119. Abidjan, Côte d'Ivoire: African Bank.
- Sibanda, A. 2011. Ethnic differences in the living arrangements of children in South Africa. *Journal of Comparative Family Studies*, 42(4):479-508. <https://doi.org/10.3138/jcfs.42.4.479>
- Simmons, R.G., Burgeson, R., Carlton-Ford, S. & Blyth, D.A. 1987. The impact of cumulative change in early adolescence. *Child Development*, 58(5):1220-1234. <https://doi.org/10.2307/1130616>
- Solomon, H. 1994. Migration to Southern Africa: a comparative perspective. *Africa Insight*, 24(1):60-71.
- Sooryamoorthy, R. & Makhoba, M. 2016. The family in modern South Africa: insights from recent research. *Journal of Comparative Family Studies*, 47(3):309-321. <https://doi.org/10.3138/jcfs.47.3.309>
- Stack, C.B. 1974. *All our kin: strategies for survival in a black community*. New York: Harper & Row.
- Statistics South Africa (StatsSA). 2017. *Mid-Year Population Estimates 2017: Report Po302*. Pretoria: StatsSA.
- Sun, Y. & Li, Y. 2008. Parents' marital disruption and its uneven effect on children's academic performance: a simulation model. *Social Science Research*, 37(2):449-460. <https://doi.org/10.1016/j.ssresearch.2007.03.005>

Developmental migration

- Ter Weel, B. & Prevoe, T. 2014. *The effect of family disruption on children's personality development: evidence from British longitudinal data*. Institute for the Study of Labour (IZA) Discussion Papers 8712. Bonn: IZA.
- United Nations Population Division (UNPD). 2020. International Migrant Stock. <https://www.un.org/development/desa/pd/content/international-migrant-stock> [Accessed 27 April 2022].
- Vosloo, C. 2020. Extreme apartheid: the South African system of migrant labour and its hostels. *Image & Text*, 34(1):1–33. <https://doi.org/10.17159/2617-3255/2020/n34a1>
- Walker, M. & Mathebula, M. 2020. Low-income rural youth migrating to urban universities in South Africa: opportunities and inequalities. *Compare: A Journal of Comparative and International Education*, 50(8):1193–1209. <https://doi.org/10.1080/03057925.2019.1587705>
- Wang, P.Y. 2013. Examining the digital divide between rural and urban schools: technology availability, teachers' integration level and students' perception. *Journal of Curriculum and Teaching*, 2(2):127–139. <https://doi.org/10.5430/jct.v2n2p127>
- Ziehl, S. 2002. Black South Africans do live in nuclear family households: a response to Russell. *Society in Transition*, 33(1):26–49. <https://doi.org/10.1080/21528586.2002.10419050>

Chapter 4:

Migration and statelessness: the challenges of stateless citizens in South Africa

Adebimpe Esther Ofusori

Abstract

Migration and statelessness are interwoven and dependent on one another. Statelessness is a problem affecting approximately 12 million people worldwide and is one of the major causes of migration. In South Africa, since 2016, there have been about 10 000 stateless people, with the numbers increasing day by day. Common causes of statelessness include discrimination and denial of citizenship, failure to acquire a nationality at birth, loss or rejection of citizenship without due regard for statelessness, gender discrimination, rejection of a certain set of groups in a nation, exempting some sets of people in the state whenever a state get independent, and deprivation of nationality (Dodson, 2018).

There is no security for stateless people wherever they move, and they have no access to basic facilities such as education, employment, healthcare, property rights and registration of birth, marriage and death. Statelessness can be a by-product of migration. A ‘migrant’, according to the United Nations Migration Agency, is a person who moves from his abode to another destination, either locally or internationally, irrespective of their legal standing. There are several reasons for the movement of people from one place to another, including survival, war, economic hardship, better opportunities, pandemics, unemployment, and natural disasters, to mention but a few. Migration has devastating effects on both the place left behind and the country where migrants settle; it induces social, economic and political problems in receiving countries. The possession of nationality and citizenship is one of the prerequisites needed to access basic amenities and enjoy human rights in a nation. This chapter focuses on several challenges that stateless citizens in South Africa encounter, which makes life unbearable for them, and ways of eradicating such challenges.

Keywords: migration, emigrant, immigrant, nationality, citizenship, statelessness, international

Introduction

Statelessness simply means not having the status of a national. Internationally, the legal definition of a stateless person is “a person who is not considered a national by any state under the operation of its law” (Manby, 2011). The two classes of statelessness are *de jure* statelessness and *de facto* statelessness (Sawyer, 2011). *De jure* stateless occurs when a person fits into the international legal definition of statelessness and therefore has no nationality under the laws of any country. The majority of the world’s stateless people, including those in South Africa, fall into this category. *De facto* statelessness has no formal definition under international law. Statelessness is considered *de facto* when the individual involved has a nationality but lives outside the country of their nationality. They are, therefore, unable and unwilling to have access to the protection of that country. Migration of people for survival, better life and job often lead to migration and statelessness.

South Africa comprises immigrants who lack documents to show their nationality and are therefore tagged stateless (Manby, 2011). They are not considered a nationality under the law of any state (Sahana, Jahangir & Anisujjaman, 2019; Tucker, 2021). They consist of different age groups, including children and adults. Having no connection to any nation and for the fact that they are not protected by any country, stateless persons are sometimes labelled as “outcasts” (UNHCR, 2004; US Yearbook, 2002) and “legal ghosts” (UNHCR, 2004). Some are born stateless, while others become stateless due to circumstances. Most stateless people have never crossed a border; they remain in the country of their birth (Manby, 2011). Others may decide to leave the country of their birth and move to other countries, to become migrants or refugees. However, stateless adults and children experience challenges in the process of trying to access fundamental rights and services (Meda, Sookrajh & Maharaj, 2012). In some cases, stateless and refugee children experience problems accessing primary education and have limited opportunities for secondary education because of their status (Meda, Sookrajh & Maharaj, 2012; Warri, 2020). They are also vulnerable to discrimination, relegation and rejection (Van Waas-Hayward, 2008).

This stateless situation, coupled with the challenges that stateless people encounter, has led many to migrate to places where laws and policies favour them and offer them nationality (Van Waas-Hayward, 2008). Migration can be of two categories: immigrants and emigrants. An immigrant is a person who permanently leaves a country and settles in a new country, while emigrants leave a country for another with reference to the country they moved from. Migration can have a constructive or destructive effect on the country they migrated from and the one they moved to, and there are several reasons why people migrate. It can be due to economic, political, social or ecological reasons (Botha, 2013). Others migrate due to the fact that they are stateless and are not entitled to basic amenities in their country of birth or country of residence.

In South Africa, the stateless population are usually refugee, asylum seekers and migrants. Stricter measures are being adopted by the South African government to prevent the migration of people into the country through proper documentation and new policies (Manby, 2011; Mbiyozo, 2019). Statelessness must not be promoted by the government; rather, it should be discouraged. South Africa has been using different strategies to decrease the movement of people from nearby countries into South Africa (Tati, 2008). Refugees, migrants and asylum-seekers dominate the majority of South Africa's stateless people (Manby, 2011). The United Nations High Commissioner for Refugee Agency (UNHCR) fight for the rights of the refugees and the stateless in order to reduce their population (Manby, 2011). Through the *1954 Convention relating to the status of stateless persons* (UNHCR, 1960) and the *Global action plan to end statelessness* in November 2014 (UNHCR, 2014), strategies were designed to help prevent statelessness and ensure ways by which stateless people can benefit from the basic amenities and legal rights of the country in which they reside. Such benefits include identity, travel documents, accommodation, job opportunities and administrative assistance. About 83 state parties were present during the 1954 Convention when the campaign to eradicate statelessness in ten years was launched (Bloom, 2013; Bloom, Tonkiss & Cole, 2017; Khan, 2020).

Despite the effort of the state to end statelessness and address the challenges stateless people encounter in South Africa, there are still some stateless people that are yet to benefit from the plan. During the pandemic, the harm caused by statelessness increased to an unprecedented level because stateless persons are not put as first place priority during the treatment of infected persons. This is detrimental

to the health status of this abandoned group of people. This healthcare challenge, together with other challenges encountered by stateless people, should be looked into. Therefore, this chapter focuses on the challenges stateless people encounter in South Africa and suggests ways of eradicating such challenges. Data and information are obtained from internet sources and online literature on statelessness in South Africa.

Causes of statelessness in South Africa

A stateless person is an individual who does not have a nationality and cannot enjoy the benefit and protection of any country. Although they might identify with a certain country yet, they cannot call any country their own because they lack a legal bond of nationality with any country (Garnier, 2013; Lee, 2019).

In some cases, they may have a valid claim to citizenship, but they cannot prove to be a citizen because governments have refused to grant them citizenship. The majority of stateless people stay in their country of birth, while others leave and “become migrants or refugees” (Garnier, 2013; Lee, 2019). Most times, stateless persons can be considered refugees because of the fear of being persecuted for religion, race, nationality, membership in a social group or political opinion, and are unable to benefit from the protection of the country they inhabit. “Stateless persons who are refugees under the 1951 Convention relating to the Status of Refugees are entitled to protection under that” law (Garnier, 2013; Lee, 2019).

There are several causes of statelessness. It can result from people relinquishing their nationality without being affiliated with any other country. Gender discrimination is also an important factor in causing statelessness. Most countries are ill-disposed to gender-neutral citizenship laws, and in some “worst cases, women lose their citizenship when they get married to foreigners and are unable to pass on their citizenship to their children” (Garnier, 2013; Lee, 2019). Also, failure to register the birth of a child as when due can also lead to statelessness for the child in future. Other causes include: “Discrimination between countries as regards laws relating to citizenship. ... lack of documents, laws allowing only one nationality, or laws preventing parents from passing their nationality on to their children” (Garnier, 2013; Lee, 2019).

Other causes of statelessness in South Africa:

Failed integration

Failure to integrate historical and contemporary migrants with their descendants.

Unfairness in ethnicity, race and gender laws relating

Gender discrimination is also one of the commonest causes of statelessness, especially in the case of children who cannot obtain their mother's nationality because of gender discrimination and who cannot otherwise acquire the nationality of the state of birth or their father because the child was born out of wedlock, or the inadequacy of civil registration procedures and other challenges.

Flawed laws

Every country has its own distinct laws. These laws help determine how citizenship can be acquired or denied. Applying these laws and gaps in the laws often exclude people intentionally and, on some occasions, unintentionally. An example of this is the case of children with unknown parents in a country whose citizenship is based on sanguine laws; that is, citizenship is determined or acquired by the nationality of one or both parents. In these cases, these children become stateless in their own country of birth.

Displacement

A person moving from the country of birth to another country for one reason or another "can lose their nationality. Children and spouses are prevented from securing nationality by way of parents or spouses. Other countries' indifference to certain ethnicities or backgrounds" (Watters, 2017).

Creation of new states

The emergence of new states and changes to borders is also a major cause of statelessness. People tend to migrate to places where the state is being created, and when they are not accepted as a national, they become stateless. Also, changes to borderlines in a country can render some people stateless. In other cases, some minority groups among ethnic, racial or religion struggle to prove their links to countries.

Denial of nationality

Under certain conditions, someone can lose, renounce, change or be deprived of nationality (Edwards & Van Waas, 2017): “These can occur when someone [has] lived out of the country for too long or is being suspected of terrorism or crime. Some states intentionally changed nationality laws in order to discriminate against some population groups and deprive them of citizenship.”

Causes of migration in South Africa

Migration to and from South Africa is prompted basically by the desire for better education, health, occupation, accommodation, and improved level of comfort and wealth (Kotze & Hill, 1997). Migrants travel long distances to South Africa in order to avoid war, conflict, natural disasters, pandemics, political crises and xenophobic attacks (Wentzel & Tlabela, 2006; Nshimbi & Fioramonti, 2017).

In terms of education, South Africa has attracted many migrants into the country through grants and scholarships awarded to them throughout their period of study. Opportunities are also granted to them in their institutions to engage in jobs that can provide them with some amount of money for upkeep (Mlambo, 2017). Many also seek better healthcare facilities in the country they migrate to. South Africa, for instance, has trained qualified doctors capable of handling complex cases because their hospitals are well-equipped (Mlambo, 2017). There are also better job opportunities with better pay in South Africa compared to the Southern African Development Community (SADC) (Mlambo, 2017).

Proximity, closeness to borders and travelling expenses and documents are also major causes of migration. Almost 80% of migration occurs between countries with close or connecting borders, while less than 15% between countries with non-connecting borders. Also, the travelling expenses needed to move to countries that are close are less compared to migrating to countries farther away (Mlambo, 2017). Many who lack travelling documents also migrate to countries closer to them where travelling documents are not needed (Manby, 2011). Conflict and disaster are other major causes of migration. Migrants flee from countries encountering war and disaster to other countries for safety and refuge (Manby, 2011).

The COVID-19 pandemic is also a factor which enhanced the migration of people from one country to another. Migrants were

confined to where they were and could not migrate to any other location due to the lockdown. There was visa and permit extensions in South Africa and some other countries to accommodate migrants that were stranded and people that had overstayed their visa duration (Mlambo, 2017; IOM, 2020). Due to the increase in the number of infected persons, COVID-19 travel measures were adopted, which helped restrict movement and curtail regional migration (OHCHR, 2020).

Effects of migration on the economy of South Africa

The effects of migration on the economy of South Africa cannot be over-emphasised. These effects can be positive and, at the same time, negative. It can affect the migrants, the economy of the country they migrated from and the one they migrated to.

The positive impact may include the following:

More revenue for the government purse

As the number of working-class migrants increases, more revenue is being generated for the government. In other words, increased migration adds workers to the economy, thereby boosting the gross domestic product (GDP) of the country.

Improved living standards

There is an improvement in migrants' standard of living. The abundant resources in South Africa help to improve the standard of living of migrated persons. These include good roads, standard healthcare services, constant electricity, water, and job opportunity. The migration of skilled workers leads to greater economic growth in the country they migrate to because they influence any sector in which they work and help to increase productivity.

Increase in labour stock

As migration increases, there will be an increase in the labour stocks in areas and professions experiencing a lack of workforce, thereby tackling disparities in the job market.

As there are positive impacts of migration on the economy of South Africa, there are also negative impacts, including the following:

COVID-19's negative economic influence

The pandemic has contributed negatively to the socioeconomic sector of the country. Due to the lockdown and restriction of movement, ports of entry were shut, restricting the number of migrants coming into the country. Also, many people worked from home to minimise the rate of infection. This led to low productivity and reduced remittance flow to the region.

Accommodation and housing problem

An increase in the population of migrants in South Africa affected the availability of accommodation and the opportunity to own property. Due to the high demand for accommodation, the rent rate also increased.

Political and social tension

The more the number of migrants in South Africa, the more some of them get involved in politics and social tension. Although migrants may not have the opportunity to vote and be voted for in South Africa, they can join the group of protesters during political campaigns and crises.

Overcrowding and transmission of disease

An increase in the population of migrants in South Africa led to overcrowding, especially in the slums. People tend to compete for available resources, which may not be enough for everyone. Also, there is a high risk of people contracting diseases, especially in densely populated areas. This was evidenced during the COVID-19 pandemic. Overpopulated places in South Africa were discovered to have a higher number of infected persons because they could not practice social distancing and personal hygiene.

Migrants settle for low-status and low-paying jobs

In South Africa, due to the stateless condition of most migrants, some of the migrants tend to settle for low-paying jobs that are below their status in order to survive. Most times, they do not have access to highly paid jobs because they do not qualify for such jobs due to lack of papers, hence, the decrease in the amount of tax paid to government revenue.

Migration rate pre- and post-COVID-19

Migrants from other African countries, especially from the SADC countries, preferred to make South Africa a place of destination. About two million foreigners between 15–64 years old were estimated to reside in South Africa in 2017 (ACMS, 2020). This represents about 5.3% of the South African labour force. Also, between 2012 and 2017, there was an increase of about 1.4% in international migrants of working age in South Africa (Mukumbang, Ambe & Adebisi, 2020). Statistics show that the population of migrants in South Africa today is estimated to be around 4.2 million (Farley, 2019; Garba & Willie, 2020). This indicates that the pandemic had, in one way or another, added to the population of migrants in South Africa. During COVID-19, there was an increase in the population of people in the country as there was an extension of visas and permits to those already in the country before the pandemic to accommodate stranded people and people with expired permits and visas (Mlambo, 2017). Although some people preferred to move out of South Africa as the number of deaths increased but could not do so due to the lockdown.

Statelessness in the face of the COVID-19 pandemic

The United Nations High Commissioner for Refugees (UNHCR) recorded about 1 021 418 stateless persons in Africa who lack nationality and the rights associated with it (OECD, 2018; Mbiyozo, 2019). Although this is the estimated population in only six countries, the correct figure is much higher than this (Molaeb, 2017). Statelessness is referred to as one of the world's human rights problems that are not reckoned with. People often refer to them as invisible because they are not well documented and are “forced to live on the borders of the society” (OECD, 2018; Mbiyozo, 2019). Such people are exposed to unequal or inhumane treatment and are prevented from enjoying some basic human rights such as access to education, housing, employment, social welfare and healthcare. During the COVID-19 pandemic, statelessness posed many problems. It exposes the influence of statelessness on stateless persons who are most vulnerable to coronavirus infection. A stateless person can be likened to having pre-existing medical conditions and other challenges compounded by the pandemic.

During the pandemic, evidence shows that lots of nationalities prefer a “citizens first” approach in response to the pandemic, not taking into consideration the already left out and vulnerable populations such as stateless persons, migrants, refugees and asylum

seekers. Many migrants live in disgusting environments where access to basic amenities is scarce. It is worthy of notice that excluding this group in the face of the pandemic posed a devastating effect on their health status. Jessica George, a legal counsellor at Lawyers for Human Rights, explained that “people that are stateless [do] not qualify for asylum, and there is no way they can access legal immigration status except through an exemption for permanent residence” (Recalde-Vela, 2019). Thus, through this process, the home affairs minister was able to grant permanent residency to foreigners with special circumstances.

Rights of a national citizen

Nationality is a legal bond between a state and an individual (Manby, 2011; Recalde-Vela, 2019). A national citizen is entitled to some rights, which include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, the right to healthcare services, the right to vote and be voted for, to mention but a few (Blitz & Lynch, 2011). Every citizen is entitled to these rights without discrimination (Weil, 2001; Edwards & Van Waas, 2017). However, a stateless citizen cannot enjoy these rights. The Universal Declaration of Human Rights (UDHR) in 1948 states that “everyone has the right to a nationality”, and also “no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality” (Manby, 2011; De Villiers, 2017; Recalde-Vela, 2019). In subsequent agreements, more emphasis has been placed on these rights to sensitise people to their national rights.

Challenges of the stateless citizen in South Africa

According to UNHCR, “South Africa is reported to consist of many migrants, who are either stateless or liable to becoming stateless. These include children and young people under the age of 18. Lack of country affiliation and subsequent protection” have made some stateless persons be referred to as “outcasts from the global political system of states” (UNHCR, 2004; Anderson, 2012) and as “legal ghosts” (UNHCR, 2004). Stateless adults and children experience challenges when trying to access fundamental rights and services and are at risk of marginalisation, discrimination and insecurity (Van Waas-Hayward, 2008; Bhabha, 2011; Robinson, 2011). A classic example is the case of Adonis Musati, a 23-year-old Zimbabwean who had been trying to get nationality in South Africa since 2007, collapsed

and died in a queue while waiting for his documentation at the home affairs office in Cape Town. This may be due to the frustration that goes along with the process of documentation as well as exclusion from other state services (De Villiers, 2017).

Stateless people are confronted with challenges that sprout from their living environment and the reason for their statelessness. Usually, because stateless people are not well documented, they cannot prove their citizenship and, by extension, are not eligible to participate in any political activities, including voting. They also find it difficult to benefit from an array of government services or get a job. Stateless people are easily exploited or abused as a result of their status.

The plan being initiated by Department of Home Affairs in 2018 to replace birth certificates for children of foreign parents with birth confirmations posed challenges on orphaned and abandoned children and those born to undocumented or irregular migrants at serious risk of statelessness (Ackermann, 2017; Mbiyozo, 2018; Coetzer, 2019).

The plan is seen as unlawful as it punishes innocent children as a result of the status of their parents. In many cases, states claim they are not creating statelessness because people have the right to alternate citizenship (Watters, 2007). This is evidenced in a 2019 South African case involving an orphan of assumed “eSwatini origin whose children have been rendered stateless in spite of having a South African father”. Cases like this should be prevented in South Africa. Richard Sikane, Home Affairs Director of Travel Documents and Citizenship, thus claims the following: “I seriously dispute that any person can be born stateless.” The department of home affairs (DHA) has also argued against citizenship cases, particularly on the grounds that ‘illegal’ migrants are seeking legal loopholes that can compromise the security of the country. However, the government still needs to look into this and proffer a solution to the problem of statelessness in South Africa.

How to prevent statelessness in South Africa

The *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness* are international conventions that laid credence on finding solutions to statelessness (Bloom, 2013; UNHCR, 1960; UNHCR, 1975). This is accompanied by international human rights pacts that relate to the right to a nationality.

To this end, states should agree to adopt and implement the 1961 Convention regarding the reduction of statelessness. This establishes standards that help guide against statelessness “through nationality provisions on acquisition, renunciation, loss and deprivation of nationality. States can also avoid statelessness through adequate legislation and general birth registration” (New Humanitarian, 2013).

One of the easiest ways to prevent statelessness would be if consulates provided certain services, so people would not have to leave South Africa in order to access their citizenship. UNHCR’s Deputy Regional Representative Sergio Calle-Norena claims that “besides ratifying the two conventions on statelessness, addressing the problem requires political will” (New Humanitarian, 2013). He noted, for example, that “South Africa’s Citizenship Act grants nationality to any child born in the country who would otherwise be stateless, but that non-nationals without documents struggled to register their children’s births”. Mechanisms that allow the application of laws are there but not functioning practically. The emergence of the COVID-19 pandemic is another factor militating against stateless citizens. Stateless people found it difficult to access healthcare during the pandemic. The best approach to fighting the pandemic was to ensure everyone, not minding their nationality or legal disposition, was carried along in the fight against COVID-19.

Conclusion

It is advisable to guide against statelessness in South Africa because of its negative effect on the economy and the individuals involved. In addition, denying people state services such as decent health and education, among others, may not be the best method for preventing statelessness. However, more effective strategies must be designed to help prevent illegal migration and statelessness. Also, new policies to regulate migration and statelessness must be enacted based on the current reality. The absence of a proper and efficient regulatory body will increase not only the rate of migration but also illegal cross-border migration, both locally and internationally, in South Africa.

References

- Ackermann, M. 2017. Unaccompanied and separated children in South Africa: Is return the only option? *African Human Mobility Review*, 3(3):975–994. <https://doi.org/10.14426/ahmr.v3i3.834>
- African Centre for Migration & Society (ACMS). 2020. Fact sheet on foreign workers in South Africa: overview based on Statistics South Africa data (2012–2017). Johannesburg: University of the Witwatersrand. <http://www.migration.org.za/fact-sheet-on-foreign-workers-in-south-africa-overview-based-on-statistics-south-africa-data-2012-2017/> [Accessed 22 April 2022].
- Anderson, J. 2012. Policy report on UNHCR’s community technology access program: best practices and lessons learned. *Refuge*, 29:21:5–136. <https://doi.org/10.25071/1920-7336.37503>
- Bhabha, J. 2011. From citizen to migrant: the scope of child statelessness in the twenty-first century. In: J. Bhabha (ed). *Children without a state: A global human rights challenge*. London: Oxford University Press. 1–42. <https://doi.org/10.7551/mitpress/9780262015271.003.0001>
- Blitz, B.K. & Lynch, M. eds. 2011. *Statelessness and citizenship: a comparative study on the benefits of nationality*. Cheltenham, UK: Edward Elgar Publishing.
- Bloom, T. 2013. *Problematizing the conventions on statelessness*. Policy report. Tokyo, Japan: United Nations University, Institute on Globalization, Culture and Mobility.
- Bloom, T., Tonkiss, K. & Cole, P. (eds). 2017. *Understanding statelessness*. Volume 4. Oxfordshire, UK: Taylor & Francis. <https://doi.org/10.4324/9781315200460>
- Botha, N.A. 2013. A theological perspective on migrants and migration focussing on the Southern African Development Community (SADC). *Missionalia: Southern African Journal of Mission Studies*, 41(2):104–119. <https://doi.org/10.7832/41-2-8>
- Coetzer, D.P. 2019. *Playing in the shadows: an analysis of childhood statelessness and the right to nationality in South Africa and Zimbabwe*. MPhil thesis. Cape Town: University of the Western Cape.
- De Villiers, M. 2017. Stateless in South Africa: engaging (public) theologically with Hannah Arendt. In: M. Welker, N. Koopman & J.M. Vorster (eds). *Church and Civil Society: German and South African perspectives*. Stellenbosch: African Sun Media. 207.

- Dodson, B. 2018. Gender concerns in South African migration policy. *Africa Portal*, April 23. <https://www.africaportal.org/publications/gender-concerns-south-african-migration-policy/>
- Edwards, A. & Van Waas, L. 2017. *Nationality and statelessness under international law*. Cambridge, UK: Cambridge University Press.
- Farley, A. 2019. South African migration policy: a gendered analysis. *Africa Portal*, June 28. <https://www.africaportal.org/publications/south-african-migration-policy-gendered-analysis/>
- Garba, N.W.F. & Willie, N. 2020. COVID-19 in South Africa: whither migrants. *African arguments*, June 17. <https://africanarguments.org/2020/06/covid-19-in-south-africa-whither-migrants/>
- Garnier, A. 2013. Arrested development? UNHCR, ILO, and the refugees' right to work. *Refuge*, 30:15. <https://doi.org/10.25071/1920-7336.39615>
- Geiger, M. & Pécout, A. (eds). 2021. *The International Organisation for Migration: the new 'UN migration agency' in critical perspective*. London: Palgrave MacMillan. <https://doi.org/10.1007/978-3-030-32976-1>
- Khan, F. 2020. Exploring childhood statelessness in South Africa. *Potchefstroom Electronic Law Journal*, 23(1):1-34. <https://doi.org/10.17159/1727-3781/2020/v23i0a6414>
- Kotze, H. & Hill, L. 1997. Emergent migration policy in a democratic South Africa. *International Migration*, 35(1):5-35. <https://doi.org/10.1111/1468-2435.00002>
- Lee, M.C. 2019. *Is South African Refugee Law creating a stateless generation?* Master's thesis. Cape Town: Faculty of Law, University of Cape Town.
- Manby, B. 2011. *Statelessness in Southern Africa*. Briefing paper for UNHCR Regional Conference on Statelessness in Southern Africa, Mbombela (Nelspruit), South Africa, November 1-3. <https://www.refworld.org/docid/50c1f9562.html>
- Mbiyozo, A.N. 2018. Gender and migration in South Africa: talking to women migrants. *ISS Southern Africa Report*, 2018(16):1-36.
- Mbiyozo, A.N. 2019. Statelessness in Southern Africa: time to end it, not promote it. *ISS Southern Africa Report*, 2019(32):1-24.
- Meda, L., Sookrajh, R. & Maharaj, B. 2012. Refugee children in South Africa: access and challenges to achieving universal primary education. *Africa Education Review*, 9:S152-S168. <https://doi.org/10.1080/18146627.2012.755287>

- Mlambo, V.H. 2017. Cross-border migration in the Southern African Development Community (SADC): benefits, problems and future prospects. *Journal of Social and Development Sciences*, 8(4):42–56. <https://doi.org/10.22610/jsds.v8i4.2062>
- Molaeb, K. 2017. *Statelessness under confessionalism*. Doctoral dissertation. Beirut, Lebanon: Lebanese American University.
- Mukumbang, F.C., Ambe, A.N. & Adebiyi, B.O. 2020. Unspoken inequality: how COVID-19 has exacerbated existing vulnerabilities of asylum-seekers, refugees, and undocumented migrants in South Africa. *International Journal for Equity in Health*, 19(1):1–7. <https://doi.org/10.1186/s12939-020-01259-4>
- New Humanitarian. 2013. Solving statelessness in Southern Africa. *RefWorld*, January 30. <https://www.refworld.org/docid/510bbe262.html> [Accessed 22 April 2022].
- Nshimbi, C.C. & Fioramonti, L. 2014. The will to integrate: South Africa's responses to regional migration from the SADC region. *African Development Review*, 26(S1):52–63. <https://doi.org/10.1111/1467-8268.12092>
- Office of the United Nations High Commissioner for Human Rights (OHCHR). 2020. *The rights and health of refugees, migrants and stateless must be protected in COVID-19 response*. Joint media release from OHCHR, International Organisation for Migration, United Nations High Commissioner for Refugees and World Health Organisation. March 31.
- Organisation for Economic Co-operation and Development (OECD). 2018. *How immigrants contribute to developing countries' economies*. Paris: OECD.
- Recalde-Vela, M.J. 2019. Access to redress for stateless persons under international law: challenges and opportunities. *Tilburg Law Review*, 24(2):182–203. <https://doi.org/10.5334/tlrl.153>
- Robinson, M. 2011. *Children without a state: a global human rights challenge*. Cambridge, Massachusetts: MIT Press.
- Sahana, M., Jahangir, S. & Anisujjaman, M.D. 2019. Forced migration and the expatriation of the Rohingya: a demographic assessment of their historical exclusions and statelessness. *Journal of Muslim Minority Affairs*, 39(1):44–60. <https://doi.org/10.1080/13602004.2019.1587952>

- Sawyer, C. 2011. Stateless in Europe: legal aspects of de jure and de facto statelessness in the European Union. In: C. Sawyer & B.K. Blitz (eds). *Statelessness in the European Union: displaced, undocumented, unwanted*, Cambridge, UK: Cambridge University Press. 69. <https://doi.org/10.1017/CBO9780511921438.004>
- Tati, G. 2008. The immigration issues in the post-apartheid South Africa: discourses, policies and social repercussions. *Espace populations sociétés* [Space populations societies], 2008-3:423-440. <https://doi.org/10.4000/eps.3496>
- Tucker, J. 2021. The statelessness of refugees. In: T. Bloom & L.N. Kingston (eds). *Statelessness, governance, and the problem of citizenship*. London: Manchester University Press. 61-73.
- United Nations General Assembly (UNGA). 1954. *Report of the United Nations High Commissioner for Refugees A/2394*. UNGA: Eighth Session, New York, January 1.
- United Nations High Commissioner for Refugees (UNHCR). 1960. *1954 Convention relating to the status of stateless persons*. United Nations Conference on the Status of Stateless Persons, New York, September 13-23. United Nations Treaty Series, 360:117.
- United Nations High Commissioner for Refugees (UNHCR). 1975. *1961 Convention on the Reduction of Statelessness*. United Nations Conference on Diplomatic Intercourse and Immunities, Vienna, Austria, March 2 to April 14. United Nations Treaty Series, 989:175. <https://www.refworld.org/docid/3ae6b39620.html>
- United Nations High Commissioner for Refugees (UNHCR). 2004. *The world's stateless people: questions and answers*. Geneva: UNHCR Media Relations and Public Information Service.
- United Nations High Commissioner for Refugees (UNHCR). 2014. *Global action plan to end statelessness*. <https://www.refworld.org/docid/545b47d64.html>
- US Yearbook. 2002. *Refugees, asylum-seekers and other persons of concern: trends in displacement, protection and solutions*. Geneva: UNHCR.
- Van Waas-Hayward, L.E. 2008. *Nationality matters: statelessness under international law*. PhD thesis. Tilburg, Netherlands: Universiteit van Tilburg.

- Warria, A. 2020. Stateless transnational migrant children in South Africa: implications and opportunities for social work intervention. *African Human Mobility Review*, 6(2):6–24. <https://doi.org/10.14426/ahmr.v6i2.795>
- Watters, C. 2007. *Refugee children: Towards the next horizon*. London: Routledge. <https://doi.org/10.4324/9780203935996>
- Weil, P. 2001. Access to citizenship: a comparison of twenty-five nationality laws. In: T.A. Aleinikoff & D. Klusmeyer (eds). *Citizenship Today: Global Perspectives and Practices*. Washington: Carnegie Endowment for International Peace. 17–35. <https://doi.org/10.2307/j.ctt6wpkc2.7>
- Wentzel, M. & Tlabela, K. 2006. Historical background to South African migration. In: P. Kok, D. Gelderblom, J.O. Oucho & J. van Zyl (eds). *Migration in South and Southern Africa: dynamics and determinants*. Cape Town: HSRC Press. 71:96.

Chapter 5:

Migration and human rights: the management of cross-border mobility in the era of a pandemic – a human rights perspective

Nyasha Mpani

Abstract

The impact of migration on human rights is a pertinent issue. Prior to the advent of the COVID-19 pandemic in March 2020, migration had been on the increase, with most of it being illegal. The consequences of COVID-19, a global problem, did not spare South Africa regarding cross-border mobility and human rights. On 26 March 2020, President Cyril Ramaphosa announced a nationwide lockdown in response to the COVID-19 pandemic to manage the spreading of the virus. A state of disaster was declared by the president, and it came with a number of stringent border movement rules and restrictions on people. These restrictions did not have a “human face”, as they led to a number of people’s rights being stifled. Several rights, such as the right to movement, the right to assemble and the right to freedom, were curtailed as the government was walking a tightrope seeking to find the balance between humanitarian needs on the one hand and safeguarding human rights on the other. These strategies ranged from strict border control measures and the grounding of domestic and international flights to banning intercity and multi-city travel and curfews.

Consequently – given that the virus spread through the movement of people – restricting movement and invoking other measures such as social distancing, restricting the size of social congregations, funerals, religious gatherings, and political gatherings; and putting on masks in public places, all of these measures posed fundamental questions on balance between human rights and the enacting of draconian laws. Even after the lockdown, the vaccination phase was met with opposition in South Africa against the backdrop of freedom of choice, as enshrined in the Bill of Rights (RSA, 1996a).

Adding to all these, more to the objectives of this chapter, the closure of borders not only infringed on the rights of cross-border traders but also disabled their livelihoods. In fact, the management of the borders during the pandemic became reminiscent of the apartheid era, as one needed authorisation from the relevant authorities after justifying any intended cross-border movement. The task of this chapter is to examine how the management of cross-border mobility in the era of the pandemic intersected with human rights in South Africa. The chapter asks and attempts to answer if cross-border related human rights are absolute in the context of a crisis such as COVID-19 and the extent to which the state can maintain the balance between disaster management in a cross-border context and human rights.

Keywords: COVID-19, governmentality, human rights, response, reverse migration, discrimination, migrants

Introduction

On the morning of Thursday, 5 March 2020, South Africa's then Minister of Health, Dr Zweli Mkhize, reported that the National Institute for Communicable Diseases (NICD) had confirmed its first COVID-19 case. The result of this announcement meant many changes were now going to be implemented in the country as part of the main methods of containing the deadly disease and also to protect citizens from contracting and spreading it. Countries across the globe started to affect the strict movement of people and goods, which quickly saw the grounding of flights and closing of businesses, with only the essential services sector being allowed to operate. The virus spread like wildfire, and hospital admissions skyrocketed while morgues became overwhelmed with the bodies of people who had succumbed to this virus (Deochand, Mafuma & Baduza, 2020).

Faced with such a grotesque reality, Ramaphosa and his cabinet, on 26 March 2020, announced a nationwide lockdown in response to the COVID-19 pandemic to manage the spreading of the virus and declared a state of disaster. According to Deochand, Mafuma and Baduza (2020), this state of the disaster meant that the government had to put in place special and stringent measures that would address the immediate medical emergency, which existing legislation at that time could not address, given the speed and rate at which the disease was killing people. The government chose to take this route to attempt to avert and contain the peril of the virus on the country's economy and healthcare system, which at this time was under strain. While many

analysts applauded the government during that time for taking a very impressive and decisive action to deal with the diffusion of the virus on the coasts and around the globe, what was not apparently clear was that, as this decision was made, it had far-reaching implications on people's rights, in particular, cross-border mobility. The plans put in place by the government for the management of cross-border mobility had significant implications on human rights, as unpacked in this chapter. This chapter examines how the management of cross-border mobility in the era of the pandemic intersected with human rights in Italy and South Africa.

In attempting to answer the questions on the extent to which cross-border-related human rights are absolute in the context of a crisis, the chapter borrows the Foucauldian theory of governmentality as a means of understanding the art of governance portrayed by the state during the pandemic. It is implied that amidst the surface intentions of the state to protect humanity, some actions and decisions imposed on the public could reveal a different story.

The politics of the pandemic

While disputing between governmentality inspired by biomedicine and economics, governmentality inspired by human rights has seldom been applied. Almost all research scrutinising COVID-19, with the risk of oversimplifying, bears similar arguments of the pandemic apparently increasing the likelihood of autocratic or illiberal regimes that constantly restrict civil liberties. This chapter is no different from past research; however, it hopes to bring to the fore an overview of how a constitutional democratic government like South Africa handled or responded to the virus. To understand the role of the state, one cannot ignore the theorising of governmentality by Michel Foucault. The COVID-19 pandemic has nudged curiosities in understanding the role and limits of the government. It is essential to understand this in order to fully grasp its shortcomings and positive attributes. Foucault (2005) discusses governmentality as a set of knowledge, tactics and calculations, institutions, analyses, and procedures – all of which justify and legitimise actions of particular forms of power. The population, in this instance, is seen as the main target of control. In borrowing the concept of governmentality in this chapter, it is not necessarily a means to refer to the specific government technology but rather to conceptualise the concept to understand the “art of governance” (government acts), as purported by Foucault, which

is reasonably justified. African governments have responded to the COVID-19 pandemic in the Foucault sense. This challenges the general assumption of governmentality being a Western-only applicable idea. The COVID-19 pandemic has been a catalyst that has seen Africa practising classic governmentality techniques, such as surveillance and disciplinary power, and a great increase in the power-knowledge monopoly.

The pandemic has proven to be one of the most destabilising agents through actions taken. While not only transversing the national boundaries effortlessly, the COVID-19 pandemic has also pushed the bounds of state civil interference in trying to mitigate its effects and preserve humanity. In a violently raging manner in 2020, it first appeared in China, then North America and Europe. This saw most Western countries failing to contain the virus despite being furnished with world-class medical equipment and systems. In contrast, Africa's weak health systems, coupled with dense populations and shortages of basic needs, led to predictions of an ultimate health disaster. Surprisingly, Africa was one of the continents that handled COVID-19 relatively well compared to the Western reality. While the African leaders' swift response to the virus at the surface level proved to be astute, in reality, it also invited counterintuitive conversations with regard to human rights and hidden political motives. This requires close scrutiny of the state's involvement and acts.

Offering that scrutiny is the Foucauldian theory of governmentality. Lemke (2000) notes the definition of 'government', according to Foucault, as encompassing 'conduct' or, more precisely, the "conduct of conduct" that is the "governing of self" to "governing of others". Foucault and Rabinow describe 'government' as "an activity that undertakes to conduct individuals throughout their lives by placing them under the authority of a guide responsible for what they do and for what happens to them" (Foucault & Rabinow, 1997:68). Furthermore, he discusses governmentality in a sense that it was "understood in the broad sense of techniques and procedures for directing human behaviour. Government of children, government of souls and consciences, government of a household, of a state, or of oneself" (Foucault & Rabinow, 1997:82). In his argument, he proposed that there were two sides to governmentality: Firstly, there is a precise method of representation, which legitimises and rationalises the state's aptitude to exercise certain forms of power (Lemke, 2001). This enables governments to appear logical (backed with reason) and thus, consequently, capacitates them in structuring specific forms

of intervention (Lemke, 2001). Lastly, governmentality also focuses on autonomous self-control and the links this has to political rule (Lemke, 2001). These two components provide a lens through which to analyse state responses and reactions to the COVID-19 pandemic.

Tracing the COVID-19 footprint into South Africa

Pandemics often trigger particular responses, all of which help to expose pockets of debate within the media or scholarly world. Two topics often stand out: public health and the economy. It is safe to say these two components often influence the government's actions. Crises are often momentarily exceptional when it comes to the bounds of political power. Within these instances, political power is granted the power to work outside the usual norms (Agamben, 2005). Certain knowledge is accepted and used as 'truth' in such moments to inform management decisions or explain situations. Particular voices became the basis of reason and were prioritised over others (Colombo, 2020).

In tracing the COVID-19 footprint and state response in South Africa, one ought to start by narrowing into the Italian experience. This follows the first confirmed COVID-19 case in South Africa – a thirty-eight-year-old male who had been a part of a returning group that had travelled to the northern parts of Italy. The Italian science experts had repeatedly assured the public that the current coronavirus strand was not as aggressive as the previous severe acute respiratory syndrome (SARS) coronavirus, which had hit countries such as China, Vietnam, and some parts of Singapore between November 2002 and July 2003. At the time, it had claimed about 700 deaths and infected about 8 000 individuals.

The Italian virologists still continued to ignore this until mid-February 2020. Thursday, 20 February 2020, marked the date of the first COVID-19 case. On 9 March the Italian government extended the lockdown to the rest of the country and the ban was lifted on 3 June. It was the first country to impose a nationwide lockdown. By then, over 35 000 deaths had been reported, half of which in Lombardy (Sanfelici, 2020). The reaction and response of the Italian government sparked the rise of two governmentalities: the biomedical and economic governmentalities.

The knowledge and voice of experts echoed in the decisions made by the government in mitigating imminent dangers and consequently securing the state's future. These two continued to monopolise political

and public spheres worldwide (Colombo, 2020). Both perspectives were essential and provided mitigation strategies in dealing with protecting the state economy and life. According to Colombo (2020), of the two governmentalities active in the pandemic response, the one inspired by biomedical knowledge prioritised the preservation and defence of life, while that inspired by economics valued cost-effective measures in protecting the financial status of the state. This meant enabling production activities to continue in order to generate wealth. Both these perspectives, however, although seemingly sounding logical on the surface, still failed to maintain human dignity, an essential human right. These perspectives fail to protect the most vulnerable persons (Nay, 2020).

In dealing with migration, the response can be assessed using both governmentalities. From a biomedical governmentality point of view, like most countries, Italy prioritised the health and well-being of its citizens. This was no shock as most immigration policies do not provide citizens and migrants equal rights (Bustamante, 2002). Migrants are categorised according to their permits and legality, enabling them access to particular rights (Campomori & Caponio, 2015). In Italy, the right to equal healthcare is stipulated in the constitution, open to citizens and legal foreign residents who are provided with the European Health Insurance Card (Sanfelici, 2020). This means healthcare may be accessible to legal migrants, as opposed to illegal migrants. From an economic perspective, the idea of categorising essential frontline workers from the low to the semi-skilled workers left many jobless. For example, many temporary or informal domestic workers without residential permits or regular contracts lost their jobs (Giammarinaro & Palumbo, 2020). Despite Italy's measures to subsidise and fundamentally sustain millions of people, both citizen and non-citizen, irregular workers were excluded (Sanfelici, 2020). This left precarious migrants in rather harsh situations. Some opted to return to their countries of origin, but still, this proved difficult. Migrants were either left stranded at either destination, origin or transit stops. International transport systems came to a halt for most countries, thus trapping migrants and leaving them abandoned with no means of travelling to their countries of origin (Triandafyllidou, 2021). Skilled migrants who engaged in what was believed as key sectors were branded as essential workers. These included, for example, those in the health sector of production industries. Means of mobility were arranged for these sets of migrants.

On the other hand, the migrants falling in the low-skilled sectors, such as domestic workers, were let off and asked to return to their origin countries. This exacerbated social vulnerabilities. Poverty continued to rise, which further aggravated social inequalities. The pandemic, in a way, has continued to magnify existing social issues, and with lockdowns looming in most countries, it further expanded poverty scales due to unemployment and the closure of companies due to crumbling economies. The issue of socioeconomic sustainability and access to healthcare in Italy invites inquiries into the matter of human rights. Although somewhat afforded to migrants, they are conditional to the migrant's regular legal status.

Contrastingly, the Italian and South African responses differ in that the former delayed its mitigational response towards COVID-19. Although both had called for a multidisciplinary approach, the latter exercised a quick response involving contact tracing with clinicians and epidemiological personnel. This proved effective in flattening the infection rate curve. While both exhibited different initial response tactics, both states were strategic. Although Italy yielded stability after a rough storm, the two governmentalities exercised still fell short in addressing some human rights. This is not to say they were not relatively effective and important in addressing the crisis; however, they were deficient and failed to consider recommendations that prioritised human rights and vulnerable people in need.

Most countries had adopted a "citizen first" approach in terms of healthcare responses and border closure mobilities (Triandafyllidou, 2021:4). Contrastingly, to some extent, countries had protected the migrants with 'pending' statuses for visa renewals to protect them from irregular migrant status. This was evident even in South Africa. The COVID-19 emergency exposed the distinctions between those considered essential workers and non-essential disposable workers. This even extended to the migrants, as earlier mentioned. Mobility was granted to those deemed frontline essential workers. This was evident in South Africa, for example, with the arrival of Cuban health professionals during border closures.

Despite its transnational character, COVID-19 continues to invite different state approaches, all of which have one thing in common, protecting the citizen. Although South Africa was somewhat of an exception in this regard, it still did not make provisions for all migrants. State subsidies were not accessible to all during the pandemic emergency. Despite this, it is still important to note South Africa's different approach, which was characterised by a

more multidisciplinary and collective approach after the first hard lockdown that started on 26 March 2020. The inclusion of a committee consisting of multidisciplinary members helped to unpack and magnify underlying and already existential crises faced by society. It is through this that a regulated Risk Adjustment Strategy characterised by five levels of restriction intensities and closures for the basis of flattening the risk curve was implemented.

South African governmentality

Reflecting on South Africa, the beginning of the COVID-19 epidemic invited many arguments about its consequent effect and reaction. The South African government was no exception in making significant moves, all in the name of “containing the crisis at hand”. At the beginning of the pandemic, it seemed the blind were leading the blind in the hope of surviving. This was witnessed by the state’s intention to place in order public health, as well as the economic well-being of the population: a common response exercised globally. Thursday, 26 March 2020, saw the beginning of the “hard lockdown” in South Africa. Like most state responses, the government justified and rationalised its proposed interventions. This was possible through the use of empirical data to back up their interventions. The approach, however, proved to be a “one-size-fits-all strategy” and came across as a top-down methodology to many ordinary people and the elite alike. The notion of backing up empirical knowledge sparked debates around depoliticisation. More voices were missing.

In looking at the South African response, it is essential to look into how it was publicly handled. First, the presidential addresses during the crisis were portrayed as “family meetings”, with the president playing the “father’s role” in addressing the nation: his “family”. Hewlett (2008:67) discusses the role of a father in terms of being a defender and educator. The president appeared on the screen as a protector while addressing the military. He was dressed in military regalia in the capacity of the commander-in-chief on 26 March 2020. In his speech, he stressed the military’s mission to “restore the lives of South Africans ... go out and support the police, work with them, walk amongst our people and defend them against this virus ...” (South African Government, 2020b). These strict instructions painted a picture of the pandemic being a war against humanity, proving the inspiration of biomedical discourse in the governmentality perspective, which often uses metaphors of war. The lockdown meant

the movement of people was prohibited. Disciplinary power through the police was also enabled in controlling movement. The deployment of military forces to previously marginalised communities affected by the past apartheid regime also invites critical reflections. The disaster management plan is looked into in further understanding the South African state response.

The South African Government (2003) defines the Disaster Management Act as follows:

An integrated and coordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, emergency preparedness, rapid and effective response to disasters and post-disaster recovery.

This act allows for the creation of national, provincial, and municipal disaster management centres that will be tasked with managing any form of disaster in the country. Due to COVID-19, South Africa declared a state of national disaster. It should be noted that a national state of disaster is different from a national state of emergency. The difference is that when it comes to a national state of emergency, more radical restrictions on people's rights were invoked. Over the years, South Africa has endured a number of health pandemics, such as tuberculosis (TB) and human immunodeficiency syndrome (HIV); however, they were not as severe as the COVID-19 pandemic, which required a number of stringent measures to curb its spread.

With the vicious nature of this virus, the nature of the national disaster that was imposed on the country by Ramaphosa was different, as it had to take into account measures such as social distancing, quarantine, and isolation. The national "state of disaster" meant that alcohol sale was banned, public visits were banned, gatherings were restricted to a certain number, intercity travels were banned, and flights were also grounded. These measures, while very necessary to contain the spread of the virus, limited individual and collective rights. These rights bordered on constitutionally protected rights, including freedom. The situation or the virus presented a complex scenario in which the state had to balance keeping up with its obligation to protect citizens and maintaining an open and democratic society based on human dignity, equality, and freedom.

In any democracy, the state has an obligation to promote and protect the rights of its citizens. The South African Constitution mandates the state and its various institutions their role in promoting

human rights (RSA, 1996b). Various Chapter 9 institutions, such as the South African Human Rights Commission, listed in the country's constitution, have the prerogative of making sure they safeguard basic human rights. There are a number of ways in which the state can promote and deepen a human rights culture in society. According to Majola (2018), these include litigation, advocacy, review of legislation, awareness and dialogue. The Universal Declaration of Human Rights, to which South Africa is a signatory, makes it mandatory for the government to protect and respect the rights of the citizens (UN, 1948). The declaration, which then saw South Africa ratifying it, mandates the South African state to abstain or desist from restraining the exercise of human rights.

In his several addresses, one theme stood out: the president's usual greeting of "My fellow South Africans" contributes to the element of intimacy, but it also informs ideas of exclusion for non-citizens. While the focus for most countries' strategic responses focused on mitigating the pandemic's impact on the citizens, it begs the question of how non-citizens were assisted in the crisis. Like any other, this chapter is no exception in assessing the impact of the COVID-19 pandemic and the consequential state reaction and response. Of interest, though, is the migrant population.

Little has been said about how the migrant population was affected, considering its huge reliance on cross-border mobility. Unlike migrants, citizens had access to government subsidy schemes during the intense lockdown periods. Migrant financial sustainability, possible through being mobile, was limited as a result of the lockdown. The cost of sociality, in terms of social distancing during the lockdown, created a lot of issues for both the citizen and migrant populations. In the pandemic turmoil, the government failed to consider how the reduction of tourism and cross-border mobility would affect migration, solidarity, human rights and cosmopolitanism (Colombo, 2020).

The state quickly embodied nationalism as a strategy for dealing with the pandemic. This left migrants in vulnerable positions. Tangible remittances that required cross-border transportation were prohibited at first; blue-collar work, such as domestic work, was also affected as employers continued to either have salary cuts, business collapses or retrenchments, forcing them to terminate migrant work employment. This often left migrants at the mercy of the pandemic. The focus on these aspects stems from the observation of high levels of cross-border movement within the southern African region. Because many of the migrant jobs are informal and temporary, it leaves migrant workers

very vulnerable. It is important to address the impact of pandemic policies on the migrant population from a human rights perspective. If the two dominant governmentalities, the biomedical and economic-inspired perspectives, were already deficient on the human rights angle of the citizens themselves, what more on non-citizens?

Southern Africa has seen a high increase in migration due to the increased availability of job opportunities in the mining, agricultural and manufacturing industries. The call for physical labour has been on the rise within these industries. This has prompted both regular and irregular legal and illegal migration volumes, particularly in South Africa. South Africa seems to be the country characterised by better prospects and has attracted large volumes of migration. Reasons for this span from not only economic insecurities from neighbouring source countries but also political unrest, causing many to flee and seek refugee status. Countries fitting the aforementioned social status include Zimbabwe and the Democratic Republic of the Congo. From a recent population survey, it has been estimated that migrants from Zimbabwe make up 22.6%, while those from Europe make up about 22.6%, and the remaining 10.4% account for the remaining countries (StatsSA, 2020). The pandemic knows no bounds and has continued to infiltrate the borders in damaging ways. It has exposed the consequences of vulnerability.

Most refugees and migrants are more vulnerable due to their lack of financial sustainability, crowded accommodation, and lack of labour protection, thus exposing them to dangerous informal work and lack of access to proper healthcare (WHO, 2021). This means they are more susceptible to communicable diseases, such as HIV and AIDS, tuberculosis and malaria (Vearey, De Gruchy & Maple, 2021). These are already existing social issues in Southern Africa. Regardless of these issues, however, migrants continue to experience exclusion from care and national health programmes (WHO, 2021). In addition to these issues, migrants continued to face social issues such as racism, xenophobia and stigma in Southern Africa during the pandemic (WHO, 2021).

In South Africa, discrimination, exclusion, public health controls and border closures were evident. With the compounding threat of vulnerabilities faced by migrants, there was also the additional threat of arrest of illegal migrants by law enforcement and xenophobic attacks. This propagated fear and forced most migrants into social invisibility, causing some to ignore opportunities for vaccination in its entirety. It is important to note that despite official statements by the South

African government to include migrants within the vaccination plan, it was not necessarily the reality on the ground. Most African countries continue to “include migrants on paper but exclude them in practice” (Chekero & Ogude, 2020). Despite a more humanitarian approach to include migrants in the care and health services in South Africa during the pandemic, undocumented migrants were denied access to these government subsidies (Chekero & Ogude, 2020). Despite this, it is important to note that conviviality between migrants helped sustain them in those moments of pandemic turmoil. These survival strategies included ‘stokvels’, a mobilisation of set individuals with a common goal of grocery or money rotations. These groups ranged from as little as three members to several dozen. Prior to the lockdown, these groups operated as saving schemes to gather remittances for when they went to their home countries.

During the pandemic, these groups were mobilised to enable the financial sustainability of their members by offering loans. These acts were all attempts to maintain human dignity among migrants. Although the state had not catered for most migrants, migrants still found ways of sharing livelihood support (amongst themselves) in the name of Ubuntu. The pandemic not only exposed socio-economic vulnerabilities but also showed the lack of humanity in some instances, particularly regarding migrants. It is key to understand that humanity exists on the basis of interdependence.

Migrants also contribute to the sustainability of their host country, particularly in the production industries. A country is not self-sufficient but also relies on others to survive. This is the same for the nation: interdependence is the basis of existence. In realising that, incompleteness is appreciated as the foundational element of humbleness. Every encounter, voice, and being matters. We should seek to conscientise ourselves of the ideas of seeking to exercise our humanity before citizenship. In addition, the pandemic enabled social control, seen in the policy truths of controlled sociality and mobility as seen in the risk adjustment measurements and state refusal to renew refugee and legal migrant permits. The pandemic situation has been used as an excuse for the exclusion of some persons. What is worse, with the ongoing xenophobic threats and lack of government support, legal migrants and refugees are left drowning in spaces of fear. The idea of human dignity is non-existent. Migrant bodies are simply othered and seen as disposable national debris that can be discarded, despite their situations in their origin countries. Where is humanity

in that? The issue of nationalism has cemented ideas of exclusion and discrimination.

Human rights as governmentality

Within South Africa, despite DHA's efforts to enable an online system that allowed email requests called "online requests" for asylum seekers (Section 22) or refugee permits (Section 24) for the validity extension of permits (DHA, 2021), the state still fell short in protecting migrants. The policy did not consider undocumented migrants. In addition, job security, healthcare, and accommodation efforts were not considered for migrants and asylum seekers (Mushomi et al., 2022). Although this applies to Southern African Development Community (SADC) immigration policies, most countries had the same approach: a "citizen first" approach. A shift in the manner of response is needed. Unlike the use of military or disciplinary power and big data as technologies of conviction and rationalisation for biomedical and economic-inspired governmentalities, human rights governmentality seeks to invite voices previously excluded. It involves a "whole systems" approach that could help cover the gap between the dominant governmentalities by focusing on safety and security within society.

Understanding and mitigating the pandemic impacts requires a systemic approach that focuses on analysing intricate underlying details from a multifaceted point of view. The biomedical-inspired governmentality had made it possible to depersonalise and infantilise citizens to the point of seeing them as vectors of disease. In one way, people were objectified and reduced to mere statistics and potential vectors. The sense of sociality exercised during the pandemic oscillated between social distancing and quarantine. Both served purposes of solitude, all in the hopes of reducing viral spread. Movement and social interactions were all controlled activities. This left some persons more vulnerable, people such as the elderly. The lockdown measures also affected access to education facilities. The right to privacy was also questionable, considering increased big data mining during the pandemic.

Additionally, the oppression of the right to freedom of expression along the lines of COVID-19, among other rights, such as human dignity and social security, were all questionable. Despite the possible infringement of most human rights in the name of protecting biological life, it is important to promote governmentality guided by the priorities of humanity. In defending social justice, sociality and human

dignity as the basis of governance, thinking of building a more socially cohered nation can begin. The application of governmentality inspired by human rights not only goes beyond protecting bare life but enables us to think about what constitutes a quality social life. It invites not only expert and state persons' voices but also citizens' and migrants' voices into the conversation of mitigatory measures that acknowledge all forms of individual lives, particularly of the vulnerable.

Lessons for the future

Crisis implies choice and rupture: it either opens up new avenues for opportunities or causes destruction relatively (Matthewman & Huppertz, 2020). While the pandemic claimed lives and destabilised economies, it also invited new ideas of thought with regard to governmentality. It allowed for a trial-and-error basis in seeing what pandemic responses could and could not achieve. In doing so, countries exercised more fitting approaches that dealt with the character of their nations. For some countries, it opened up dialogues between state leaders and civilians. It opened up intimacies and some forms of transparency between the state and society.

On the other hand, the consequences of overriding other human rights were observable. The extremities of the exercise of power were tested. International human rights law stipulates that states are allowed to limit some human rights to protect the rights of the collective (Lebret, 2020). This occurs in exceptional circumstances, and the COVID-19 pandemic was one of them. During states of emergency, such as a pandemic, priority is given to health-related strategies (Bara, 2020). This prioritises the importance of preserving bare life without further considering the quality of life or sustainability of that life in future. This was the biomedical-inspired governmentality shortfall, and it invites questions of which lives were being saved or preserved in these instances.

From the above, it is noted that migrants and refugees suffered the most. Immigrants have often been identified as outsiders by the population, not deserving of human rights in South Africa. They are labelled as thieves, murderers and anything bad under the sun. Often these labels are branded onto fellow Africans. Are we not of the same soil? One should understand identity not only as a basis of legitimization of one's belonging but also the fact that identity is ever-changing. It is not a social constant. The occurrences of reverse migration and mobility affordances are a testament to this. While at one end, all

South Africans were labelled as citizens with affordances of rights stipulated in the Bill of Rights (RSA, 1996a), there came a time when the pandemic forced the hand of the state to further categorise masses into essential and non-essential compatriots. This was the same even for migrants. Some migrants were enabled to enter the border despite the border closures on the basis of being essential staff.

Understanding the notions of identity as a container thus ties into the puzzle-making process of truth. It all depends on how one fills their identity container or makes their puzzle of truth. This signals the limitations and fathomed boundedness of identity: in conceptualising itself as complete, it cuts itself from reality. What is ironic is that in cutting away certain realities, which is the idea of interdependence of others, the cut away parts or excluded sections always come back as 'debris'. So, in a sense, identity has its merits and demerits. It is necessary for debate around belonging and change and giving the public opportunities to be heard within spaces from which they were previously excluded but also, in its political polarisation and boundedness, creating biases and stereotypes. One needs to realise the affordances of interrelationships within humanity and embrace the ideas of incompleteness. In as much as some migrants may be illegal, an extension of exercised humanity still should be practised. True freedom is freedom with and not freedom from. Anything counter to this is a reproduction of exclusionary behaviour.

Conclusion

A state of disaster in South Africa was declared on 26 March 2020. Since then, several COVID-19 mutations and socio-political and economic pandemics have occurred. A better approach, one that centres on humanitarian notions, is needed. A revision of immigration policies that emphasise joint state efforts is required. To some extent, one comes to appreciate, question, and, at the same time, feel stranded about the epidemic period. For most countries, state response was zeroed around governance and Ubuntu. The notion of Ubuntu is recognised in the base of Africa and finds itself joining a conversation at the same table as COVID-19. Many scholars, such as Francis Nyamnjoh (Nyamnjoh, 2010), have discussed Ubuntu as a vector and driver of the disease. This is mainly through the performances of humanity. A 'human' is identified as a social being, and it is understandable how the disease spreads through such means. As much as the epidemic was crippling in its imperceptible state, it is also a blessing in disguise, though its

many teachings carry on being collected. In its global evangelism, it is realised that the world has no solid borders, so much for Trump's Great Wall philosophy. We find ourselves brought down to life's mercies, humbled. We are being schooled by its homogenising effect of spreading globally across all social structures. What would it mean to have one government?

Like the government, COVID-19 has conditioned humans to a new way of life. What is the purpose of the government? One could say it maintains order and protects citizens from external threats, amongst others. Through social distancing regulations, it has maintained order. And what of protecting the citizens from external threats, has it not? With the terror it brought about, wars were neutralised.

To some extent, global peace and the citizen's safety from death in combat were upheld. The way the pandemic has rather imposed itself on the global community exposes government system teachings. In some way, the virus assumes the post of a unitary government. There have been talks of having a one-world order under one government. We find ourselves in the front seat, learning of the effects of a single government. For one, there is no agency and no regard for human rights. The assumed titles of citizenship become a nebulous reality.

Through its homogenising effect, it is understood how the pandemic cut across social ladders and sensitised states, inherently producing a new world order where different walks of life, despite their social standing, find themselves exposed to one melting pot. This would work in favour of the state configurations and help the state realise its feebleness and possibly produce new imagined ideas and innovations. There came a time when due to mobile restrictions, the elites did not have the luxury of going to prestigious healthcare institutions across borders and were thus subjected to being in the same space as the poor. This was a rude awakening and realisation to better their own institutions. As stated in a well-known Ndebele proverb: *Isala kutshelwa sibona ngomopho*, or simply translated, "the one who refuses to be cautioned learns through his consequences". The governments often turned a blind eye to the marginalised communities and, instead of bettering healthcare systems, were corrupt and misappropriated funds. Now faced with trials, they are subdued to an awakening call. There is a need to tackle social injustices with a firm invisible hand. The virus, notwithstanding being lethal in its intent, also resuscitates notions of pleasantness within hierarchies as well as reimagined Ubuntu, which is acted out from a distance.

References

- Agamben, G. 2005. *State of exception*. Chicago: University of Chicago Press.
- Bara, A. 2020. *COVID-19 and the Future of Migration and Mobility in Africa*. International Centre for Migration Policy Development (ICMPD) Working Paper. Vienna: ICMPD. https://www.icmpd.org/file/download/54091/file/ICMPD_Working_Paper_COVID-19oandothoFutureofoMigrationoandMobilityoinoAfrica.pdf
- Brusselaers, N., Steadson, D., Bjorklund, K., Breland, S., Stilhoff Sörensen, J., Ewing, A., Bergmann, S. & Steineck, G. 2022. Evaluation of science advice during the COVID-19 pandemic in Sweden. *Humanities and Social Sciences Communications*, 9(1):1-17. <https://doi.org/10.1057/s41599-022-01254-w>
- Bustamante, J.A. 2002. Immigrants' vulnerability as subjects of human rights. *International Migration Review*, 36(2):333-354. <https://doi.org/10.1111/j.1747-7379.2002.tb00084.x>
- Campomori, F. & Caponio, T. 2015. Immigration and social inequalities: Italian integration policies revisited. *Social Policies*, 2(1):43-58.
- Chekero, T. & Ogude, H. 2020. Convivial networks: how migrants cope with the pandemic in South Africa. *Corona Times*, September 14. <https://www.coronatimes.net/convivial-networks-migrants-pandemic-south-africa/>
- Colombo, E. 2020. Human rights-inspired governmentality: COVID-19 through a human dignity perspective. *Critical Sociology*, 47(4-5):1-11. <https://doi.org/10.1177/0896920520971846>
- Department of Home Affairs (DHA). 2021. Online extension of asylum seekers and refugees visas: 10 frequently asked questions. <http://www.dha.gov.za/index.php/notices/1441-online-extension-of-asylum-seekers-and-refugees-visas>
- Deochand, E., Mafuma, T. & Baduza, M. 2020. COVID-19: Constitutional conundrums as lockdown court challenges mount. *Spotlight*, June 11. <https://www.spotlightnsp.co.za/2020/06/11/covid-19-constitutional-conundrums-as-lockdown-court-challenges-mount/>
- Foucault, M. 2005. The discourse on language. In: M. Foucault, J. Medina & D. Wood (eds). *Truth: engagements across philosophical traditions*. Hoboken, New Jersey: Wiley-Blackwell. 315-335. <https://doi.org/10.1002/9780470776407.ch20>

- Foucault, M. & Rabinow, P. (ed). 1997. *Ethics: subjectivity and truth (Essential works of Michel Foucault, 1954–1984, Vol. 1)*. New York: New Press.
- Giammarinaro, M.G. & Palumbo, L. 2020. COVID-19 and inequalities: protecting the human rights of migrants in a time of pandemic. *Migration Policy Practice*, 10(2):21–26.
- Hewlett, B. 2008. Culture, history, and sex anthropological contributions to conceptualizing father involvement. *Marriage and Family Review*, 29(2–3):59–73. https://doi.org/10.1300/J002v29n02_05
- Jung, F., Krieger, V., Hufert, F.T. & Küpper, J.H. 2020. Herd immunity or suppression strategy to combat COVID-19. *Clinical Hemorheology and Microcirculation*, 75(1):13–17. <https://doi.org/10.3233/CH-209006>
- Lebret, A. 2020. COVID-19 pandemic and derogation to human rights. *Journal of Law and the Biosciences*, 7(1):Isaa015. <https://doi.org/10.1093/jlb/Isaa015>
- Lemke, T. 2000. Foucault, governmentality, and critique. *Rethinking Marxism*, 14(3):49–64. <https://doi.org/10.1080/089356902101242288>
- Lemke, T. 2001. ‘The birth of bio-politics’: Michel Foucault’s lecture at the Collège de France on neo-liberal governmentality. *Economy & Society*, 30(2):190–207. <https://doi.org/10.1080/03085140120042271>
- Majola, B. 2018. More needs to be done to protect human rights. *SA News*, March 25. <https://www.sanews.gov.za/features-south-africa/more-needs-be-done-protect-human-rights>
- Matthewman, S. & Huppatz, K. 2020. A sociology of COVID-19. *Journal of Sociology*, 56(4):675–683. <https://doi.org/10.1177/1440783320939416>
- Mushomi, J.A., Palattiyil, G., Bukuluki, P., Sidhva, D., Myburgh, N.D., Nair, H., Mulekya-Bwambale, F., Tamuzi, J.L. & Nyasulu, P.S. 2022. Impact of coronavirus disease (COVID-19) crisis on migrants on the move in Southern Africa: implications for policy and practice. *Health Systems & Reform*, 8(1):e2019571. <https://doi.org/10.1080/23288604.2021.2019571>
- Nay, O. 2020. Can a virus undermine human rights? *Lancet Public Health*, 5(5):e238–e239. [https://doi.org/10.1016/S2468-2667\(20\)30092-X](https://doi.org/10.1016/S2468-2667(20)30092-X)
- Nygren, K. & Olofsson, A. 2021. Swedish exceptionalism, herd immunity and the welfare state: a media analysis of struggles over the nature and legitimacy of the COVID-19 pandemic strategy in Sweden. *Current Sociology*, 69(4):529–546. <https://doi.org/10.1177/00113921211017682>

- Orlowski, E.J. & Goldsmith, D.J. 2020. Four months into the COVID-19 pandemic, Sweden's prized herd immunity is nowhere in sight. *Journal of the Royal Society of Medicine*, 113(8):292–298. <https://doi.org/10.1177/0141076820945282>
- Republic of South Africa (RSA). 1996a. *The Bill of Rights of the Constitution of the Republic of South Africa*. Pretoria. Government Printing Works.
- Republic of South Africa (RSA). 1996b. *Constitution of the Republic of South Africa Act 108 of 1996*. Pretoria: Government Printing Works.
- Sanfelici, M. 2020. The Italian response to the COVID-19 crisis: lessons learned and future direction in social development. *International Journal of Community and Social Development*, 2(2):191–210. <https://doi.org/10.1177/2516602620936037>
- South African Government. 2003. *Disaster Management Act: Regulations: Alert level 3 during Coronavirus COVID-19 lockdown: Amendment*. <https://www.gov.za/documents/disaster-management-act-regulations-alert-level-3-during-coronavirus-covid-19-lockdown-2>
- South African Government. 2020a. *President Cyril Ramaphosa meets religious leaders on coronavirus COVID-19 outbreak, 19 Mar*. <https://www.gov.za/speeches/president-meet-religious-leaders-virus-outbreak-19-mar-2020-0000>
- South African Government. 2020b. *President Cyril Ramaphosa deliver well wishes to South African Police Services and the South African National Defence Force, 26 Mar*. <https://www.gov.za/speeches/president-cyril-ramaphosa-deliver-well-wishes-south-african-police-services-and-south>
- Statistics South Africa (StatsSA). 2020. *Mobility and migration in SA during the COVID-19 lockdown*. Pretoria: StatsSA. <https://www.statssa.gov.za/?p=13483>
- Steineck, G. (ed). 1997. *Längre liv och bättre hälsa: en rapport om prevention* [Longer life and better health: a report on prevention]. Stockholm: The Swedish Council on Technology Assessment in Health Care.
- Triandafyllidou, A. 2021. *Migration and pandemics: spaces of solidarity and spaces of exception*. New York: Springer. <https://doi.org/10.1007/978-3-030-81210-2>
- United Nations. 1948. *Universal Declaration of Human Rights*. General Assembly Resolution, 217 A(III) of 10 December 1948. <https://www.refworld.org/docid/3ae6b3712c.html>. <https://doi.org/10.1017/S0020818300014429>

Developmental migration

- Vearey, J., De Gruchy, T. & Maple, N. 2021. Global health (security), immigration governance and COVID-19 in South(ern) Africa: an evolving research agenda. *Journal of Migration and Health*, 3:100040. <https://doi.org/10.1016/j.jmh.2021.100040>
- World Health Organisation (WHO). 2021. *Refugees and migrants in times of COVID-19: mapping trends of public health and migration policies and practices*. Geneva: WHO.

Chapter 6:

Migration and media: the influence of the media on migration management in South Africa

Princelle Dasappa-Venketsamy and Thithi Maseko

Abstract

The illusion of truth effect theory postulates that individuals tend to believe information which has been repeated over time to be factual. This theory forms the basis on which migration narratives in South Africa are portrayed. The means through which recurrent information is presented to the public are social media, digital media and print media. The perpetuation of such narratives through the media overtakes the actual evidence and data. Like in the rest of the world, the South African public has an appetite for scapegoating and exaggeration, all of which influence the presentation of migrants as well as the migrant situation in South Africa. Thus, there have been instances in the media citing bogus statistics, for example, there are “15 million foreigners in South Africa”, “migrants are responsible for peddling drugs,” “migrants are responsible for perpetuating crime,” “migrants steal jobs from South Africans”. For the majority of the public who place unconditional trust in the media, these figures are factual. The public then reacts drastically to what they perceive as a national threat to social structures as well as economic opportunities. The same media is a critical player in correcting false data remitted through the media in the first place. Beyond correcting false data, however, the media has a pivotal role to play in separating fact from fiction to avoid constructing a false narrative in the first place. This chapter explores how the media and migration in South Africa intersect and explores options likely to enable a positivist connection between the two enterprises.

Keywords: migrants, media, social media, illusion of truth effect theory, evidence-based discourse, counter-narrative, narrative

Introduction

Migration in South Africa is progressively developing into a highly sensitised and triggering issue. Activities such as #OperationDudula and ongoing xenophobia have led to the South African public being angry and reactionary to migrants. Along with the public, political parties and politicians continue to peddle negative sentiments against migrants in South Africa. The geographical location of South Africa and sharing of borders with countries with high levels of outmigration positions the country as accessible to migrants. The high levels of outmigration from neighbouring countries are influenced by political conflict, the breakdown of livelihoods and environmental disasters.

Migration into South Africa occurs within the context of worsening socio-economic challenges within South Africa, which include but are not limited to unemployment, poverty, and the effects of the COVID-19 pandemic. By and large, the media in all forms has been responsible for disseminating the narrative that unemployment and competition for resources are due to the presence of “millions of foreigners” in South Africa (Allen, Blinder & McNeil, 2018). There have been quite a few cases where the media has reported on the brain gain South Africa gets from highly-skilled black African migrants, particularly those who possess critical skills in medicine, science, information technology and teaching. However, the media deliberately targets certain classes of black African migrants, namely asylum seekers, illegal immigrants and refugees, who are believed to be driving unemployment and are a key component of cheap labour (Tarisayi & Manik, 2020).

Research by Conzo, Fuochi, Anfossi, Spaccatini and Mosso (2021) suggests that much of the reporting of the media on migration, which includes negative sentiments, is biased and lacks evidence, indicating that this is not a new problem being experienced in South Africa. In recent years, print media coverage in South Africa has been at the forefront in reporting on African migrants, and they have always been presented and associated with negative terms such as “crime”, “drug dealers”, and “illegality”. This has escalated to a point where African migrants are viewed as undesirables. Studies show that there has been clear bias and reckless reporting, which has incited violence. Misconceptions and stereotypes that are used to portray African migrants remain untrue. On the contrary, they bring innovation, fuel growth and raise living standards (Jani, 2019).

However, migration is not a new phenomenon in South Africa. The origins of migrant labour in South Africa date back to indentured

labour when sugar farmers in the then-Natal (now KwaZulu-Natal) started importing labour from India in 1860. The pathway used then was indentured labourers who arrived by ship. Around 1870, farmers in the Western Cape attempted to solve their labour shortage by bringing in workers from Mozambique, Cornwall and Germany (Vosloo, 2020). The Southern African region experiences different types of migration, namely mixed migration, which includes irregular migration, labour migration and displacement due to conflict and natural disasters.

Due to its strong economic standing on the African continent, the Southern Africa region experiences a high volume of migration due to work opportunities in the mining, manufacturing and agricultural industries and, increasingly, in many aspects of the informal sector. During the apartheid administration in South Africa, labour migration was the popular type of migration that the country relied on (Segatti, 2011).

The south-south flow in the Southern African region is mainly toward South Africa because the country has the most highly varied economy in the Southern African region. South Africa is spatially situated in a region with countries with high levels of poverty, susceptible to economic instability (Mapuva & Muyengwa-Mapuva, 2014). The downfall of the economy of Zimbabwe has added a catastrophe-focused feature to mobility within the Southern African region (Mapuva & Muyengwa-Mapuva, 2014). Due to the significant disparity in economic development and opportunity between South Africa and the countries in the Southern African region, it is expected that migrants from Zimbabwe are likely to move to South Africa by any means conceivable (Rodríguez-Pose & Tijmstra, 2005; Mapuva & Muyengwa-Mapuva, 2014).

The purpose of the chapter is to explore how the media and migration in South Africa intersect. It also explores options likely to enable a positivist connection between the two enterprises. To achieve its goal, the chapter will seek to provide an overview of the role of the different types of media in influencing the perception of migration management in South Africa, to reflect on how this role has been perpetuated, and to offer recommendations. The chapter is organised as follows: The first section considers the theoretical framework and discusses the role of the media in the context of three theoretical perspectives: the illusion of truth effect theory, the single-story perspective and the implicit bias perspective. The second section will focus on the narrative of migrants in South Africa, arguing that whilst data indicate that migrants are creators of employment, the popular

narrative of migrants is largely negative. In section three, the chapter will attend to the role of traditional media platforms, discussing the role of newspapers, radio and television with regard to migrants. Section four turns the attention to social media and its influence on public perceptions. Finally, the chapter provides recommendations for the media and broadcasters that serve to provide evidence-based reporting before drawing final conclusions.

Theoretical framework

The illusion of truth effect theory hypothesises that there is an inclination for an individual to trust information (whether true or false) to be accurate due to recurrent exposure to the information (Hassan & Barber, 2021). Simply, if the information is repeatedly received, people have a tendency to believe it. At a macro level, if a particular discourse is driven through the media, people will believe it without questioning it. Hence, if the negative narrative that persists about migrants is constantly heard or read in the media, then this is what the public will ultimately be led to believe. Whilst data indicates the counter-narrative, this is not voiced as much as the narrative.

The single-story perspective is a one-dimensional perspective of something complex and a misinterpretation of reality; it is a lens through which one looks at everything; it narrows an individual's perspective (Adichie, 2009). The two most recent anti-immigrant projects that have spread to various parts of the country by feeding off already existing stereotypes are #PutSouthAfricansFirst and #OperationDudula. These projects operate under the notion that urban centres are being overtaken by "foreign nationals" and other shared sentiments which are not statistically accurate. The former deputy minister of police once claimed that Hillbrow (and surrounding areas) consists of 80% foreign nationals (Khumalo, 2022). Such claims have acted as a pillar and means to an answer to people who are desperate to understand their source of poverty. Quite important to note that one cannot talk about a single story without talking about power which is the ability to not only tell a story but make it definitive about that particular group. The story of foreign nationals has been told over a long period, so much so that inaccurate information is considered the only truth, which has allowed many individuals in society to hold implicit bias.

The implicit bias perspective posits that due to media and the emergence of social media in South Africa, various content

on immigrants from neighbouring African countries has always portrayed them as the “other” and in a negative perspective. The ideas that the public is constantly being fed lend themselves to mental associations that lead to biases (Staats, 2016). This is why negatively skewed information concerning foreign nationals is readily and easily accepted.

The narrative of migrants in South Africa

Globally the discourse on migration is based on the push and pull factors of migration. The push factors negatively incentivise migrants to find better opportunities and livelihoods. However, migrants compete for opportunities and livelihoods in South Africa with poor and working-class South Africans. In South Africa, xenophobia is linked to Afrophobia, where migrants from the continent and migrants from Asia (the Indian subcontinent and Pakistani, Bangladesh, Sri Lanka and China) are treated differently to white migrants (Akinola, 2014). The media often shows images of the looting of foreign-owned stores and, similarly, the burning of trucks driven by migrants. There is also the assumption that migrants from Africa are mostly illegal in South Africa. There is little regard for migrants who have proper documentation, are employed and have the right to work in South Africa. The media has shown images of undocumented crossings between the Beitbridge border post, a border post between South Africa and Zimbabwe, which has led the South African public to believe that this is how the majority of crossings happen in South Africa. The public disregards the millions of documented migrants or those who actually do have citizenship in South Africa. The social-economic situation in South Africa is multifaceted and complicated, which has led the public to believe that they are competing for resources with migrants. This is further compounded by the fact that this is the message being shared in the media. South Africa is experiencing unprecedented levels of poverty and inequality in unemployment. The country is struggling to provide access to services such as healthcare and schooling as well as houses to much of its population.

In 2021, South Africa’s unemployment rate was almost 35% (StatsSA, 2021). The unemployment rate in South Africa has been progressively increasing and has reached unparalleled levels. According to the upper-bound poverty line, the majority of the South African population lives below the poverty line (55.5%), and approximately one in four people in South Africa lives below the food poverty line

(StatsSA, 2018). One in three South Africans relies on social grants. While a natural inclination would be to blame the 2008 recession or the recent COVID-19 pandemic, the first sharp increase to 20% of the population receiving grants happened in 2005 and has been steadily rising ever since (StatsSA, 2021).

From a policy perspective, how does government reconcile the narrative of migrants with the narrative of South Africa, and how is it further portrayed in the media? Adding to these questions, which relate to social insurance, is COVID-19, along with its economic implications. Currently, the country thus experiences the intersection of poverty, inequality, unemployment, the COVID-19 pandemic and migration. The mainstream narrative holds that foreigners are taking jobs from South African nationals in the backdrop of the numerous social ills being experienced by the country. In addition, many South Africans have the impression that financially, the cost for the country to host migrants places a burden on the economy and draws resources away from South Africans. For example, the media has portrayed stories of busloads of foreigners at hospitals in South Africa. However, the impression is not data-driven. Discourse does not include that migrants do make a contribution to the host country through participation in the labour force, contributing to the tax base, public spending and fiscal contributions (OECD/ILO, 2018).

According to the *Mid-Year Population Estimates 2017*, Statistics South Africa estimates that there are almost four million foreign nationals in South Africa (StatsSA, 2017). This estimate includes both documented and undocumented migrants, as the data does not distinguish between the two groups. It was estimated in 2020 that South Africa has a population of about 60 million, and migrants account for 6.5% of the population (StatsSA, 2020). The push factor is leaving the country of origin and moving to South Africa for a better life to work, engage in employment or start a business and earn an income (which is the pull factor). That money is used to uplift not only the migrant but, in many cases, to send remittances to their country of origin to help family members still at home. Data from StatsSA indicates that whilst migrants in South Africa participate in the labour market, this work cannot be categorised as decent work. Employment is generally in the informal sector. Hence, many workers do not qualify for benefits like leave, pension and UIF and often work without an employment contract (StatsSA, 2019).

Is the media publishing xenophobia? The role of the traditional media platforms (print and audio-visual media)

So, what exactly feeds the narrative of “immigrants taking jobs from South Africans”? There have been occurrences of different types of media quoting false data. For example, there are “15 million foreigners in South Africa”, “South Africa is being overtaken by foreigners”, and “foreigners are stealing jobs from native South Africans” (Nkanjeni, 2020; Clifford, 2021). Hence, if this is the narrative repeatedly disseminated by the media, then this shapes public perception, attitudes and actions towards migrants.

Traditional media platforms refer to print (newspaper), audio (radio) and visual (television). In a 2019 study conducted by the Human Sciences Research Council (HSRC) on anti-immigrant views in South Africa, South Africans who are xenophobic base their opinions on evidence of migrants from broadcast media (television and radio) (HSRC, 2020). The majority of respondents cited trust in the media’s journalism on migration.

Print media

South African print media has been largely anti-immigration and xenophobic in nature (Nyamnjoh, 2010). One could even argue that post-1994, it assumed the mandate and role of the apartheid media, which focused on disenfranchising, dehumanising and humiliating the black populace in white South Africa, in this case: black African immigrants in South Africa. At the time, one of South Africa’s leading tabloids was found guilty of using derogatory terms and words that painted black foreign nationals as criminals (Nyamnjoh, 2010). A question that could be posed is why reporting on foreign nationals is limited to black African nationals, not all foreigners, as a homogenous entity and who benefits from anti-migration sentiments?

The way print media in South Africa reports has often escalated tensions, incited violence and reproduced unfounded stereotypes and ideologies (Mgogo & Osunkunle, 2011). On 15 March 2015, when the late Ingonyama King Goodwill Zwelithini announced that foreigners “must pack their bags and go”, violence erupted shortly after, from parts of KwaZulu-Natal to Johannesburg. The King later claimed that his words were blown out of proportion. “Foreigners are taking our jobs”, some claim, but is this true? This myth comes from unskilled or semi-skilled immigrants with similar skills to locals ending up competing for jobs. It is said that foreign nationals do not mind accepting lower wages,

which increases the unemployment rate. It is said that statistically, there is no link or direct correlation between the number of immigrants and the national unemployment rate (Niyimbanira, 2016).

The most prevalent stereotypes in print media are: “Somalians are shopkeepers”, “Nigerians are drug dealers and involved in human trafficking”, and “Zimbabweans are cheap labourers”. Not only is such reporting problematic, but it is unanalytical (Mgogo & Osunkunle, 2021). When such views are always echoed by different members of society, they pose a danger. In one case, an immigrant was arrested by the police, and he accounts being driven around Hillbrow for a long time. He was told, “see it for the last time, you bastards” (Nyamnjoh, 2010).

Broadcast/visual media

In 2016, broadcast(radio) was the most consumed form of media, with a listenership estimated at 38.3 million (Durban Migration, 2018).

This number has increased drastically, especially in the two recent years of lockdown, as everyone was confined to their homes. Radio continues to play an important part in the lives of both rural and urban dwellers in South Africa. One of its benefits is that it is more easily accessible than television sets and the internet, and those who do not have access to such heavily rely on the radio (Bosch, 2022). Radio brings educational broadcasts, the latest updates and news, which keep different individuals updated with things happening outside their communities. So, a rural dweller with no access to the internet during COVID-19 would heavily rely on the radio for news.

Broadcast media, radio and radio podcasts have to a certain extent, rehabilitated the image in which South Africans view black African immigrants. Radio is real-time and interactive in nature, unlike other forms of media; therefore, emotions, perceptions, ideologies and stereotypes can be addressed in a way that can bring understanding to both locals and immigrants. At some point, there was a talk show, which was a series of conversations focusing on the experience of foreign national women. These were done through interviews and observation. The show had lots of engagement as some were connected through Facebook, WhatsApp and direct calls. At first, listeners were unwilling to listen “to the other side of the story”. The attitudes towards immigrants were still negative as they were still under the notion that they take “our” jobs. However, as the show progressed, their attitudes changed to the positive. Some local listeners

even blamed themselves and stressed that governments should do more to educate local communities (Durban Migration, 2018).

As far as visual media is concerned, in March 2022, isiZulu, isiXhosa and isiNdebele news were the top 20 most-watched programmes in South Africa (BRC, 2022). The last time the veteran anchor Noxolo Grootboom appeared on a screen, 3.82 million South Africans tuned in. While there is less research and literature on visual media and its influence, one would see the impact this has on the ground in modern-day South Africa. During COVID-19, not only were people relying on seeing the president on their television screens, but they could stream the news mainline to their social media platforms.

Internet

Due to the history of discrimination and racial inequality, social media plays a very important role in South Africa's political discourse. In recent times, social platforms have become a playground for mass mobilisation, activism, i.e., #FeesMustFall and, unfortunately, hate speech due to its ability to communicate and convey messages instantly (Onslow, 2021). Unfortunately, the picture held by South Africans of foreign nationals is no longer held by disillusioned adults but also by the youth. Steyn (2021) says 94.6% of South Africans have access to the internet through their mobile devices, and 41.9% have social media. Shava and Chinyamurindi (2018) found that in South Africa, 12 million people use Facebook, and of those, at least 22% are the youth.

Onslow (2018) argues that as much as social media is merely a reflection of pre-existing social attitudes, it is now being used to drive an anti-immigrant feeling/campaign. One might observe and see the increase in churnalism which is rather problematic as it is a practice that promotes clicks and where user interactions are most often chased. This is more common on Twitter: when one intends to stay relevant, one can comment and retweet information which can be easily spread without careful consideration of the validity of the information. For instance, Herman Mashaba posted pictures as part of the #PutSouthAfricansFirst campaign, which suggested those individuals were of foreign nationality. Such information has proven to amplify people's beliefs, in this case, the nexus between crime and foreign nationals.

Atabong (2020) indicates that everything is organised through social media, as opposed to when they used to be spontaneous attacks in townships in response to a rumour or what might have been believed

to be an act involving an illegal immigrant: #OperationDudula. This is evidence of how social media is being used to stir already existing negative beliefs and attitudes towards black African migrants. Misinformation, rumours, illiteracy, and not having access to quality information and resources have been a problem noted amongst people of South Africa, which hinders people from making informed decisions and, often enough, acting on the little that they have. On the other hand, these can be employed as powerful tools to assist immigrants: in one case, a committee in Diepkloof used the WhatsApp application to de-escalate violence against immigrants. A youth mob had targeted foreign-owned shops in 2015 during the xenophobic attacks, and messages were quickly relayed on WhatsApp to counter them (Bornman, 2018). Social media is not a reliable source of news; however, social media has a part to play in influencing public opinions and informing the negative narrative on migration in South Africa (HSRC, 2020).

Are black African nationals being used as scapegoats?

Contrary to popular belief that migrants steal jobs, for the most part, they have revived the entrepreneurial spirit in South Africa; they have gone on to employ not only fellow migrants but South Africans as well (Crush, Skinner & Chikanda, 2015). Migrants have the ability to transform township economies and bring in scarce skills, as they have done in Ivory Park, where they brought scarce manufacturing skills. Migrants tend to fill gaps in the market that the local population miss. It is also noted that they play a critical role in food security strategy in poorer households as they allow food to be taken on credit.

As they embark on their entrepreneurial journey, immigrants in the informal economy often rent out spaces from homeowners, often locals. It is said that almost half of South African premises are rented out to immigrant businesses (Chetty & Sherefedin, 2018). They also support the formal wholesale and retail sectors. Undoubtedly, they provide cultural growth as they contribute to the gross domestic product (GDP) and can act as a case study for young South African entrepreneurs. Part of their impact on the government's fiscal balance is as they pay more income and value-added taxes (OECD/ILO, 2018).

Maina, Mathonsi, McConnell & Genevieve (2011) argue that local leaders often organise and lead violent attacks towards foreign migrants to gain locals' interests and rise in political leadership. These tactics exploit unpopular societal beliefs towards migrants and

– often enough – show a lack of interest in government as they fear losing power politically. Makhoali & Majola (2022) also argue that in the recent #OperationDudula uprising, foreign nationals were used as scapegoats as the government failed to intervene in South Africans' economic crisis.

In March 2022, a foreign national in the township of Alexandra commented on the failure of the macroeconomic policies of the African National Congress-led government, which have failed over the years to create employment. In effect, this has caused unemployment rates to skyrocket and, in turn, increased the levels of poverty in the country, making South Africa one of the most unequal places in the world. In past elections, the two parties were seen growing in numbers as they have directly linked crime with foreigners and promised to fight the issue of those residing in the country illegally (Dewa, 2022). One would say immigrants are definitely used as scapegoats to distract the populace from the government's failure to uproot the country's massive inequality. Like everywhere else, they are not the problem: political tools and economic elites are.

What should the role and responsibility of the media be?

Scher (2014) notes that “the media's role should be to bring the public, the truth, the whole truth and nothing but the truth”. The role of media in the contemporary world is to effectively act as a key source of information, providing the right information to the right people at the right time (Paul & Rai, 2021). Fundamentally so, it is to protect human rights. With the emergence of new technologies and revolutions in the media space, it seems as if disinformation is the new norm to gain traction and popularity. It is the responsibility of the media to rely on unbiased data and remain neutral in doing so. In countries with high illiteracy, it is the mandate and responsibility of the media to impart information and knowledge to broaden their views. As the watchdog, the media is supposed to fairly criticise any action, despite any political connection (Selwyn, 2013).

Media messages often enough remind members of foreign nationality that they are unwelcome and not wanted in host countries; this is not a South African trait but an issue most countries face. With the accessibility and instant sharing of information, commercial spaces like Facebook and Twitter have been grounds for xenophobic discourse, and due to the size of these platforms, they impact and influence mainstream discourse and, possibly, in the near future,

policy in South Africa (Ekman, 2019). One key element observed in the constant reuse and recontextualisation of issues about immigrants is how it has been associated with negative issues like crime (Ekman, 2019). In South Africa, media content is biased and shows a strong stereotype against African immigrants. Gomo (2010) argues that whilst there are studies that have been conducted on xenophobia, there are few that have covered the extent of the influence the media has on xenophobic attacks. He, however, mentions that it has the potential to cause serious national conflicts, as in 2008, the media made generalised statements which were not verified that triggered attacks on African immigrants. An argument might be raised that journalists are also humans and part of society; therefore, they too can report according to their beliefs and perceptions.

A key finding in local newspaper articles and editorials is that the majority are anti-immigrant, uncritical and prejudiced, and taking it as far as labelling foreign nationals “aliens” (Mbetga, 2014). Research indicates that the xenophobic coverage in the media is related to xenophobia and xenophobic rhetoric in the country. The link between xenophobic reporting in the media and xenophobic actions is said to be reciprocally proportional (Danso & McDonald, 2001). *Internews* (2021) has created a capacity-building initiative for the media and the reporting of migration in a sensitive manner. The capacity building initiative is titled, *Changing the narrative on migration in SADC: a newsroom manual*.

Recommendations

The media has a pivotal role to play in forming the narrative of migration in South Africa and is considered by the public to be extremely persuasive. Media houses should be encouraged to undergo training on independent reporting on migrants. Communication and evidence-based discourse strategies on driving the counter-narrative on migrants need to be more visible in print, audio and visual media. This is an opportunity to drive the counter-narrative to provide the necessary information to the public. Journalists are able to provide a platform for discourse between migrants as well as South Africans. Instead of broadcasting and sharing a one-dimensional view, journalists have the ability to discuss both sides. Broadcasters have the responsibility to ensure that the information presented is based on evidence and not anecdotal or based on sensationalism.

Conclusion

The purpose of the chapter was to explore how the media and migration in South Africa intersect. The aim of the chapter was on the influence of media on migration management in South Africa and to provide an overview of the role of the different types of media in influencing the perception of migration management in South Africa and reflecting on how this role has been perpetuated and proffered recommendations. The first section explained three theoretical frameworks and discussed the role of the media in the context of the illusion of truth effect theory, the single-story perspective and the implicit bias perspective and the effect and influence of these frameworks. The illusion of truth effect theory posits that individuals tend to believe information repeated over time as “factual”. This theory formed the basis on which migration narratives in South Africa are portrayed. The single story and immigrant perspective is a one-dimensional perspective of something complex. The next section focused on the narrative of migrants in South Africa. The section indicated that whilst data indicate that migrants are creators of employment, the popular narrative of migrants is largely negative. The following section discusses the role of traditional media platforms, newspapers, radio and television with regard to migrants. The next section focused on social media. Whilst social media differs from traditional media: it has been included as it has an extensive influence on members of the public. Several recommendations were made to improve the relationship between the media and migration, the most important being providing capacity building for independent reporting on migration.

References

- Adichie, C.N. 2009. The danger of a single story. *Commonlit: Library*. <https://www.commonlit.org/en/texts/the-danger-of-a-single-story>
- Akinola, A. 2014. South Africa and the two faces of xenophobia: a critical reflection. *African Peace and Conflict Journal*, 7(1):56–67.
- Allen, W. & Blinder, S. & McNeil, R. 2018. Media reporting of migrants and migration. *World Migration Report*, 2018(1):e00008. <https://doi.org/10.1002/wom3.8>
- Atabong, A. 2022. How social media is being exploited for South Africa's long-standing xenophobia problem. *Quartz Africa*, September 25. <https://www.google.com/amp/s/qz.com/africa/1909232/south-africa-s-xenophobia-protests-being-organized-on-twitter/amp/> [Accessed 6 May 2022].
- Bornman, J. 2018. The role of social media in immigrants' response to xenophobic violence in South Africa. Master's thesis. Johannesburg: University of the Witwatersrand.
- Bosch, T. 2022. Radio is thriving in South Africa: 80% are tuning in. *The Conversation*, February 11. <https://www.google.com/amp/s/theconversation.com/amp/radio-is-thriving-in-south-africa-80-are-tuning-in-176846> [Accessed 6 May 2022].
- Broadcast Research Council of South Africa (BRC). 2022. TV Audience Trends Archive. Sandton, Gauteng: BRC. <https://brcsa.org.za/category/tvaudientrends/> [Accessed 6 May 2022].
- Chetty, N. & Sherefedin, A.J. 2018. Evaluating the economic contribution and challenges of Ethiopian migrant entrepreneurs in Durban, South Africa. *Journal of Management & Administration*, 2018(1):59–88.
- Clifford, C. 2021. Fact check: Are there really 15 miln 'undocumented foreigners' in South Africa? *Eye Witness News*, November 26. <https://ewn.co.za/2020/11/26/fact-check-are-there-really-15-million-undocumented-foreigners-in-south-africa> [Accessed 6 May 2022].
- Conzo, P., Fuochi, G., Anfossi, L., Spaccatini, F. & Mosso, C.O. 2021. Negative media portrayals of immigrants increase ingroup favoritism and hostile physiological and emotional reactions. *Scientific Report*, 11:16407. <https://doi.org/10.1038/s41598-021-95800-2>

- Danso, R. & McDonald, D.A. 2001. Writing xenophobia: immigration and the print media in post-apartheid South Africa. *Africa Today*, 48(3):115-137. <http://www.jstor.org/stable/4187436>. <https://doi.org/10.1353/at.2001.0050>
- Dewa, C. 2022. Migrants scapegoated in South Africa as inequality and unemployment surge. *Open Democracy*, March 29. <https://www.opendemocracy.net/en/5050/migrants-scapegoated-in-south-africa-as-inequality-and-unemployment-surge/> [Accessed 5 May 2022].
- Durban Migration. 2018. The experiences of foreign nationals and other migrants in South Africa: Radio Talk-shows. *Migration and shaping the Inclusive City: the case of Durban, South Africa*, August 28. <http://durbanmigration.org.za/the-experiences-of-foreign-nationals-and-other-migrants-in-south-africa-radio-talk-shows/> [Accessed 6 May 2022].
- Ekman, M. 2019. Anti-immigration and racist discourse in social media. *European Journal of Communication*, 34(6):606-618. <https://doi.org/10.1177/0267323119886151>
- Gomo, T. 2010. Analysis of media reporting and xenophobia violence among youth in South Africa. Master's thesis. Malmö, Sweden: Malmö University. <http://urn.kb.se/resolve?urn=urn:nbn:se:mau:diva-24027> [Accessed 5 May 2022].
- Hassan, A. & Barber, S.J. 2021. The effects of repetition frequency on the illusory truth effect. *Cognitive Research: Principles and Implications*, 6:38. <https://doi.org/10.1186/s41235-021-00301-5>
- Human Sciences Research Council (HSRC). 2020. HSRC and IPSOS Look at Drivers of Anti-immigrant Sentiment in South Africa. Press release. Pretoria: HSRC. <https://hsrc.ac.za/press-releases/dces/hsrc-and-ipsos-look-at-drivers-of-ant-immigrant-sentiment-in-south-africa/>
- Jani, C. 2019. *The good, the bad and the balanced: a critical analysis of the representation of the black African migrants in the South African Daily News and Daily Sun newspapers, 2016-2017*. Master's thesis. Durban: University of KwaZulu-Natal.

- Kariithi, N. 2017. Media Portrayal of Immigration in the South African Media, 2011–2015. In: N.K. Kariithi, S. Carciotto & A. Mawadza (eds). *Portrayal of immigration in South African media, 2011–2015: A corpus linguistics study*. Cape Town: Scalabrini Institute for Human Mobility in Africa. <https://sihma.org.za/reports/media-portrayal-of-immigration-in-the-south-african-media-2011-2015> [Accessed 5 May 2022].
- Khumalo, N. 2022. Unproven that Hillbrow, nearby areas are ‘80% foreign national’ as video claims. *EWN News*, February 21. <https://www.google.com/amp/s/ewn.co.za/2022/02/21/fact-check-unproven-that-hillbrow-nearby-areas-are-80-foreign-national-as-claimed-in-much-shared/amp> [Accessed 6 May 2022].
- Landau, L.B. 2011. Introducing the demons. In: L.B. Landau (ed). *Exorcising the demons within: xenophobia, violence and statecraft in contemporary South Africa*. Johannesburg: Wits University Press. 1–26.
- Maina, M., Mathonsi, N., McConnel, C. & Genevieve, W. 2011. *It’s not just xenophobia: factors that lead to violent attacks on foreigners in South Africa and the role of the government*. Durban: African Centre for the Constructive Resolution of Disputes (Accord).
- Mapuva, J. & Muyengwa-Mapuva, L. 2014. The SADC regional bloc: What challenges and prospects for regional integration? *Law, Democracy and Development*, 18:22–36. <https://doi.org/10.4314/ldd.v18i1.2>
- Mbetga, M. 2014. *Xenophobia and the media: an investigation into the textual representation of black foreigners in the Daily Sun, a South African tabloid (February 2008–December 2008)*. Mini Master’s thesis. Cape Town: University of the Western Cape.
- Mgogo, Q. & Osunkunle, O. 2020. Xenophobia in South Africa: an insight into the media representation and textual analysis. *Global Media Journal*, 19:38.
- Mokhoali, V. & Majola, D. 2022. Kopanang says foreign nationals are used as scapegoats, Saftu member threatened. *EWN News*, March 27. <https://www.google.com/amp/s/ewn.co.za/2022/03/27/kopanang-says-foreign-nationals-are-being-used-as-scapegoats-saftu-coordinator-threatened/amp> [Accessed 6 May 2022].
- Motsai, M. & Mhlangu, M. 2021. Changing the narrative on migration in SADC: a newsroom manual. *Internews*, May 18. <https://internews.org/resource/changing-the-narrative-on-migration-in-south-africa-development-community-a-newsroom-manual/> [Accessed 5 May 2022].

- Nkanjeni, U. 2020. Mashaba checked over claim that there are 15 million undocumented foreigners in SA. *Times Live*, November 23. <https://www.timeslive.co.za/news/south-africa/2020-11-23-mashaba-checked-over-claim-that-there-are-15-million-undocumented-foreigners-in-sa/> [Accessed 7 May 2022].
- Niyimbanira, F. 2016. Myth that immigrants “steal jobs”: An economic blame game? *International Journal of Social Sciences and Humanity Studies*, 8:165-179.
- Nyamnjoh, F. 2010. Racism, ethnicity and the media in Africa: reflections inspired by studies of xenophobia in Cameroon and South Africa. *Africa Spectrum*, 45(1):57-93. <https://doi.org/10.1177/000203971004500103>
- Organisation for Economic Co-operation and Development/International Labour Organisation (OECD/ILO). 2018. *How immigrants contribute to developing countries' economies*. Paris: OECD Publishing. https://www.oecd-ilibrary.org/development/how-immigrants-contribute-to-developing-countries-economies_9789264288737-en [Accessed 5 May 2022].
- Onslow, S. 2021. *Social media's impact on political discourse in South Africa*. Digital IR Working Paper Series. London: London School of Economics and Political Science.
- Paul, S. & Rai, M. 2021. *Role of the media*. Berlin: Springer Nature. https://doi.org/10.1007/978-3-319-74336-3_277-1
- Rodríguez-Pose, A. & Tijmstra, S. 2005. *Local economic development as an alternative approach to economic development in sub-Saharan Africa*. Washington: World Bank.
- Scher, M. 2014. What is the media's role in South Africa today? *BizCommunity*, September 17. <https://www.bizcommunity.com/Article/196/15/118929.html> [Accessed 6 May 2022].
- Segatti, A. 2011. Migration to South Africa: regional challenges versus national instruments and interests. In: A. Segatti & L.B. Loren (eds). *Contemporary migration to South Africa: a regional development issue*. Washington: International Bank for Reconstruction and Development/World Bank. 9-29. https://doi.org/10.1596/9780821387672_INTRO

Developmental migration

- Selwyn, A. 2013. *The role and responsibility of the media*. Geneva: United Nations Institute for Training and Research (Unitar). https://www.unitar.org/sites/default/files/role_of_the_media_o.pdf [Accessed 6 May 2022].
- Shava, H. & Chinyamurindi, W. 2018. Determinants of social media usage among a sample of rural South African youth. *South African Journal of Information Management*, 20(1):1–8. <https://doi.org/10.4102/sajim.v20i1.827>
- Staats, C. 2016. Understanding implicit bias: what educators should know. *American Educator*, Winter 2015–2016:29–43. <https://www.aft.org/ae/winter2015-2016/staats> [Accessed 6 May 2022].
- Statistics South Africa (StatsSA). 2018. *Subjective poverty in South Africa: findings of the Living Conditions Survey, 2008/2009–2014/2015*. Pretoria: StatsSA.
- Statistics South Africa (StatsSA). 2019. *Labour market outcomes of migrant populations in South Africa, 2012 and 2017*. Pretoria: StatsSA.
- Statistics South Africa (StatsSA). 2020. *Migration Dynamics of women, children and the elderly in South Africa*. Pretoria: StatsSA.
- Statistics South Africa (StatsSA). 2021. *Mid-year population estimates*. Pretoria: StatsSA.
- Steyn, M. 2021. 2021 Social media stats for South Africa. *Media Update*, July 23. <https://www.mediaupdate.co.za/social/150875/2021-social-media-stats-for-south-africa-infographic> [Accessed 6 May 2022].
- Tarisayi, K. & Manik, S. 2020. An unabating challenge: media portrayal of xenophobia in South Africa. *Cogent Arts & Humanities*, 7(1):1859074. <https://doi.org/10.1080/23311983.2020.1859074>
- Vosloo, C. 2020. Extreme apartheid: the South African system of migrant labour and its hostels. *Image & Text*, 34:1–33. <https://doi.org/10.17159/2617-3255/2020/n34a1>

Chapter 7:

Migration and health in the era of the COVID-19 pandemic: social protection for migrants' equitable access to health services in South Africa

James Ndirangu and Donna Jacobs

Abstract

South Africa remains a favoured destination for migrants, particularly those from the Southern African Development Community (SADC) region. The country's attractiveness as a host destination is partly attributable to South Africa's obligation to support human rights and the advanced economy. Due to bureaucracy, some migrants are consigned to the informal sector while living in underprivileged communities. Most migrants' home countries are regions with a high prevalence of malaria, human immunodeficiency syndrome (HIV) and tuberculosis (TB), and they are at further risk of a huge burden of non-communicable diseases while living in South Africa.

Migrants may be predisposed to health vulnerabilities due to several factors: socioeconomic status, sub-optimal living environments, restricted access to health services, cultural-linguistic barriers and limited health information, and lack of health insurance coupled with limited financial resources. An additional challenge is presented by the COVID-19 pandemic, which impeded access to health services globally. The disruption partly emanated from movement restrictions and fear of contracting the disease. COVID-19 has exacerbated the already existing health inequalities, with the vulnerable (particularly migrants) being more adversely affected, including exclusion from the government's economic and hunger alleviation relief programs due to administrative regulations.

The Constitution, the National Health Act, and the Refugees Act spell out the rights of refugees and migrants to access healthcare (RSA, 1996, 1998, 2003). However, migrants have limited access to South Africa's public healthcare system partly because of a lack of legal documentation and the distress of possible incarceration and/

or deportation. The authors debate how the policy framework and effective implementation can address these barriers. There is a need to strengthen the capacity to manage essential health, ensuring the country “leaves no one behind” and is aligned with the United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs). Finally, programmatic and policy recommendations are provided to plan an appropriate emergency response component for future pandemics.

Keywords: migration, health, COVID-19, refugees, legislation, social protection

Introduction

Globally, the estimated number of refugees and international migrants was 272 million in 2019, rising from 174 million in 2000, which is about 3.5% of the world population (UNDESA, 2020). In South Africa, the number of international migrants in 2020 was approximately 2.9 million, while the number of refugees was about 76 800 in the same year. The migrant population is among the largest on the African continent and accounts for nearly 5% of the country’s overall population (Moyo, 2021). This may be an underestimate due to the existence of undocumented migrants. The country’s attractiveness as a host destination for migrants is attributable to its obligation to support human rights, steady autonomous institutions, and its relative industrialised economy (Mukumbang, 2020). The *Refugees Act of South Africa of 1998* accords legal rights for access to basic health services, employment and study (RSA, 1998).

This chapter will broadly define a migrant as:

A person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students (IOM, 2017b).

The chapter conducts a literature review on the topic of migrants’ health in South Africa and has been divided into the following sections:

First, the paper provides an understanding of the concept of migration health and SDGs in line with the 2030 Agenda. The second section discusses the health challenges of migrants globally and in South Africa. The last sections assess the existing mechanisms and legislative and social protection mandates of migrants in South Africa. Finally, programmatic and policy recommendations based on identified best practices are provided.

Migration, health and SDGs

In appreciation of the potential for migration to contribute to socio-economic development, migration governance was, for the first time, part of the 2030 Global Development Agenda and the SDGs formulated in 2015, as well as the Global Compact for Migration (GCM, 2018). In response to calls for effective migration policies and programmes, the African Union (AU), its regional economic bodies and member states have been making efforts to establish migration into development planning and policy (Mangala, 2017). Within the migration and development nexus, the critical role of migrants in contributing to development is well-documented. The migrants have traditionally played a consistent role in contributing to their home countries' economies through significant levels of remittances (Setrana et al., 2021; Nzonde. 2018) in addition to contributing to their host countries.

The 2030 Agenda incorporates a framework to anchor the potential of migration for the attainment of SDGs (GCM, 2018) and covers 17 SDGs to tackle inequality and poverty, set on the purview of “leave no one behind”, out of which eight are related to migration health (Figure 7.1). Overall, the Agenda aims to make crucial progress across the social, economic and environmental facets. At the national level, migrants should be included in universal healthcare, and health policies should strengthen access to migrant-sensitive health services. This is because migration is progressively accepted as a social predictor of health and can determine the attainment of many SDGs.

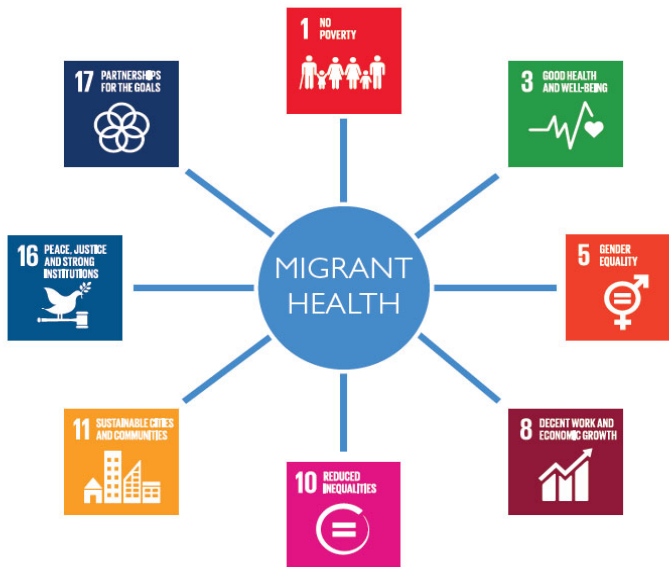


Figure 7.1: Migration health and sustainable development goals.
Source: IOM (2022).

Health challenges of migrants

Health is considered an integral constituent of human and economic development (IOM, 2017). Migration can potentially enhance the well-being of migrants and their families by decamping from oppression and abuse, advancing their socioeconomic status through advancing education, increasing income, and transmitting remittances (Nzonde, 2018; Truen, 2016). However, migrant health has been on the periphery of key global health and development discourse, with many migrants excluded from accessing healthcare services (Faturiyele et al., 2018; Vearey, 2018).

A number of studies indicate that the strongest likelihood of migration occurs among the cohort aged 20 to 30 years (Saleh, 2021). Following declining migration at age 30, the next migration peak is at an older age, indicative of returning migrants (Cobb-Clark, 2013). Evidence suggests that new immigrants are customarily healthier than the indigenous residents upon arrival (Neuman, 2014). One theory postulates that only healthy and motivated individuals choose to undertake migration (Steven, 2006) which is positively associated with people's capabilities and ambitions (Flahaux & De Haas, 2016).

The other correlated protective factors include healthier habits, compact family bonds and cultural factors (Neuman, 2014). However, migrants taking up jobs in the informal labour market may predispose them to negative health effects. Evidence suggests that growth in the quota of migrants in the informal sector, associated with higher risk and physical vigour, may have a beneficial effect on native residents with a reduced probability of reported disability (Giuntella, 2014).

Migrants are exposed to different health threats at diverse points of the migration process, which are variants based on individual aspects. For instance, there may be a higher likelihood of communicable and non-communicable diseases, mental health challenges as well as limited access to health coverage (Pindolia et al., 2014). Additionally, most migrants, particularly those with irregular migration status, may face statutory, procedural, and economic barriers to health services (IOM, 2017a). Further restrictions faced by migrants utilising health services include cultural-linguistic barriers, stigmatisation, limited information on available health services, and structural barriers (Suphanchaimat, Kantamaturapoj, Putthasri & Prakongsai, 2015).

Beyond enhancing access to healthcare services, the migration process is progressively realised as a social factor associated with the health of migrants, their families, and communities (IOM, 2017a). Policies and practices that affect migrants demand a multisectoral technique that diminishes the effects of unfavourable health consequences and advances migrants' healthy lives.

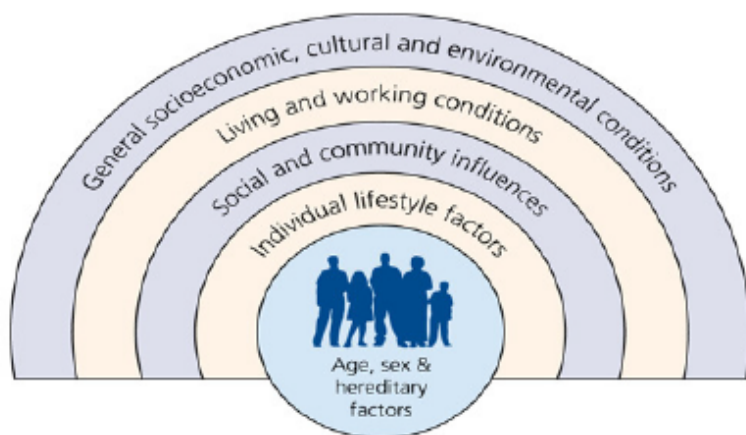


Figure 7.2: Social determinants of health. Source: IOM (2017a).

The South African context

Globally, countries in the SADC region are identified as the HIV/AIDS epicentre and host about a third of all people living with HIV worldwide (Gona, 2020). Currently, the public health HIV/AIDS response does not appropriately align with the cross-border population movements of healthcare end-users (Vearey, 2014, 2018). The net effects are challenges in late diagnosis, delayed treatment initiation, ensuring continuity of care, and correlated risks of non-adherence to HIV treatment and possible drug resistance (Vearey, 2018). The lack of evidence-based and migration-centred HIV responses can contribute to stigma and discrimination toward migrants perceived as a burden to the state. Such can easily relieve the state from deficiencies of insufficient healthcare, health promotion, and education (Vearey, 2018). Unfavourable perceptions of immigrants, even among healthcare workers, can create a view of them being ineligible to access healthcare (Vanthuyne, 2013). Noteworthy in-country interventions to improve migrant-centred health responses are supported by International Organisation for Migration (IOM), Doctors Without Borders, civil societies, and other government and non-governmental stakeholders (IOM, 2021; Doctors Without Borders, 2012).

COVID-19 pandemic

The current COVID-19 pandemic presents further challenges to migrants' health. In South Africa, the earliest COVID-19 case was reported on 5 March 2020, and as of 13 June 2022, the country has performed 25.5 million COVID-19 tests; 3.97 million (15.6%) were positive cases, out of which 101 509 died (2.6%); and a total of 536 565 hospital admissions have been reported to date (NICD, 2022). Among the COVID-19 patients who were hospitalised across 33 public hospitals audited, 79.3% had comorbidities with hypertension (39.6%) and diabetes mellitus (26.1%) reported as the most prevalent comorbidities (Jassat, 2021). COVID-19 has disrupted access to health services globally, including in South Africa. The disruption partly emanated from a focus shift with resources diverted to the COVID-19 pandemic response, movement restrictions, and fear of contracting COVID-19 (Pillay, 2021). Unfortunately, South Africa also reported increased physical, emotional, and sexual violence against women and children (Odeku, 2021). Significantly, COVID-19 has exacerbated the already existing health inequalities within the most vulnerable populations, particularly migrants. They are more adversely affected (Bukuluki, 2020; Mishra et al., 2021) through exclusion from the

government's hunger and economic alleviation relief programs due to administrative regulations (Bornman, 2020).

Migrants, especially those in irregular situations, may be more at risk of spreading COVID-19. Due to the pandemic, there were frequent closures of the Department of Home Affairs (DHA), which issues residence permits. This made migrants fearful of seeking care or testing for COVID-19 due to the risks of detention and/or deportation (Mukumbang, Ambe & Adebisi, 2020). This, coupled with the perceived unfavourable perceptions by health workers, may also potentially exclude migrants from taking up COVID-19 vaccination. Globally, the majority of international migrant workers generate income in the informal economy, with estimated three-quarters of migrant workers in this sector (Poe et al., 2020). The sector in South Africa, as with other countries, has been unreasonably affected by the COVID-19 pandemic (UNDP SA 2020). The potential impact on income loss is likely to have devastating effects on accessing basic needs like food, health, and other essentials. This could have unfavourable effects on the mental health of the migrant population, who may already be predisposed to a higher occurrence of certain mental health disorders caused by, among other factors, the migration process stressors (Mukhtar, 2020).

To support governments and other health stakeholders in developing health strategies and policies, the 2nd Global Consultation on Migrant Health, held in Sri Lanka in 2017, agreed on an Operational Framework (Figure 7.3). There were four critical areas identified:

- Document and share best practices related to tracking the health of migrants.
- Promote enabling legislative frameworks, including sustainable financing models.
- Develop migrant-centred and universal health systems supported by suitable expert proficiency.
- Coordinate collaborations and integrate migration health within appropriate multisectoral structures (IOM, 2017a).

The Migrant Integration Policy Index (MIPEX) was developed to examine policies affecting migrants in 38 countries (IOM, 2016). MIPEX was designed to measure four areas: individual migrants' appropriation of healthcare, availability of healthcare for migrants, receptiveness to the needs of migrants, and required actions for improvement. Often used throughout the European Union, MIPEX is an important tool for considering the levels of integration of migrant populations and for

assessing the implementation of migrant-responsive policies in line with person-friendly universal health coverage (UHC) principles.

Monitoring Migrant Health • To ascertain key indicators functional across countries. • To ensure the standardisation and comparability of data on migrants' health. • To support the appropriate aggregation and set up migrant health information. • To document best practices for monitoring migrant health, policy, and health system models.	Policy and legal frameworks • To implement international standards that protect migrants right to health. • To develop and implement policies that promote equality for all migrants to access health services. • To promote coherence among policies of different sectors. • To offer social protection in health and enhance social security for all migrants and family members.
Migrant responsive health systems • To ensure continuity and quality of care in all settings. • To strengthen the capacity of the health and pertinent non-health workforce to address the health issues associated with migration. • To ensure health services are culturally, linguistically and epidemiologically appropriate.	Partnerships, multi country framework • To establish and reinforce migration health dialogues and cooperation across sectors and countries of origin, transit and destination. • To address migrant health in global and regional processes (e.g., GMG, GFMD). • To develop an information clearing house of good practices.

Figure 7.3: The Migrant Health Operational Framework. Source: IOM (2017a).

Legislative mandates

Consideration of equitable access to health services demands an understanding of the legislative framework governing social protection for migrant populations. To this end, both international

and national legislation is considered important in the South African setting. Our assessment indicates that current migration governance in the country is guided by international instruments, including AU and SADC regional-level conventions, as well as National South African legislative documents, which are further discussed.

The International Health Regulations (2005) were adopted by the World Health Assembly on 23 May 2005 and is legally-binding to all World Health Organisation (WHO) member states (WHO, 2005). The purpose includes “to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade.” Key provisions include obligations by the member states to develop a minimum core public health capacity, including health capacity at the points of entry, to preserve the human rights of persons and travellers, and to notify WHO of events that could constitute a public health emergency of international concern.

Additionally, the Universal Declaration of Human Rights (UDHR), proclaimed in Paris on 10 December 1948 by the United Nations General Assembly (UNGA), presented fundamental human rights to be universally protected by all countries (UN, 1948). One major document produced by the Human Rights Commission: the International Covenant on Economic, Social and Cultural Rights, which focused on health, education, food, and shelter for all people, became international law in 1976 (UN, 1966). Along with the UDHR, the two covenants form what is commonly known as the “International Bill of Human Rights”. This serves as the cornerstone for migrant health rights in all countries.

Within the African continent, the AU has developed several frameworks to govern human mobility and ensure that migration contributes to development on the continent. The 2006 AU Migration Policy Framework and the Plan for Action provide guidelines for the preparation and administration of national migration policies on the continent and include issues of migration and development (AU, 2006a). The African Common Position on Migration and Development endorsed through the Executive Council Decision (EX.CL/Dec.305 (IX)) at the Banjul Summit provides priority areas important for migration and development in Africa, which is in line with the AU Migration Policy Framework (AU, 2006b). As a member of the AU, South Africa is a signatory to these documents, bound by the obligations contained therein.

Regionally, migration is highlighted in some protocols, policies, and programs, including the *SADC Regional Indicative Strategic Development Plan 2020-2030*, which includes migration and the upcoming SADC Migration Policy Framework. Other frameworks for managing migration in the SADC region include the consolidated SADC treaty, which was signed in 1992, while the agreements of the amendment were signed in 2001, 2007, 2008 and 2009. The regional labour migration policy framework of 2014 also aims, among other things, to “assist member states to promote sound management of intra-regional labour migration in order to maximise gains for sending and receiving countries as well as the migrants themselves” (SADC, 2014).

At a country level, the Constitution, the foundation of South Africa’s democracy, provides for acceptance and social inclusivity for all people living in the country (RSA, 1996). South Africa has one of the most robust constitutions globally. Emerging from a legacy of apartheid with related discrimination and human rights abuses, the newly formed democratic government ensured that “human dignity, the achievement of equality and the advancement of human rights and freedoms” was the first of the founding provisions for the Constitution (RSA, 1996b). The Bill of Rights outlines the democratic mandates in South Africa (RSA, 1996a). It describes the entitlements of individuals residing in South Africa and authenticates the values of human dignity, fairness and liberty.

The *National Health Act 61 of 2003* also serves to confirm the ability to receive healthcare as outlined in the Constitution (RSA, 2003). It provides for legislation governing the implementation and regulation of healthcare provision at all echelons of government, including the provision of primary and reproductive healthcare to specific vulnerable populations. The National Health Act also provides for responsibilities in terms of the medical treatment provided in situations of medical emergencies and stipulates that no person may be denied emergency medical treatment by any healthcare provider/worker or health establishment.

The *Immigration Act 13 of 2002* and the *Refugees Act 130 of 1998* form the basis of the 1999 *White Paper on International Migration* (RSA, 1998, 2002; DHA, 1999). Recent amendments to the White Paper in 2017 confirm South Africa’s right as a sovereign nation to regulate the entry, exit, and habitation mandates for non-citizens, according to South African interests (DHA, 2017). The White Paper makes a case for the country to espouse international opportunities while safeguarding

the rights of the citizens, ensuring national security and protecting the public. The White Paper advocates for an efficiently controlled approach towards global migration, allowing for multi-stakeholder collaboration and the attainment of shared objectives.

Despite a significant amount of legislation available, as outlined above, migrants (both regular and irregular) face significant hurdles when accessing health services in South Africa.

Social protection mandates

According to Carter (2019), “countries with stronger social protection show lower levels of poverty and vulnerability and are more resilient in the face of social and economic change or shock.” However, most migrants lack access to equitable health protection, worsened by conflicts and public health emergencies, including disease outbreaks and pandemics. In addition, “social and political antagonisms towards migrants have stripped many health benefits from national health programmes that previously offered them, and the trends in this direction seem to be gaining force in many countries” (IOM, 2017a:77).

The types of mechanisms of social protection for migrant health that exist include:

- Unconditional inclusion of health coverage for legal migrants.
- Equivalent access to health services for legal migrants; limited access for undocumented migrants.
- Entitlements to emergency and basic health services for undocumented migrants, such as antenatal and communicable disease services.
- Provision of emergency health services only for undocumented migrants.
- Compulsory migrant health insurance schemes are often obtained by legal migrants through their employers.
- Migrant or employer-purchased private or public medical coverage.
- Compulsory private medical insurance for all legal migrant job holders (skilled/semi-skilled).

Of concern is that in countries where private medical coverage exists for migrants, although compulsory, it may be reliant on the respective employing organisations for enrolment and continuation. In the absence of adequate monitoring and enforcement, there may be abuse by employers trying to save costs by under-insuring legal migrants and refusing to register undocumented migrants totally.

The figure below (Figure 7.4) illustrates a taxonomy of social protection instruments adapted from O'Brien, Holmes, Scott & Barca (2018:6).

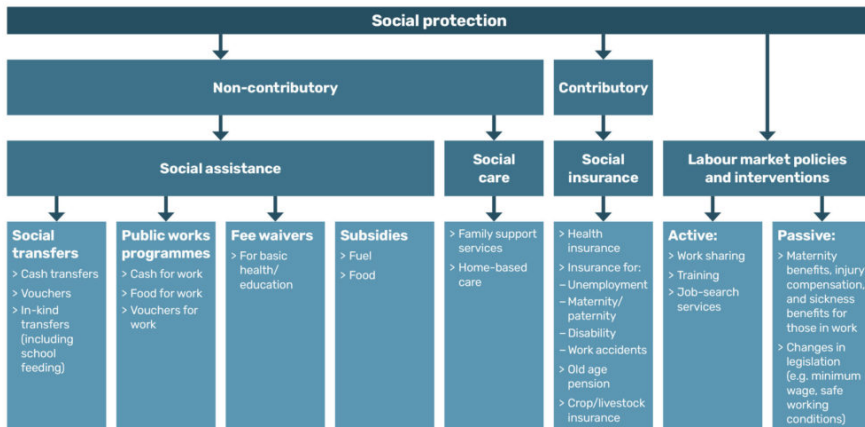


Figure 7.4: Taxonomy of social protection instruments. Source: O'Brien, Holmes, Scott and Barca (2018:6).

Overall, social protection may include non-contributory, contributory or labour-market-related mechanisms.

Non-contributory mechanisms

- Social assistance: including cash transfers, vouchers, or in-kind transfers (including school feeding) for individuals or households in need (Mberu, 2016:1); public works programmes; fee waivers (for basic health and education services); and subsidies (food and fuel).
- Social care services are provided to individuals with identified social risks, including violence, physical or mental abuse, exploitation, discrimination and social exclusion (Mberu, 2016:1). This includes family support services and home-based care.

Contributory mechanisms

- Social insurance schemes provide monetary or other forms of compensation in the event of emergencies and unforeseen events, such as illness, injury, disability, death, unemployment, retirement and natural disasters (Mberu, 2016:1).

Labour market mechanisms

- “Active programmes which serve to promote the participation of the labour market in identified programs, or passive programmes that ensure minimum employment standards are upheld” (Mberu, 2016:1).

In South Africa, legal migrants are able to obtain healthcare in both private and public sector facilities. Undocumented migrants, however, face challenges in accessing healthcare due to limited financial resources, minimal information, language barriers and fear of incarceration or deportation. Provisions have been made in national health policies to entitle all migrants to vital and urgent basic-healthcare services such as antenatal care, care for children younger than five years, emergency health services and healthcare for infectious diseases and notifiable conditions. Provisions have also been made within certain sectors to cater for migrant health. For instance, the Taste of the Employment Bureau of Africa (TEBA) Ltd, a labour management entity for the mining sector, offers employees initial and after-employment health evaluations, transport for medical emergencies, and community-based HIV/AIDS care (IOM & WHO, 2010).

Traditional or informal social protection

Despite the existence of long-standing capstone international, regional and national legislation providing for the social protection of migrants and refugees, serious gaps exist in the development and implementation of relevant protocols and policies in South Africa (Masuku, 2020). The safety nets designed to offer healthcare and support to these vulnerable populations often fail to address key issues, including the provision of basic preventative and promotive health services. As a result, traditional or informal social protection schemes are most often developed or sought out by migrant/refugee populations in South Africa.

According to Twigg, “informal social protection draws on traditional coping strategies, social capital and community-based actions” (Twigg, 2015:187). This type of societal assistance is most often found at the community level, initiated and led by community members, where assembling activities that protect community members from risk through “locally arranged social protection measures that are predicated on people’s cultural beliefs, norms

and value” (UNDP, 2016:48, citing Mupedziswa & Ntseane, 2013) occurs. Examples include monetary remittances, compensated and uncompensated care work and domestic housework roles.

In South Africa, migrant and refugee populations often find themselves relying in large part on informal social protective mechanisms for survival. Community-based funeral schemes, cash rotation, credit services, security, and recruitment services are often self-funded, with the majority of transactions in cash or electronic cell phone-based currency transaction services, including ‘e-wallet’ and ‘m-pesa’, which further use micro-finance options such as CashSend (Absa) and Instant Money Voucher (Standard Bank) among others. These informal social protection mechanisms are effective for a proportion of migrants in South Africa, particularly where there are large numbers of individuals from the same country (e.g., Zimbabwe or the Democratic Republic of the Congo). However, when few individuals or single families are affected, these informal mechanisms “may have limited outreach, as different groups will have access to different social and political networks and sources of support” (Twigg, 2015:197).

Recommendations

The authors consider policy-level recommendations in concert with programmatic-level implementation as key for the successful dovetailing migrant health initiatives within South Africa. With regards to policy, the following are key:

Policy planning

It is imperative that common terminology and issues related to regular and irregular migration are established in South African local and national policy planning. This implies developing and correcting national laws and policies that consider the challenges and needs of migrants as development actors. As such, health policy and service delivery planning should include the estimated number of migrants in the country, which is key for the “development of migration-aware health systems”.

Legislation

Standardised implementation of national and international legislation in all provinces in South Africa to ensure access to and protection of migrant rights to health services in the country.

This would ensure a common understanding and equity at the migration–health nexus.

Research networks

The government of South Africa’s stewardship and facilitation of engagement with comprehensive research networks to highlight global and local migration and health issues. The Migration, Health, and Development Research Initiative (Mhadri) is an international collective of academics and research stakeholders who aspire to further research practice in migration and health (Mhadri, 2022a). Several prominent researchers within South Africa are members of the research network, which provides an opportunity to “collaborate and promote research in the Global South”.

Research agenda

Building a robust research agenda to address issues that impact migrant health, including advocacy and dissemination of interdisciplinary research. Wickramage, Vearey, Zwi, Robinson and Knipper (2018) propose research agendas focusing on migrant typologies and human mobility and health (Figure 7.5 below) to advance evidence-informed migration health policy and practice. It is envisaged that the main actors would be the scientific community within South Africa.

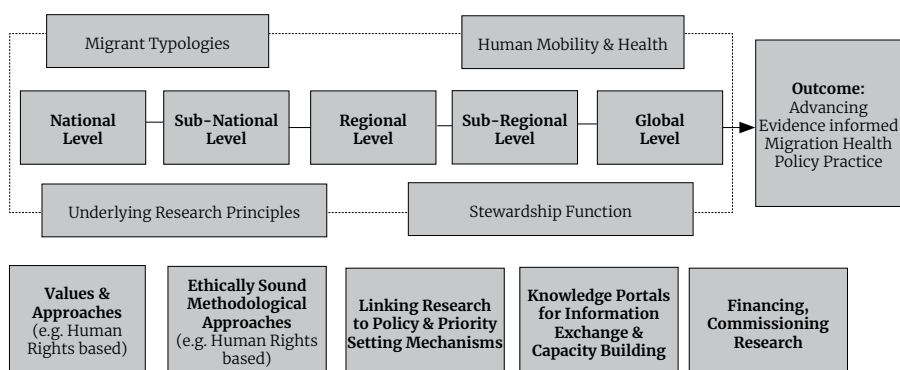


Figure 7.5: Advancing evidence-informed migration health policy and practice. Source: Wickramage, Vearey, Zwi, Robinson and Knipper (2018).

Health councils for migrants

The development of health councils for migrants would include South African government representatives and representatives from migrant communities as the main actors, supported by health representatives and community members. These councils should be empowered to examine, recommend and develop coordinated responses to migration, mobility and health at national and local levels.

Guidelines

Development of South African-specific guidance regarding the implementation of SADC guidelines on migration health in the region. It is envisaged that this will take the form of a regional health partnership protocol/agreement between South Africa and other SADC countries.

Health policy

Development of an intersectoral national migration health policy for South Africa, to be read in conjunction with the 2017 White Paper on International Migration for South Africa.

Programmatically, the following recommendations are made:

- Provision of training for all levels of staff in the Departments of Health and DHA regarding the legal and administrative prescripts of migrant health. This training should be intensified in areas where cross-border migration occurs.
- Inclusion of indicators tracking access to health services and health outcomes of individual migrants in the health monitoring and evaluation system at the national, provincial, district and facility level, including the electronic district health information system (DHIS 2.0). This data will provide valuable information that may be used for reporting on the MIPEX health strand, which tracks policies affecting migrant integration across 38 countries (IOM, 2016).
- Implementation of accurate classification methodologies for non-South African individuals to ascertain the “means test” prior to charging user fees or co-payments for health services.
- Following the implementation of the SADC regional health partnership protocol/agreement, local and regionally recognised “health passports” or “patient-held records” for all individuals

with chronic illnesses or those suffering from any of the four categories of notifiable medical conditions, as published by the South African National Department of Health and the National Institute for Communicable Disease in South Africa (NICD, 2018) should be developed and used by migrant populations.

- Development of regional and locally recognised referral letters for health services for both internal and external (cross-border) migrants, which may be used by both referral facilities/health providers as well as those facilities/healthcare professionals who are able to provide health updates/feedback on migrant individuals following successful referrals.

Conclusion

Despite a large volume of international and national legislation mandating the social protection of migrant populations, there remains poor engagement between individual migrants and South Africa's public healthcare providers. A combination of reluctance, fear, lack of knowledge and anxiety on the part of the migrants leads few to access health services and, consequently, further expenses and complications related to a delay in pursuing health services. With regards to frontline healthcare providers in South Africa, inherent mistrust of non-citizens, incorrect implementation of relevant policies and related consequences of repudiating access to health services, reticence to provide care and ignorance of migrant rights to healthcare leads to serious negative public health consequences for all in South Africa – a burden which must be addressed without further delay.

To provide effective social protection measures for the increasing numbers of migrant populations within South Africa: it is essential for the country to invest in evidence-based policies, engagement, key stakeholders mapping, detailed analysis of the migration patterns, existing legal structures, up-to-date data sources and multi-sectoral research output at all levels. Multi-faceted policies on migration and health and the necessary priority-setting processes should be steered by cross-sectoral collaboration to address multiple health predictors of in-country and transnational migrants (Wickramage, Vearey, Zwi, Robinson & Knipper, 2018).

There is a need to strengthen the capacity to manage essential health, ensuring the country “leaves no one behind” and is aligned with the 2030 Agenda for UN SDGs. In preparing to achieve this,

eleven overarching recommendations are made – six key policy-level recommendations:

- Comprehensive policy planning.
- Standardising implementation of legislation to ensure the protection of migrant rights to health services in the country.
- Recognising factors leading to migration.
- Engaging with comprehensive research networks, including Mhadri.
- Building a robust research agenda within the country.
- Developing health councils for migrants.

Five programmatic recommendations include:

- Providing training for all levels of staff.
- Developing and implementing indicators tracking migrant access to health services.
- Using MIPEx reporting.
- Accurately classifying migrant categories.
- Implementing local and regionally recognised “health passports” and standardised health referral letters for individuals with chronic and/or notifiable conditions.

For South Africa to progress as a democratic country within the African Diaspora, it is critically important to recognise that migration and migrants serve to accelerate and build the development of the country and the African region; leading the dialogue around efficient management of regional and global migration serves as a viable strategy for security and development. An approach based on recognition of the rights of individuals to security and self-determination within a framework of universal human rights and shared responsibilities is envisaged as the route to achieving optimal social protection and improving migrant health access – and, in so doing, contributing to improving health for all.

References

- African Union (AU). 2006a. *Migration Policy Framework for Africa*. Geneva: United Nations High Commissioner for Refugees. <https://www.unhcr.org/protection/migration/4d5258ab9/african-union-migration-policy-framework-africa.html>
- African Union (AU). 2006b. Decision on African common position on migration and development EX.CL/Dec.305 (IX) – DOC. EX.CL/277 (IX). <https://au.int/en/file/9638-excldec278-314ixepdf>
- African Union (AU). 2018. *The Revised Migration Policy Framework for Africa and Plan of Action (2018–2030)*. Geneva: International Labour Organisation. https://www.ilo.org/africa/areas-of-work/labour-migration/policy-frameworks/WCMS_671952/lang--en/index.htm
- Bornman, J. 2020. Migrants excluded from government food aid. *New Frame*, May 13. <https://www.newframe.com/migrants-excluded-from-government-food-aid/> [18 June 2022].
- Bukuluki, P., Mwenyango, H., Katongole, S.P., Sidhva, D. & Palattiyil, G. 2020. The socio-economic and psychosocial impact of COVID-19 pandemic on urban refugees in Uganda. *Social Sciences & Humanities Open*, 2(1):100045. <https://doi.org/10.1016/j.ssaho.2020.100045>
- Carter, B., Roelen, K., Enfield S. & Avis, W. 2019. *Social Protection Topic Guide*. Revised Edition. K4D Emerging Issues Report. Brighton, UK: Institute of Development Studies, University of Birmingham. <https://gsdrc.org/topic-guides/social-protection/types-of-social-protection/>.
- Cobb-Clark, D.A. & Stillman, S. 2013. Return migration and the age profile of retirement among immigrants. *IZA Journal of Development and Migration*, 2(20):1–20. <https://doi.org/10.1186/2193-9039-2-20>
- Department of Home Affairs (DHA). 1999. *White Paper on International Migration for South Africa*. Pretoria: DHA. <https://www.gov.za/documents/international-migration-white-paper>
- Department of Home Affairs (DHA). 2017. *White Paper on International Migration for South Africa*. Pretoria: DHA. <https://www.gov.za/documents/white-paper-inertnation-migration-south-africa-28-jul-2017-0000>

- Doctors Without Borders. 2012. *Providing antiretroviral therapy for mobile populations: lesson learned from a cross border ARV programme in Musina, South Africa*. Cape Town: Doctors Without Borders. https://msfaccess.org/sites/default/files/MSF_assets/HIV_AIDS/Docs/AIDS_report_ARTformobilepops_ENG_2012.pdf [Accessed 10 May 2022].
- Faturiyele, I., Karletsos, D., Ntene-Sealiete, K., Musekiwa, A., Khabo, M., Mariti, M., Mahasha, P., Xulu, T. & Pisa, P.T. 2018. Access to HIV care and treatment for migrants between Lesotho and South Africa: a mixed methods study. *BMC Public Health*, 18:668. <https://doi.org/10.1186/s12889-018-5594-3>
- Flahaux, M.L. & De Haas, H. 2016. African migration: trends, patterns, drivers. *Comparative Migration Studies*, 4(1):1-25. <https://doi.org/10.1186/s40878-015-0015-6>
- Gona, P.N., Gona, C.M., Ballout, S., Rao, S.R., Kimokoti, R., Mapoma, C.C. & Mokdad, A.H. 2020. Burden and changes in HIV/AIDS morbidity and mortality in Southern Africa Development Community Countries, 1990-2017. *BMC Public Health*, 20(1):867. <https://doi.org/10.1186/s12889-020-08988-9>
- Giuntella, O. & Mazzonna, F. 2015. IZA DP No. 8073: Do immigrants bring good health? *Journal of Health Economics*, 43:140-153. <https://doi.org/10.1016/j.jhealeco.2015.06.006>
- International Organisation for Migration (IOM). 2010. *Migration and health in South Africa: a review of the current situation and recommendations for achieving the World Health Assembly Resolution on the Health of Migrants*. Pretoria: IOM Regional Office for Southern Africa.
- International Organisation for Migration (IOM). 2016. *Summary Report on the MIPEX Health Strand and Country Reports*. IOM World Migration Report Series, 52. Geneva: IOM. <https://publications.iom.int/books/mrs-no-52-summary-report-mipex-health-strand-and-country-reports> [Accessed 9 May 2022].
- International Organisation for Migration (IOM). 2017a. *Health of migrants: resetting the agenda*. Report of the 2nd Global Consultation, Colombo, Sri Lanka, February 21-23. https://www.iom.int/sites/g/files/tmzbd1486/files/our_work/DMM/Migration-Health/GC2_SriLanka_Report_2017_FINAL_22.09.2017_Internet.pdf [Accessed 10 May 2022].

- International Organisation for Migration (IOM). 2017b. *Who is a migrant?: IOM definition of “migrant”*. <https://www.iom.int/who-migrant-0> [Accessed 13 May 2022].
- International Organisation for Migration (IOM). 2022. *Migration health and sustainable development*. <https://www.iom.int/migration-health-sustainable-development> [Accessed 13 May 2022].
- International Organisation for Migration & World Health Organisation (IOM & WHO). 2010. *ANNEX to GFMD Roundtable 2.1 Background Paper: Examples of global migrant health responses*. Geneva: IOM and WHO.
- Jassat, W., Mudara, C., Ozougwu, L., Tempia, S., Blumberg, L., Davies, M-A., Pillay, Y., Carter, T., Morewane, R., Wolmarans, M., Von Gottberg, A., Bhiman, J.N., Walaza, S. & Cohen, C. 2021. Difference in mortality among individuals admitted to hospital with COVID-19 during the first and second waves in South Africa: a cohort study. *Lancet Global Health*, 9(9):e1216–e1225. [https://doi.org/10.1016/S2214-109X\(21\)00289-8](https://doi.org/10.1016/S2214-109X(21)00289-8)
- Kennedy, S., McDonald, J.T. & Biddle, N. 2006. *The healthy immigrant effect and immigrant selection: evidence from four countries*. Social and Economic Dimensions of an Aging Population Research Papers 164. Hamilton, Canada: McMaster University.
- Mangala, J. (ed). 2017. *Africa and its global diaspora: the policy and politics of emigration*. Cham, Switzerland: Springer. <https://doi.org/10.1007/978-3-319-50053-9>
- Masuku, S. 2020. How South Africa is denying refugees their rights: what needs to change. *The Conversation*, May 12. <https://theconversation.com/how-southafrica-is-denying-refugees-their-rights-what-needs-to-change-135692> [Accessed 20 February 2022].
- Migration Health and Development Research Initiative (Mhadri). 2022. *Migration Health and Development Research Initiative*. <https://mhadri.org/> [Accessed 8 May 2022].
- Mishra, V., Seyedzenouzi, G., Almohtadi, A., Chowdhury, T., Khashkhusa, A., Axiaq, A., Wong, W.Y.E. & Harky, A. 2021. Health inequalities during COVID-19 and their effects on morbidity and mortality. *Journal of Healthcare Leadership*, 13:19–26. <https://doi.org/10.2147/JHL.S270175>
- Moyo, K. 2021. South Africa reckons with its status as a top immigration destination, apartheid history, and economic challenges. *Migration Policy*, November 18. <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history> [Accessed 8 May 2022].

- Mukhtar, S. 2020. Psychological health during the coronavirus disease 2019 pandemic outbreak. *International Journal of Social Psychiatry*, 66(5):512–516. <https://doi.org/10.1177/0020764020925835>
- Mukumbang, F.C., Ambe, A.N. & Adebiyi, B.O. 2020. Unspoken inequality: how COVID-19 has exacerbated existing vulnerabilities of asylum-seekers, refugees, and undocumented migrants in South Africa. *International Journal of Equity Health*, 19:141. <https://doi.org/10.1186/s12939-020-01259-4>
- Mulekya, F.B. 2021. *Sexual and reproductive health and rights remain a priority to IOM's work in Southern Africa*. Pretoria: United Nations South Africa. <https://southafrica.un.org/en/124582-sexual-and-reproductive-health-and-rights-remain-priority-ioms-work-southern-africa> [Accessed 10 May 2022].
- National Institute for Communicable Diseases (NICD). 2018. *Notifiable Medical Conditions (NMC) Disease List 2018*. https://www.nicd.ac.za/wp-content/uploads/2017/06/NMC-list_2018.pdf [Accessed 10 May 2022].
- National Institute for Communicable Diseases (NICD). 2022. *Latest confirmed cases of COVID-19 in South Africa (13 June 2022)*. <https://www.nicd.ac.za/latest-confirmed-cases-of-covid-19-in-south-africa-13-june-2022/> [Accessed 15 June 2022].
- Neuman, S. 2014. Are immigrants healthier than native residents? *IZA World of Labour*, 108:1–10. <https://doi.org/10.15185/izawol.108>
- Nzonde, P. 2018. *Migrant remittances and socio-economic status of recipient households in the DRC: Case of Congolese migrants in the Western Cape in South Africa*. Cape Town: University of Cape Town. <https://open.uct.ac.za/handle/11427/28400> [Accessed 10 April 2022].
- O'Brien, C., Holmes, R., Scott, Z. & Barca, V. 2018. *Shock-Responsive Social Protection Systems Toolkit: appraising the use of social protection in addressing large-scale shocks*. Oxford: Oxford Policy Management.
- Odeku, K.O. 2021. Exponential increase in endemic gender-based violence during COVID-19 Lockdown in South Africa. *Gender and Behaviour*, 19(2).
- Office of the United Nations High Commissioner for Human Rights (OHCHR). 2018. *Global Compact for safe, orderly and regular Migration (GCM): OHCHR and migration*. Final draft. <https://www.ohchr.org/en/migration/global-compact-safe-orderly-and-regular-migration-gcm> [Accessed 12 May 2022].

- Pillay, Y., Pienaar, S., Barron, P. & Zondi, T. 2021. Impact of COVID-19 on routine primary healthcare services in South Africa. *South African Medical Journal*, 111(8):714-719. <https://doi.org/10.7196/SAMJ.2021.v111i8.15786>
- Pindolia, D.K., Garcia, A.J., Huang, Z., Fik, T., Smith, D.L. & Tatem, A. 2014. Quantifying cross-border movements and migrations for guiding the strategic planning of malaria control and elimination. *Malaria Journal*, 13:169. <https://doi.org/10.1186/1475-2875-13-169>
- Poe, C.A., Biederlack, L., Frappier, K., Khawad, S.E., Robelin, R. & Rizki, M. 2020. *Populations at risk: implications of COVID-19 for hunger, migration and displacement*. New York: International Organisation for Migration and World Food Programme. https://www.iom.int/sites/g/files/tmzbd1486/files/populations_at_risk_-_implications_of_covid-19_for_hunger_migration_and_displacement.pdf [Accessed 11 May 2022].
- Republic of South Africa (RSA). 1996a. *The Bill of Rights of the Constitution of the Republic of South Africa*. Pretoria: Government Printing Works.
- Republic of South Africa (RSA). 1996b. *Constitution of the Republic of South Africa Act 108 of 1996*. Pretoria: Government Printing Works.
- Republic of South Africa (RSA). 1998. *Refugees Act 130 of 1998*. Pretoria: Government Printing Works. https://www.refugee.co.za/documents/Refugees_Act_of_South_Africa_130_of_1998.pdf [Accessed 26 April 2022].
- Republic of South Africa (RSA). 2002. *Immigration Act 13 of 2002*. Pretoria: Government Printing Works.
- Republic of South Africa (RSA). 2003. *National Health Act 61 of 2003*. Pretoria: Government Printing Works.
- Saleh, M. 2021. *Number of international migrants in Africa as of 2020, by age group*. Statista. <https://www.statista.com/statistics/1231690/number-of-international-migrants-in-africa-by-age-group/> [Accessed 13 May 2022].
- Setrana, M. & Yeboah, T. 2021. *Study to review existing practices in Southern Africa Development Community member states on diaspora engagement and productive use of remittances in the region*. Geneva: International Organisation for Migration.
- Southern African Development Community (SADC). 2014. *Labour Migration Action Plan 2016-2019*. Gaborone, Botswana: SADC.

- Suphanchaimat, R., Kantamaturapoj, K., Putthasri, W. & Prakongsai, P. 2015. Challenges in the provision of healthcare services for migrants: a systematic review through providers' lens. *BMC Health Services Research*, 15:390. <https://doi.org/10.1186/s12913-015-1065-z>
- Truen, S., Jitsing, W., Kgaphola, K., Chisadza, S., Majoro, M. & Jimson, F.L. 2017. The impact of remittances in Lesotho, Malawi and Zimbabwe. Imani Consulting, Africa Corporate Advisors. *Marking Finance Work for Africa*, June 14. Midrand, Johannesburg: FinMark Trust. <https://www.mfw4a.org/publication/impact-remittances-lesotho-malawi-and-zimbabwe> [Accessed 12 May 2022].
- Twigg, J. 2015. Livelihoods and DRR. In: J. Twigg (ed). *Disaster Risk Reduction: Good Practice Review 9*. London: Humanitarian Policy Group. 169–188.
- United Nations. 1948. *Universal Declaration of Human Rights*. General Assembly Resolution, 217 A(III) of 10 December 1948. <https://www.refworld.org/docid/3ae6b3712c.html> <https://doi.org/10.1017/S0020818300014429>
- United Nations Department of Economic and Social Affairs (UNDESA). 2020. *International Migrant Stock: International Migrant Stock 2020*. <https://www.un.org/development/desa/pd/content/international-migrant-stock> [Accessed 13 May 2022].
- United Nations Development Programme (UNDP). 2020. *The impact of COVID-19 on micro and informal businesses in South Africa*. https://www.za.undp.org/content/south_africa/en/home/library/the-impact-of-covid--19-on-micro-and-informal-businesses-in-sou.html [Accessed 10 May 2022].
- United Nations General Assembly. 1966. *International Covenant on Economic, Social and Cultural Rights*. United Nations Treaty Series, 993:3. <https://www.refworld.org/docid/3ae6b36c0.html>
- Vanthuyne, K., Meloni, F., Ruiz-Casares, M., Rousseau, C. & Ricard-Guay, A. 2013. Health workers' perceptions of access to care for children and pregnant women with precarious immigration status: health as a right or a privilege? *Social Science & Medicine*, 93:78–85. <https://doi.org/10.1016/j.socscimed.2013.06.008>
- Vearey, J. 2014. Healthy migration: a public health and development imperative for south(ern) Africa. *South African Medical Journal*, 104(10):663–664. <https://doi.org/10.7196/SAMJ.8569>

- Vearey, J. 2018. Moving forward: why responding to migration, mobility and HIV in South(ern) Africa is a public health priority. *Journal of the International AIDS Society*, 21(S4):e25137. <https://doi.org/10.1002/jia2.25137>
- Vearey, J., Modisenyane, M. & Hunter-Adams, J. 2017. Towards a migration-aware health system in South Africa: a strategic opportunity to address health inequity. *South African Health Review*, 27(1):89–98.
- Walls, H.L., Vearey, J., Modisenyane, M., Chetty-Makkan, C.M., Charalambous, S., Smith, R.D. & Hanefeld, J. 2015. Understanding healthcare and population mobility in southern Africa: The case of South Africa. *South African Medical Journal*, 106(1):14–5. <https://doi.org/10.7196/SAMJ.2016.v106i1.10210>
- Wickramage, K., Vearey, J., Zwi, A.B., Robinson, C. & Knipper, M. 2018. Migration and health: a global public health research priority. *BMC Public Health*, 18(1):987. <https://doi.org/10.1186/s12889-018-5932-5>
- World Health Organisation (WHO). 2005. *International health regulations (2005) Third Edition*. <https://www.who.int/publications/i/item/9789241580496> [Accessed 20 June 2022].

Chapter 8:

Migration and social protection: managing socio-economic vulnerabilities of internal migrants in South Africa in the era of COVID-19

Florence A. Shisanya

Abstract

Internal migration is a common phenomenon in South Africa, mainly fuelled by various socio-economic reasons. Socio-economic vulnerabilities act as push factors for migration from one place to another. Internal migration in South Africa is usually from rural to urban areas in search of economic and livelihood opportunities. Consequently, migrants relocate into new environments, mostly with socio-economic vulnerabilities worsened by virtue of being a new entrant with weak social capital. Disasters such as COVID-19 are known to exacerbate the extent of vulnerabilities in many contexts. As such, it is important to understand the vulnerability realities of migrants during the era of COVID-19 in order to learn and prepare for the future in the event of similar occurrences. The aim of this chapter is to unpack the socio-economic vulnerabilities of internal migrants and how these were impacted by COVID-19 in South Africa.

In addition, the chapter looks at strategies for managing the socioeconomic vulnerabilities of migrants during the COVID-19 era. This chapter presents a desktop review grounded in the socio-economic vulnerability theory. Academic literature, government publications and reports were used to inform the study. The socioeconomic vulnerability of migrants was conceptualised to entail financial, housing, mental, digital, employment and social capital dimensions. Findings from this study provide pathways through which socio-economic inequalities can be reduced within South Africa through social protection policies and actions dealing with migrant vulnerabilities in the event of disasters. In consideration of the multifaceted nature of the socioeconomic vulnerabilities of migrants, it is recommended that the government, non-governmental organisations (NGOs) and

the private sector work coherently to safeguard the well-being and safety of migrants in the event of a similar disaster. Dealing with vulnerabilities requires a tough, in-depth understanding of the risks in order to devise appropriate actions to match them.

Keywords: socio-economic vulnerability, rural-to-urban migration, COVID-19 pandemic, urban livelihoods, social capital, inequalities

Introduction

In this chapter, internal migration is defined as the movement of people from one place to another within the confines of the country's border (Ginsburg et al., 2021). African countries have been experiencing internal migration for varied reasons, the major ones being to look for income and education opportunities (Ginsburg et al., 2021). This movement follows the rural-to-urban pattern due to the prevailing growth and economic inequalities and differences between the two. Because of this unequal development of the urban and rural areas in Africa, it is estimated that the urban population will reach up to 59% of the total population by 2050 (UN, 2019). However, South Africa has surpassed this estimate and has an urban population of 67% of the total population (UNPD, 2021).

In South Africa, as in the rest of Africa, there are numerous reasons for internal migration. Misago, Gindrey, Duponchel, Landau and Polzer (2010) opine that the most dominant internal migration in South Africa is from rural to urban areas in search of improved economic opportunities and livelihoods. South Africa is divided into nine provinces which exhibit cultural, economic, political, social and geographic diversity (Mubangizi, 2012). This diversity propagates the movement of people from rural to urban areas in search of better livelihood and education opportunities.

Migration can occur in varied ways, either permanently or temporarily. Temporary migration was instituted in South Africa during the apartheid era, which resulted in the controlled movement of people. Black individuals, mainly males, were recruited to work in farms, mines and urban areas whilst their families remained in their homeland (Mberu, 2016). This setup meant that the men would temporarily migrate to the city or the mines for work and return to their homelands, usually once a year. However, this temporary migration can also be viewed as permanent migration, whereby the individual has two permanent homes, one in the city and the other

in rural areas. This history encouraged the relatively high levels of internal migration in South Africa compared to other countries in the Southern African region, which is witnessed to date (Bell et al., 2015). This kind of migration is still evident in South Africa, where the breadwinner moves from rural areas to places with better economic opportunities, where they work and send remittances back home. This is supported by the study by Hansen (2021), which revealed that predominantly rural provinces (the Eastern Cape and Limpopo) experience many people moving out in contrast to Gauteng and the Western Cape, which experience high numbers of people moving into the provinces. Thus, internal migration in contemporary South Africa is largely labour-driven (Mberu, 2016).

During apartheid, internal migration in South Africa was largely determined by law. Post-apartheid, internal migration in South Africa is influenced by individual circumstances and characteristics. Some factors that determine the choice to migrate include age, gender, level of education, household size, employment and education (Ginsburg et al., 2021). Areas with high unemployment levels experience high levels of emigration and vice versa. As such, internal migration in South Africa has a resultant net distribution skewed towards the urban settlements, yet strong connections remain between the rural and the urban areas (Ginsburg et al., 2021, 2016). Even though internal migration usually promises opportunities for improved income opportunities and better living standards, the migrants are often faced with various socio-economic challenges and vulnerabilities which need attention, not only from the government but from other stakeholders such as civil society organisations who work to safeguard the livelihoods of these migrants (Misago, Gindrey, Duponchel, Landau & Polzer, 2010). The COVID-19 pandemic brought an extra layer of vulnerability to the migrants due to the various restrictions and changes instituted to manage the pandemic.

The South African government instituted COVID-19 national lockdowns as a response to curb the proliferation of the disease across the country (Mukumbang, Ambe & Adebisi, 2020). Soon after the announcement of the initial lockdown, there was a spike in interprovincial movement of people in order to be close to family and relatives during the lockdown period. A survey carried out by Statistics South Africa (StatsSA, 2020) revealed that about 6% of the respondents travelled interprovincially soon after the announcement of the lockdown. This movement of people reflects internal migration, which could either be temporary or permanent. Internal migration

in South Africa is robust, with many people living away from their families for income and schooling purposes. The lockdown was characterised by inter-provincial and intercity travelling restrictions, isolation and quarantine of infected people as well as those suspected to have been exposed to the virus (Moodley, Obasa & London, 2020). Social distancing measures were also instituted, including banning social gatherings deemed pandemic “super spreader” platforms. Considering the vulnerable stature of migrants: the COVID-19 era reinforced the existing vulnerabilities.

Internal migrants relocate into a new environment mostly with socioeconomic vulnerabilities worsened because they are new entrants with weak social capital (Wong & Kohler, 2020). Disasters such as COVID-19 are known for exacerbating the extent of vulnerabilities in many contexts and sometimes present opportunities. As such, it is important to understand the vulnerability realities of migrants during the COVID-19 era and how they managed. This chapter set to unpack the socio-economic vulnerabilities of internal migrants and how these were impacted by COVID-19 in South Africa. In addition, the chapter looks at strategies for managing the socioeconomic vulnerabilities of migrants during the COVID-19 era. The findings of this study are vital for government planning and non-governmental organisation (NGO) programming. The findings of this study also serve as lessons for the future in the event of a disaster in the form of a disease.

Theoretical framework

Vulnerable migrants are not able to fully enjoy their human rights and are at higher risk of violations (IOM, 2019). With this in mind, it is important to understand the concept of “vulnerability”: It is the extent to which an individual or household is susceptible to harm or risk factors and entails susceptibility, in contrast to others, to harm as a result of exposure to risk. Vulnerability can also be defined as the limited capability to avoid, resist, cope or recover from a shock or risk factor (IOM, 2019). Socioeconomic vulnerability can be understood through multiple dimensions (Misago, Gindrey, Duponchel, Landau & Polzer, 2010). These include vulnerability to poverty, poor housing and living conditions, violence, criminal actions and insecurity.

Vulnerability to poverty can be linked to unemployment, low levels of income, low capacity to find work and to work as a result of low education levels and ill health. Vulnerability to poor living conditions can be associated with poor housing, limited access to

public services and adequate food and nutrition (Zerbo, Delgado & González, 2020). Vulnerability to insecurity includes the actions of state and state representatives. Different groups of people are exposed to contrasting vulnerabilities at different levels and extents of exposure. More importantly, a vulnerability in one dimension is not necessarily a vulnerability in the other (Misago, Gindrey, Duponchel, Landau & Polzer, 2010). All the above-mentioned dimensions of vulnerability allow for a multi-dimensional socio-economic analysis of the vulnerabilities of internal migrants in South Africa. These connections are illustrated in Figure 8.1.

In this chapter, the socio-economic vulnerability theory provided grounding for this study. According to the theory, socio-economic structures have inherent and deliberate potential to exclude others from access to resources and benefits (Talbot, Poleacovschi & Hamideh, 2021). Bernt and Colini (2013) opined that exclusion encompasses processes, conditions, plans and activities that systematically disadvantage and deny access to opportunities as a result of embedded socio-economic and power inequalities. When exclusion is premised on power imbalances and is targeted at a definite group of people, it becomes marginalisation (Talbot, Poleacovschi & Hamideh, 2021). These factors of exclusion thus stand as the vulnerability context. Socio-economic vulnerability thus refers to household or individual social and economic characteristics that form the basis of exclusion or marginalisation (Talbot, Poleacovschi & Hamideh, 2021; Hamideh & Rongerude, 2018). Socioeconomic vulnerabilities act as push factors for internal migration from one place to another. The following section presents a discussion on the socioeconomic vulnerabilities of internal migrants during the COVID-19 Era.

Socio-economic vulnerabilities of migrants

Migrants face various socio-economic vulnerabilities, increasing in intensity in the presence of another (compounding) (Talbot, Poleacovschi & Hamideh, 2022). The compounding nature of socio-economic vulnerabilities means that with an additional socio-economic vulnerability, the extent of vulnerability to risk increases. Also, various social groups of migrants have diverse extents of vulnerabilities due to various factors shaping their realities and contexts.

Likewise, young people tend to be dynamic and energetic in nature. By that virtue, they are susceptible to hasty decision-making and easily swayed to change their minds. Consequently, this makes

them more vulnerable as compared to older people. Migrants of old age are also vulnerable because old age comes with deteriorating health. In addition, the likelihood of one getting a livelihood or being involved in some form of economic activity reduces with age. In the face of the COVID-19 era, young migrants had ample time to conceptualise business ideas and plan their lives. Migrants are often strong-willed and determined to succeed because their life is a constant reminder of why they live in a particular space (IOM, 2020).

In contrast, older migrants were at risk of contracting COVID-19, as evidence revealed that older people were most likely to be affected by COVID-19 (Mueller, McNamara & Sinclair, 2020). For migrants, the risk was even higher because they often live in suboptimal environments which are crowded and poorly serviced. These conditions provide a conducive environment for the spread of diseases. With COVID-19, such living environments did not provide enough room for social distancing or even isolation.

Considering that migrants are external in the relocation area, their access to community resources and aid is often limited. For example, in cases where community health aid, food parcels and income-based support are given to community members, migrants can be easily left out because they are external in that neighbourhood (Mukumbang, Ambe & Adebiyi, 2020). This exclusion makes the migrants vulnerable as they are not legible to receive community aid. In the face of COVID-19, numerous relief packages were distributed across South Africa, especially food parcels for needy families. In addition, social grants were also given to affected families and individuals in possession of South African identity documents.

To fully understand the socio-economic vulnerability of migrants, the following sections will discuss poverty, poor housing and living conditions, violence, criminal actions and the insecurity dimensions of vulnerability. Understanding these dimensions enables engagement with migrant realities during the COVID-19 era.

Poverty

The poverty dimension of socio-economic vulnerability entails unemployment, low-income levels, low educational level, limited capacity to get employment, and ill health. Households and individuals vulnerable to poverty are more prone to migrate in search of pathways for poverty eradication. Some of these factors are expounded below,

together with the migration nexus and COVID-19 nexus, starting with income vulnerability.

Income vulnerability

Income is a key determinant of vulnerability, considering the key opportunities or limitations that it affords. Individuals and households with unstable financial and income statuses are likely to migrate in search of better opportunities. The same applies to skilled individuals who are likely to migrate towards the demand of their skills and where their skills afford them a better income. However, this means that when the individual gets to the new location, they will carry a vulnerable context that they will be working on addressing. This does not come with a standard time to change this status. For some, it happens fast, whilst the picture is different for others, who might have challenges securing financial status stabilising opportunities. Migrants often start small informal businesses when they get to an environment as a quick way to make money (Kabir & Kamruzzaman, 2022). However, businesses run by migrants are faced with language barriers which limit the ease of expansion and growth. Immigrants from other provinces will be from a different language from that spoken in the place of migration. A different language predisposes one to an outsider, and thus locals take time to get used to the idea of doing business with an outsider. Language barriers also limit access to resources as well as access to the community, who are also potential customers of the business. Migrants are often excluded from community micro-credit schemes as they are considered outsiders (Kabir & Kamruzzaman, 2022). This means they will not have a safety net to rely on in times of need.

The COVID-19 pandemic era did not provide conditions to support the running of small businesses. On the contrary, the pandemic resulted in the closure of businesses and informal trading operations, especially during the lockdown period. Such lockdown exposed migrants to income-related vulnerabilities as their source of livelihood was halted (Clark, Fredricksid, Woc-Colburn, Bottazzi & Weatherheadid, 2020). Also, the COVID-19 era called for different ways of doing business, which saw the proliferation of online marketing and businesses. This required a change of strategy on the part of business operations in order to stay afloat. Unfortunately, not all businesses could adapt to the new business environment, which was needed and resulted in their closure. Employment opportunities were also constrained as a result of the COVID-19 pandemic.

Employment

With the current unemployment rate of 35% in South Africa, it is becoming increasingly difficult to secure a job, yet the hope of those migrating from rural areas to urban areas is to acquire a job and follow the demand for their skills (StatsSA, 2022). The picture is bleak for youth, whose unemployment rate is 66% (StatsSA, 2022). Considering that the youth are more prone to migration than older people because of their limited attachment to places, such as family and investments, the high unemployment rate amongst that group reflects the gravity of their vulnerability to poverty. Also, the youth are likely to migrate because they still have a long life ahead of them, which they will prepare for. Through the gender lens, men are more likely to migrate than women because they take up the responsibility of fending for the family as a gender role (Camlin, Snow & Hosegood, 2014). Women usually remain confined in rural areas where they are left to practice agriculture as a complementary source of income.

The COVID-19 pandemic resulted in the closure of businesses and industries and companies' downsizing, resulting in the retrenchment of workers. This also translated to an increase in the number of people searching for jobs. For immigrants looking for jobs, the job search journey had become increasingly difficult as more people competed for the same opportunities. Moreover, some people who lost jobs had to migrate from urban to rural areas due to incapacitation to maintain city life. Casale and Posel (2020) posit that about 2.6 million adults lost their jobs in South Africa as a result of the COVID-19 lockdown and, thus, lost their livelihood. This migration was due to the breadwinner losing the household livelihood, triggering mental issues such as depression. In families that lose a breadwinner, income-related conflict becomes dominant (Clark, Fredricksid, Woc-Colburn, Bottazzi & Weatherheadid, 2020). This situation is exacerbated in the case of men expected to carry out the gender role expectation of financially providing for the family (Camlin, Snow & Hosegood, 2014). When they are not able to meet this demand and return home empty-handed, a myriad of emotions and reactions can manifest, which affect the operation of the family setting.

Secondly, for the few available employment opportunities, employers avoided recruiting from different regions as a way of curtailing the spread of the COVID-19 disease. This meant that individuals from another province would not easily get employment or income opportunities in a different province. The COVID-19 pandemic, however, presented an opportunity for internal migrants in the

health sector. Due to the increased need for health and care workers, migration opportunities were available for people with expertise in the field of health and care work in every province. This is also linked to education as a factor contributing to poverty vulnerability.

Education

Higher levels of education reduce vulnerability among internal migrants. A study by Misago, Gindrey, Duponchel, Landau and Polzer (2010) revealed that higher levels of education protect against lack of access to services and vulnerability to poverty. Education facilitates interaction with protocols, information and processes, which are pathways for accessing services such as the establishment of various kinds of businesses. With education, a migrant is better positioned to get a job, start a business and engage with employment services in order to get a source of income. Migrants with low education levels are bound to be more vulnerable due to challenges in getting a source of livelihood and accessing proper housing. In the context of the COVID-19 pandemic, immigrants with higher education levels were more likely to understand the pandemic and the prescribed preventative actions to be taken. This can be translated to reduced health-related risks in the life of the migrants.

Because individuals with low education levels are more likely to earn low incomes, they tend to stay in low-income neighbourhoods where the quality of housing is poor (Zerbo, Delgado & González, 2020). These low-income neighbourhoods may be characterised by informal settlements with no proper water and sanitation amenities and present a health risk to the migrants (Kabir & Kamruzzaman, 2022).

Education level is also closely related to access to and use of technology (Adu, Badaru, Duku & Adu, 2022). The COVID-19 lockdown in South Africa pushed for an accelerated rate of adoption and use of online technologies for education and work purposes. Technologically savvy individuals were advantaged as companies, industries and educational facilities needed such skills. Online platforms were also used for education purposes. This move was two-sided when it came to internal migrants. Firstly, the use of online platforms provided an opportunity for teachers to interact with the student from wherever they were (Adu, Badaru, Duku & Adu, 2022). This meant that teachers and students who usually migrated to access the physical schools were able to carry on with their business from the comfort of their homes

with family and friends. However, on the other side, this move came with a vulnerability in terms of access to and the use of technology.

Migrant students who were not able to finance the appropriate technological device to use for schooling were at a disadvantage (Adu, Badaru, Duku & Adu, 2022). This required a quick move to learn as well as acquire the technology. In higher education institutions, the government, through the Department of Education through the National Student Financial Aid Scheme (NSFAS) Digital Learning Device programme, provided laptop loans to all needy students (Nzimande, 2021). Initially, the coordination of the program was slow, and training students, especially those from disadvantaged families, who had limited prior knowledge of technology, was challenging due to regulations against social gatherings.

Overall, the COVID-19 lockdown unlocked the possibility of online working, teaching and learning, which can possibly reduce the level of internal migration in the country if kept at the same pace (Adu, Badaru, Duku & Adu, 2022). This flexibility allows for the attainment of higher education at a reduced cost since learners will not need to migrate or incur additional accommodation and upkeep costs as they attend school. However, poor housing and living conditions can act as obstacles limiting access to beneficial online schooling and working when the environment is not conducive for the above-mentioned activities.

Poor housing and living conditions

Poor housing and living conditions present a health and safety risk for the residents. Migrants tend to live in overcrowded neighbourhoods with poor or limited services, limited access to public services, hospitals, schools, water and electricity, and adequate food and nutrition (Mukumbang, Ambe & Adebisi, 2020). Overcrowded, unsanitary and poor housing creates health vulnerabilities, particularly among women, the elderly, the disabled and children, who spend a significant amount of time inside the house (Zerbo, Delgado & González, 2020). The job losses experienced during the COVID-19 era pushed numerous people to the peripheries, downgrading their standard of living (Casale & Posel, 2020). Poor housing, often found within informal and low-income settlements, provides a housing solution to those in need. However, some of these settlements do not have basic amenities, and, as such, they expose the residents to health and safety risks.

Violence and criminal activity – robberies, theft, abuse at work

Migrants are susceptible to criminal activity such as robbery, theft and violence because they are deemed as not being members of the communities. Also, low social capital means that they have limited information and are not privy to some of the activities that will be happening in the community (Wong & Kohler, 2020). The cultural and language difference relegates them to be treated as outsiders in the communities where they would relocate. Internal migrants may suffer segregation in the workplace if they are within the menial work categories (Kabir & Kamruzzaman, 2022).

Social security

There are numerous social security policies in South Africa coupled with government, NGOs and private sector initiatives. These activities include the distribution of food parcels and grant money for the needy made available during the COVID-19 pandemic (IEJ, 2021). Even though numerous initiatives existed, none of them addressed the vulnerability of internal migrants. In contrast, there were at least debates on whether external migrants should benefit in South Africa. The omission of the discussion on internal migrants could indicate the lack of acknowledgement of the realities they are faced with. It is important that in future, the plight of internal migrants should be taken into consideration in policy and action. Omitting them from the plans and discussions can contribute to the failure of state social security initiatives.

Health

Migrants are vulnerable to health risks in terms of access and living environment (Kabir & Kamruzzaman, 2022). Migrants often experience poor service at public health institutions due to language and cultural differences. As such, they get better service from private health facilities. If migrants opt for the private healthcare system, they have to pay more for health services (Kabir & Kamruzzaman, 2022). This might exclude some of the migrants from accessing health services. Poor migrant living conditions, where there is poor sanitation, can also exacerbate the health risk among migrants. Migrants opt for cheap housing as a way of saving as they will be relying on their permanent residence in another province or place (Zerbo, Delgado & González, 2020).

The COVID-19 era multiplied the vulnerability to health risks for migrants. Despite the presence of COVID-19 regulations against interprovincial and intercity travelling, the migrants still needed to travel with their families and back to work. This travelling exposed them to COVID-19 as they moved between their two places of residence. Also, this travelling brought a discrimination element because migrants spread the COVID-19 virus (Martuscelli, 2021).

Social cohesion and exclusion

Social cohesion plays an important part in one's feeling of belonging and mental well-being. The absence of this entails vulnerability which may trigger mental health issues such as depression, anxiety disorders and stress. Pandemic times, like the COVID-19 pandemic, are a breeding ground for fake news, misinformation and politicisation of issues which often results in polarisation (IOM, 2020). Such misinformation can place the lives of the migrants at risk of violence and criminal activity. In such environments, migrants can be easily excluded from social circles due to their limited familiarity with the context and weak social bonds with the community.

COVID-19 restrictions, such as banned social gatherings, made it impossible for migrants to meet up with their comrades. Migrants in a place usually form their own social groups. For example, migrants in Gauteng from the Eastern Cape can have their own associations and gathering where they find comfort and connections with where they come from (Ginsburg et al., 2016). Besides gathering, social groups are important as a point of call, in times of need and to provide help, including short-term loans, social support, and comfort (Wong & Kohler, 2020). These associations are an important source of social capital for migrants. During COVID-19 imposed lockdown, most migrants travelled back to their rural homes depending on the nature of their work. However, some did not travel back because they anticipated COVID-19 restrictions to be lifted within a short space of time. Hence they needed to be close to their workstations in order to resume work promptly. Others were also not financially prepared to travel and thus were forced to opt to stay at their migrant homes. Most of these immigrants endured isolation, a known cause of depression, stress, and mental-related challenges.

In addition, limited intercity and interprovincial movement meant that migrants could not easily travel to be with their families, further cementing isolation. Furthermore, COVID-19 health protocols

disallowed social gatherings, which meant that spaces for building social integration and cohesion were dismantled. This isolation and loss of social capital details the daily struggles faced by migrants, increasing their vulnerability (Wong & Kohler, 2020). A study by the International Organisation for Migration (IOM, 2020) revealed that social cohesion provides ground for empathy and solidarity.

COVID-19 era and its influence on socio-economic vulnerabilities of internal migrants

In summary, this chapter argues that the socio-economic vulnerabilities of migrants can be understood through multidimensional lenses: poverty, housing, violence, crime and security. Figure 8.1 reflects the four major socio-economic vulnerability dimensions which are faced by migrants. The presence of more than one dimension of vulnerability produces a compounding vulnerability effect. The onset of the COVID-19 pandemic reinforced the vulnerabilities and, thus, produced a multiplier effect as it embellished every level of vulnerability. The study by Talbot, Poleacovschi and Hamideh (2022) showed that the presence of more than one vulnerability dimension produced a multiplier effect and not an additive one. This reflects that addressing even one of the dimensions can significantly reduce the level of vulnerability.

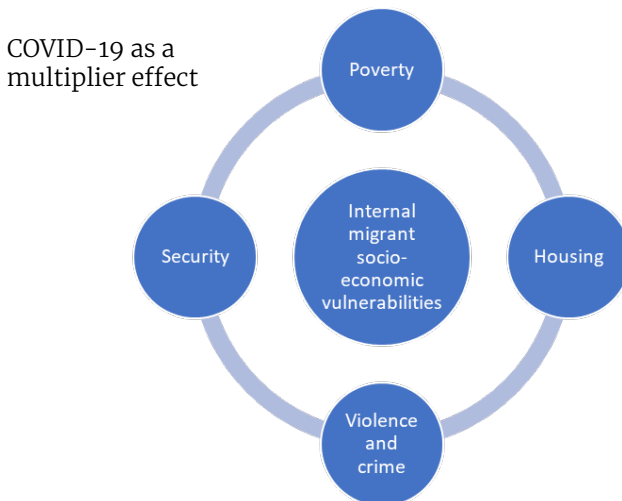


Figure 8.1: Migrants' socio-economic vulnerabilities in the context of COVID-19. Source: Author's contribution.

Conclusion

From the discussion above, migrants are faced with various socio-economic vulnerabilities at individual, household, community, institutional and structural levels. These vulnerabilities were reinforced by the COVID-19 pandemic, which served as a multiplier effect on the already existing vulnerabilities. It is important for government departments to be aware of such reinforcement to better plan for the well-being and safety of migrants in the event of a similar disaster. Dealing with vulnerabilities requires a thorough, in-depth understanding of the risks as well as the vulnerabilities in order to devise appropriate actions to match them. Findings from this study can be used to inform the social protection policies and actions for dealing with migrant vulnerabilities in case of disasters. In consideration of the multifaceted nature of the socioeconomic vulnerabilities of migrants, it is recommended that government, NGOs and the private sector work coherently to better plan and safeguard the well-being and safety of migrants in the event of a similar disaster.

References

- Adu, K.O., Badaru, K.A., Duku, N. & Adu, E.O. 2022. Innovation and technology: a panacea to teaching and learning challenges during the COVID-19 lockdown in South Africa. *Research in Social Sciences and Technology*, 7(1):69–89. <https://doi.org/10.46303/ressat.2022.5>
- Bell, M., Charles-Edwards, E., Ueffing, P., Stillwell, J., Kupiszewski, M. & Kupiszewska, D. 2015. Internal migration and development: comparing migration intensities around the world. *Population and Development Review*, 41(1):33–58. <https://doi.org/10.1111/j.1728-4457.2015.00025.x>
- Bernt, M. & Colini, L. 2013. *Exclusion, marginalization and peripheralization: conceptual concerns in the study of urban inequalities*. IRS Working Paper, 49. Erkner, Germany: Leibniz Institute for Research on Society and Space. <https://www.econstor.eu/bitstream/10419/228579/1/irs-wp49.pdf>
- Camlin, C.S., Snow, R.C. & Hosegood, V. 2014. Gendered patterns of migration in rural South Africa. *Population, Space and Place*, 20(6):528–551. <https://doi.org/10.1002/psp.1794>
- Casale, D. & Posel, D. 2020. *Gender and the early effects of the COVID-19 crisis in the paid and unpaid economies in South Africa*. National Income Dynamics Study–Coronavirus Rapid Mobile Survey (NIDS–CRAM) Wave 1 Working Paper, 4. <https://cramsury.org/reports/> [Accessed 27 April 2022].
- Clark, E., Fredricksid, K., Woc-Colburn, L., Bottazzi, M.E. & Weatherheadid, J. 2020. Disproportionate impact of the COVID-19 pandemic on immigrant communities in the United States. *PloS Neglected Tropical Diseases*, 14(7):1–9. <https://doi.org/10.1371/journal.pntd.0008484>
- Ginsburg, C., Collinson, M.A., Gómez-Olivé, F.X., Gross, M., Harawa, S., Lurie, M.N., Mukondwa, K., Pheiffer, C.F., Tollman, S., Wang, R. & White, M.J. 2021. Internal migration and health in South Africa: determinants of healthcare utilisation in a young adult cohort. *BMC Public Health*, 21(1):554. <https://doi.org/10.1186/s12889-021-10590-6>
- Ginsburg C., Collinson M.A., Iturralde, D., Van Tonder, L., Gómez-Olivé, F.X. & Kahn, K. 2016. Migration and settlement change in South Africa: triangulating census 2011 with longitudinal data from the Agincourt health and demographic surveillance system in the rural north-east. *Southern African Journal of Demography*, 17(1):133–198.

- Hamideh, S. & Rongerude, J. 2018. Social vulnerability and participation in disaster recovery decisions: public housing in Galveston after Hurricane Ike. *Natural Hazards*, 93(3):1629–1648. <https://doi.org/10.1007/s11069-018-3371-3>
- Hansen, C. 2021. *Population distribution and internal migration patterns in South Africa*. Pretoria: Department of Geography, Geoinformatics and Meteorology, University of Pretoria. https://www.up.ac.za/geography-geoinformatics-and-meteorology/news/post_2986492-population-distribution-and-internal-migration-patterns-in-south-africa
- Institute for Economic Justice (IEJ). 2021. *Social protection during COVID-19: the rights to social security and an adequate standard of living*. Johannesburg: IEJ. <https://www.iej.org.za/wp-content/uploads/2021/03/IEJfactsheet-3-Social-Protection-during-COVID.pdf> [Accessed 27 April 2022].
- International Organisation for Migration (IOM). 2019. *The determinants of migrant vulnerability: Part 1*. IOM Handbook on protection and assistance to migrants vulnerable to violence, exploitation and abuse. Grand-Saconnex, Switzerland: IOM. https://www.iom.int/sites/g/files/tmzbd1486/files/our_work/DMM/MPA/1-part1-thedomv.pdf [Accessed 27 April 2022].
- International Organisation for Migration (IOM). 2020. *Migration Factsheet No. 6: the impact of COVID-19 on migrants*. Synthesis analysis drawing on IOM's World Migration Report series. Grand-Saconnex, Switzerland: IOM. https://www.iom.int/sites/g/files/tmzbd1486/files/our_work/ICP/MPR/migration_factsheet_6_covid-19_and_migrants.pdf [Accessed 27 April 2022].
- Kabir, M.E. & Kamruzzaman, P. 2022. Exploring the drivers of vulnerability among disadvantaged internal migrants in riverbank erosion-prone areas in North-West Bangladesh. *Journal of South Asian Development*, 17(1):57–83. <https://doi.org/10.1177/09731741221078741>
- Martuscelli, P.N. 2021. How are forcibly displaced people affected by the COVID-19 pandemic outbreak? Evidence from Brazil. *American Behavioral Scientist*, 65(10):1342–1364. <https://doi.org/10.1177/00027642211000402>

- Masigo, J.P., Gindrey, V., Duponchel, M., Landau, L. & Polzer, T. 2010. *Vulnerability, mobility and place: Alexandra and Central Johannesburg Pilot Survey*. Johannesburg: South African Red Cross Society, Forced Migration Studies Programme, University of the Witwatersrand. <http://www.migration.org.za/wp-content/uploads/2017/08/Vulnerability-Mobility-and-Place.pdf> [Accessed 27 April 2022].
- Mberu, B. 2016. African migration and population distribution: recent trends, methodological challenges and policy issues. In: M.J. White (ed). *International Handbook of migration and population distribution*. Netherlands: Springer. 245–267. https://doi.org/10.1007/978-94-017-7282-2_12
- Moodley, K., Obasa, A. & London, L. 2020. Isolation and quarantine in South Africa during COVID-19: Draconian measures or proportional response? *South African Medical Journal*, 110(1):456–457. <https://doi.org/10.7196/SAMJ.2020v110i6.14842>
- Mubangizi, J.C. 2012. Building a South African human rights culture in the face of cultural diversity: context and conflict. *African Journal of Legal Studies*, 5(1):1–20. <https://doi.org/10.1163/170873812X626441>
- Mueller, A.L., McNamara, M.S. & Sinclair, D.A. 2020. Why does COVID-19 disproportionately affect older people? *Aging*, 12(10):9959–9981. <https://doi.org/10.18632/aging.103344>
- Mukumbang, F.C., Ambe, A.N. & Adebisi, B.O. 2020. Unspoken inequality: how COVID-19 has exacerbated existing vulnerabilities of asylum-seekers, refugees, and undocumented migrants in South Africa. *International Journal for Equity in Health*, 19:141. <https://doi.org/10.1186/s12939-020-01259-4>
- Nzimande, B.E. 2021. *Minister of higher education, science and innovation remarks on the official launch of the NSFAS digital learning device programme*. Speech. Pretoria: Department of Higher Education and Training. <https://www.dhet.gov.za/SiteAssets/Media%20Advisory%20and%20Statements%202021/NSFAS%20DIGITAL%20LEARNING%20DEVICE%20PROGRAMME%20FINAL.pdf> [Accessed 27 April 2022].
- Statistics South Africa (StatsSA). 2020. *Social impact of COVID-19 (Wave 3): mobility, migration, and education in South Africa*. Report no. 00-80-04. Pretoria: StatsSA. <http://www.statssa.gov.za/publications/Report-00-08-04/Report-00-08-04July2020.pdf> [Accessed 27 April 2022].

- Statistics South Africa (StatsSA). 2022. *Quarterly Labour Force Survey (QLFS) – Q4:2021*. Media Release. Pretoria: StatsSA. <http://www.statssa.gov.za/publications/P0211/Media%20release%20QLFS%20Q4%202021.pdf> [Accessed 27 April 2022].
- Talbot, J., Poleacovschi, C. & Hamideh, S. 2022. Socioeconomic vulnerabilities and housing reconstruction in Puerto Rico after Hurricanes Irma and Mari. *Natural Hazards*, 110:2113–2140. <https://doi.org/10.1007/s11069-021-05027-7>
- United Nations (UN). 2019. *World urbanization prospects: the 2018 revision*. New York: Department of Economic and Social Affairs, UN Population Division.
- United Nations Population Division (UNPD). *World Urbanization Prospects: 2018 revision*. New York: UNPD. <https://data.worldbank.org/indicator/SP.URB.TOTL.IN.ZS?locations=ZA>
- Wong, A.S. & Kohler, J.C. 2020. Social capital and public health: responding to the COVID-19 pandemic. *Global Health*, 16:88. <https://doi.org/10.1186/s12992-020-00615-x>
- Zerbo, A., Delgado, R.C. & González, P.A. 2020. Vulnerability and everyday health risks of urban informal settlements in Sub-Saharan Africa. *Journal of Global Health*, 4(2):46–50. <https://doi.org/10.1016/j.glohj.2020.04.003>

Chapter 9:

Trends and patterns of migration status and data before and during COVID-19 era in South Africa

Olusola Bodede

Abstract

Migration to and from Southern African Development Community (SADC) member states is geared mainly toward the quest for economic opportunities due to natural hazards and increasing political instability. South Africa, the economic giant of the region, currently boasts a population of more than 2.9 million migrants. Several factors are responsible for the intra- and international movement of people around the world, some of which are survival, war, economic hardship, unemployment, natural disaster and pandemic, among others. These have direct implications on public health, as evidenced by epidemiological reports and have also played out significantly during the COVID-19 outbreak. The pandemic did not only threaten public health but also imposed a limit on daily cross-border movements. A total lockdown could not be sustained for too long to prevent a total collapse of the economy. Thus, borders were re-opened subject to strict adherence to guidelines to curtail the spread of the virus. This chapter will adopt a systematic review approach to explore pre-COVID-19 migration status and data in southern Africa. Secondly, it will consider trends and patterns of migration status and data during the era of COVID-19. Finally, the author will examine the effects of the COVID-19 pandemic on the migration process in South Africa. The findings of this survey will inform about the status of migration in the SADC region with respect to the trends and patterns. Thus, the government and other stakeholders can have updated information for policy-making with relevant mobility indicators for effective migration management in South Africa.

Keywords: migration, COVID-19, census, South Africa, labour laws, SADC, trend

Introduction

Africa is a continent where migration and mass displacement are rampant due to conflict, war or poverty. Ten million migrants in the sub-Saharan African region, including South Africa, are part of about 14.5 million international migrants (Ncube, Bahta & Jordaan, 2019; Mushomi et al., 2022). South Africa, known for its stability in democratic institutions and industrialised economy, attracts lots of immigrants from neighbouring African countries as well as other continents (Moyo, 2021). According to information, South Africa is home to about 2.9 million immigrants, which constitute a bit less than 5% of the overall population of 60 million people (Moyo, 2021). Due to so many undocumented and illegal immigrants, the data is believed to be an underestimation of the reality. There are lots of people from other African countries ready to migrate to South Africa or Europe for better jobs and living conditions (Flahaux & De Haas, 2016). Several factors have been identified to be responsible for these mass movements: Some immigrants are driven by intolerable conditions in their home countries, such as violence or poverty. Others are driven by starvation, war and environmental hazards, among other reasons (Flahaux & De Haas, 2016).

During the apartheid regime, all migrant Africans, including black South Africans, were not allowed to settle fully in South Africa (Moyo, 2021). This exclusive right was only given to white people as black South Africans were demoted to second-class citizens. After the apartheid era, there was an increase in the number of migrants across the SADC regions. There were labour migrants, mixed and irregular migrants and disaster-imposed migrants. Due to family bonds, some migrants are from Zimbabwe, Europe, the Democratic Republic of the Congo and other countries (StatsSA, 2020; Mushomi et al., 2022). The rights of some of the migrants were compromised in the wake of the COVID-19 pandemic. Two types of abuses were identified by the Human Rights Watch to have affected the health status of migrants: The first was abuse that prevented migrants from accessing healthcare services, and the second was abuse that led to health compromise (Mushomi et al., 2022). The initial exclusion of healthcare services to migrants and refugees made the early detection of COVID-19 difficult, which, by extension, posed a health risk to the rest of the populace (WHO, 2020; Mushomi et al., 2022).

Following the lockdown to curtail the spread of the COVID-19 pandemic, many migrants were seriously affected as their living

conditions further worsened. Most ports of entry were fully closed, while some were partially in operation. During this period, three forms of national COVID-19 adaptation policies were suggested, which, among other things, gave an insight into the public health policies as it relates to the access of refugees and migrants to healthcare services (WHO, 2021). Mushomi et al. (2022) recommended the approach adopted by Cameroon and Senegal to South African migrants, where refugees were documented in designated centres around the communities. This is expected to improve access to healthcare services, including a COVID-19 vaccine by South African migrants.

In order to have a full grasp of the subject matter, this study explored the use of secondary data from previous studies on trends, patterns, and limits of migration data in the era of COVID-19, adopting descriptive and theoretical papers for comparative analysis and discussions. This chapter is aimed at unravelling the trends and patterns of migration data across SADC before and during COVID-19 pandemic, identifying the effects of COVID-19 pandemic on the migration process in South Africa and proffering some recommendations on migration in South Africa.

Pre-COVID-19 migration status and data in South Africa

COVID-19 is a communicable disease that broke out in Wuhan, China, in December 2019. It has since blowout to other regions of the world (Lee, 2020). It is a respiratory disease caused by a new strain of the coronavirus. The disease can easily spread from one person to another through air droplets from sneezing or coughing. As soon as the outbreak was discovered in South Africa, a comprehensive public health response was initiated as well as the imposition of a countrywide lockdown on 26 March 2020 (Navsaria et al., 2021). This lockdown, simultaneously going on in some other parts of the world, imposed movement restrictions and affected the migration process in South Africa. The country also relied on the importation of some goods and services from China but could not during the movement restrictions. Many small and medium enterprises were in critical conditions struggling to survive during the COVID-19 pandemic (Fubah & Moos, 2022). Information by Williams (2020) showed that Africa experienced a high level of migration before COVID-19 for better opportunities. The countries of destination include Algeria, Mali, Egypt, Morocco, Zambia and South Africa, as shown in Figure 9.1.

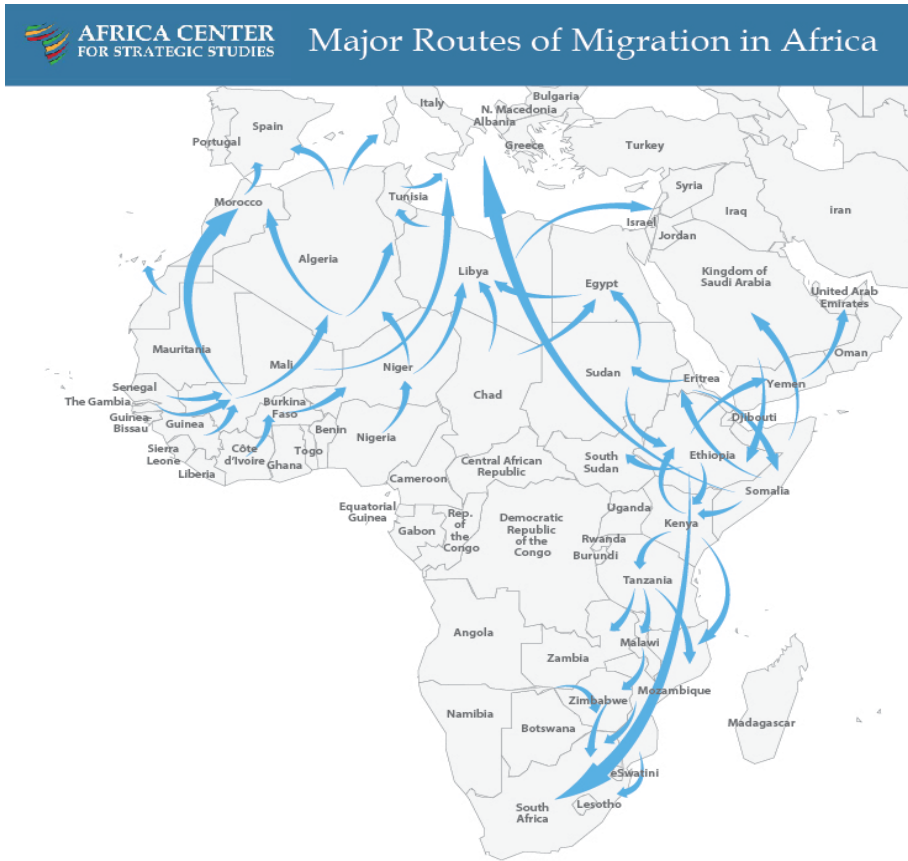


Figure 9.1: The countries of destination of migrants. Source: Williams (2020).

Immigration and South Africa

Immigration is the process by which an individual or group of people move to a country that they are not native to and become citizens or permanent residents (Thielemann & Schade, 2016). This does not include commuters and short-term stays. The immigrant(s) look forward to benefitting from destination countries. Some of the reasons for immigration include but are not limited to cultural and socioeconomic benefits (Borjas, 1995). Some immigrants contribute in no small way to the development of society. Studies suggest that, on average, migration is beneficial to the receiving and sending countries, with a few exceptions (Borjas, 1995). The benefits or otherwise of low-

skilled immigrants are still debated. Experts are of the opinion that if barriers to migration are drastically reduced, this will likely reduce poverty across the globe, especially in developing countries (Mishra, 2014; Clemens & Pritchett, 2019; Pritchett & Hani, 2020).

Historical background

Immigration into South African dates back to the era of systemic colonisation, which started with the Dutch in 1652 and the British in 1795. The colonisation by the Dutch was informed by the creation of a port, the Cape of Good Hope, for trade on the way to India and China. An increase in trade led to the development of the first permanent European settlement, Cape Town (Schauwinhold, 2015). During this period, there was a shortage of labour which made Britain and the Netherlands recruit Europeans, but it was not totally successful as not enough people joined them in the new colonies. This led to the introduction of slaves taken into captivity from parts of Asia and Africa. This set of slaves, numbering about 65 000, soon exceeded the European settlers. Thus by 1833, the British Empire banned slavery (Mason, 2003). Out of the total number of slaves, 26% were from India, 26% were from East Africa, and 23% were from Indonesia (Schauwinhold, 2015).

Following the discovery of diamond and gold deposits towards the end of the nineteenth century, which elicited an economic boom in South Africa (Field, Stiefenhofer, Robey & Kurszlauskis, 2008), many black workers and gold miners from all over the world and African countries such as Botswana, Malawi, Lesotho, Swaziland and Mozambique immigrated to South Africa. By 1906, these mine workers had increased to 18 000 people of European descent and 94 000 people of African descent (Schauwinhold, 2015). The Union of South Africa, which was formed in May 1910, metamorphosed into the Republic of South Africa in 1961. The apartheid government tried to control the rate of migration within South Africa.

In 1961, the apartheid state enacted the first immigration law in order to control black labourers. The law only allowed male labourers into the country without their families accompanying them. The white minority in South Africa greatly restricted the movement of black people within South Africa and those from other countries choosing to work in South Africa. South Africa, being one of the most important mining countries in the world, attracts a lot of economic and political benefits and also accommodates mining labours which, in 1970, and

has approximately 30 000 foreign workers (Schauwinhold, 2015). There was a change in policy on migration in the middle of the 1970s due to the high rate of unemployment. This policy allowed only black workers to be hired for mining purposes instead of foreigners. By 1980, the economic situation in the mining industry had subsided. A legally stimulated racial segregation, known as “apartheid”, took centre stage from 1947 to 1994 (Ismail, 2015).

The apartheid period influenced migration within and to South Africa. Part of the policies of the apartheid regime was the introduction of the Aliens Control Act of 1991, which regulated the inflow of immigrants into South Africa with the exception of selective immigration in times of high labour demands (Crush & McDonald, 2001). This was highly condemned internationally as a mass human rights violation. The act categorised both refugees and asylum seekers as “illegal aliens”. There was a forced resettlement policy of about 3.4 million people, 2.7 million of whom were black. The aim was to eradicate the so-called “black spots” owned and dominated by black people with the intention of claiming it for white people. The resettlement of black people resulted in them losing their civil rights, lands and residence, thus turning them into foreigners in South Africa. There was civil unrest in neighbouring countries starting in 1980 which made the reluctant government of South Africa open its borders to refugees but restrict them to the Homelands near the borders (Schauwinhold, 2015). At the end of colonial rule, starting in 1960, many people of European descent from other African countries were welcomed to settle in South Africa (Butler, 2017).

After the end of apartheid, South Africa experienced emigration at the initial stage, where people, mostly skilled workers, had to leave South Africa due to economic and political instability, characterising the entire era. At the end of the twentieth century, after the initial economic and political turbulence in South Africa, the number of immigrants to South Africa increased greatly. The immigrants were from the neighbouring African countries in search of greener pastures due to the relatively good economic conditions of South Africa. At this time, South Africa maintained a politically and economically dominant position in the SADC region. The immigration policy after the apartheid regime has been seen not to be comprehensive enough to allow unhindered development of the economy by immigrants to the benefit of South Africa (Schauwinhold, 2015). The anticipated White Paper released on 28 July 2017 by the South African government

provides a policy framework for a comprehensive review of South Africa's immigration system for the next two years (DHA, 2017).

In the SADC regions, the tremendous growth witnessed in the mining industry attracted regional migration from neighbouring states such as Mozambique, Lesotho, Malawi, Botswana and Eswatini. This necessitated the bilateral agreements established by the South African government relating to labour migration for mines, farms and other sectors of the economy. This system placed South Africa as the first-choice country of destination in the SADC region. Therefore, the increase in the labour force relative to South Africa's gold and diamond mines serves as the basis for the regional migration pattern that still exists today.

The movement of people and labour migration within SADC witnessed more progress due to climatic change. Water-related problems have been recognised as one of the major drivers of migration (Ionesco, Mokhnacheva & Gemenne, 2016). Vast areas of South Africa, Namibia and Botswana have been predicted not to be suitable for the production of cereal crops in the next six decades due to a climatic shift resulting in food scarcity and, by extension, regional migration. About 60% of Zimbabwean and Zambian populations and 80% of the Mozambique and Madagascar populations depend on agriculture for survival; other islands such as Mauritius, Seychelles and Comoros are known for their fishing activities. It then follows that any factors that compromise the living standard of these populations can push them to seek employment or better land in another place, thereby leading to workers' migration (Ionesco, Mokhnacheva & Gemenne, 2016). The temperature in the SADC region is twice higher as the global rate, which caused the prediction of drought in areas such as Botswana, Zambia, Namibia and northern Zimbabwe, though there is a dearth of information on whether the prevalent drought in these regions caused the displacement of the population (Lennard, 2019). According to a report, about 41.2 million people in 13 countries of the SADC region, which is 28% above the previous year, are prone to food insecurity. Food insecurity often leads to malnutrition among children, which is now prevalent in countries like the Democratic Republic of the Congo, Madagascar and Angola (Ramirez-Villegas et al., 2021).

Migration in SADC regions has been interrelated to water and food scarcity, land tenure security, and gender dynamics, among others. As a result of the change in the environmental conditions, vulnerable people, especially women, may have no choice but to migrate as a diversifying strategy. Due to food and water scarcity,

thousands of people in the SADC region have been displaced (Schreiner & Baleta, 2015).

Since the advent of democracy in South Africa birthed by the end of apartheid in 1994, there has been an influx of immigrants over the succeeding years. For instance, an estimated figure of 853 000 people has been reported by the government's statistical agency, Statistics South Africa (StatsSA), to have immigrated between 2016–2021. This figure was slightly lower than the number of immigrants between 2011 and 2016: net immigration of 916 300. Of the number of immigrants between 2016 and 2021, Africa, with 894 400, has the highest number of net immigrants, with Asia gulping up 49 900. Most immigrants settled in the Gauteng province (Moyo, 2021).

According to the 2011 census in South Africa, about three-quarters of the immigrants are from other African countries, of which 68% originate from the SADC region, with Zimbabwe as the largest origin country, followed by Mozambique, as shown in Table 9.1.

Table 9.1: Immigrants in South Africa, 2020

Country of Origin	Number	% of Total
TOTAL	2 860 500	100%
Zimbabwe*	690 200	24%
Mozambique*	350 500	12%
Lesotho*	192 000	7%
Malawi*	94 100	3%
United Kingdom	67 400	2%
Democratic Republic of the Congo*	63 900	2%
Somalia	58 500	2%
Botswana*	50 500	2%
Angola*	47 900	2%
Eswatini*	45 400	2%

Source: Moyo (2021).

Note: * represents member countries of the SADC.

There has also been well-documented data on the emigration of South African citizens: most of these migrants are white people who

migrated to countries like Europe, Australia and the United States, as shown in Table 9.2.

Table 9.2: Emigrants from South Africa, 2020

Country of Destination	Number of emigrants
United Kingdom	247 300
Australia	199 700
United States	117 300
New Zealand	73 800
Canada	48 100
Germany	20 400
Mozambique	20 200
Zimbabwe	19 700
Netherlands	17 500
Eswatini	12 700

Source: Moyo (2021).

Historically, from the available data, migration into South Africa had a steady increase in the number of migrants from 1960 to 1990. From 1995, there was a gradual decline in the number of immigrants until 2010, when there was a sharp rise in the migrant population, as shown in Table 9.3. By 2015 the migration statistics were 3 142 511, which was a 61.73% increase from 2010 (1 943 099.00) (Table 9.3).

Table 9.3: Immigration statistics for South Africa

Year	Migrant Population	% Of total population
2015	3 142 511	5.77
2010	1 943 099	3.76
2005	1 210 936	2.50
2000	1 001 825	2.23
1995	1 003 807	2.42
1990	1 163 883	3.16
1985	1 808 198	3.16

Developmental migration

Year	Migrant Population	% Of total population
1980	983 303	3.16
1975	962 371	3.16
1970	961 496	3.16
1965	945 162	3.16
1960	927 656	3.16

Source: MT (2022).

Trends and pattern of migration status and data during the era of COVID-19

Trends and patterns of migration

The advent of the COVID-19 pandemic brought about a drastic reduction in migration across the globe and, by extension South Africa. This was due to the global lockdown that occurred as soon as WHO declared COVID-19 a pandemic in March 2020. Mukumbang, Ambe and Adebiyi (2020) posited that about two million foreign-born migrants of working age (15–64) were residing in South Africa in 2017. Due to many challenges, such as xenophobic attacks, many asylum seekers, refugees, and undocumented migrants in South Africa had to contend with abject poverty and rejection. The outbreak of COVID-19 and containment measures (such as total lockdown) put in place by the South African government have worsened the problems confronting asylum seekers and refugees within South Africa. These measures also affected international migrants, mostly from SADC regions (Mukumbang, Ambe & Adebiyi, 2020). While most available jobs became contractual in some sectors, they declined drastically in others. Sectors such as healthcare providers had a spike in labour demand (ILO, 2020). There was a bit of difficulty in monitoring the economic impact of COVID-19 on migrant workers because most of the jobs were either temporary, informal, or unprotected. However, it has become important to establish the impact of COVID-19 on migrant workers to minimise their vulnerabilities and protect their rights (ILO, 2020). This is because migrants and refugees are more prone to infection and death due to their crowded living environment, limited access to healthcare and financial constraint (Mushomi et al., 2022). Regional mobility and migration across SADC regions were curtailed. Some of the measures put in place include the invalidation of visas from

countries with high COVID-19 prevalence, as well as the retraction of entry exemptions previously granted to some regions. Simultaneously, visa extensions were granted to migrants already in the country before the outbreak of the COVID-19 pandemic (McAuliffe & Khadria, 2020). About 24% of the 329 points of entry in the Southern Africa region were fully closed, 68% were either partially or fully operational, and about 8% were uncertain (McAuliffe & Khadria, 2020).

Between December 2020 and January 2021, when the Zimbabwean government announced a total lockdown to curtail the spread of COVID-19, many migrants had to find their way back to South Africa, where the situation was a bit better. On the other hand, home affairs officials of South Africa had stepped-up COVID-19 testing, which increased congestion at the border but did not deter migrants desperate to enter South Africa. Some migrants, who could not bear the stress and financial implication associated with COVID-19 testing, chose to cross illegally into South Africa through the Limpopo River, necessitating the arrest of about 500 illegal immigrants per day in January 2021, as announced by the Minister of Home Affairs, Dr Aaron Motsoaledi. The outbreak of COVID-19 and the government's policies, such as some amendments to the Border Management Act and Refugees Act, aimed at mitigating the spread of COVID-19, discouraged most of the African migrants as the law was perceived to have anti-immigration traits (Mukumbang, Ambe & Adebisi, 2020). Part of the new amendments prohibited refugees and asylum seekers from "engaging in political activities" even if it related to their home countries. Although some of these amendments had been undergoing parliamentary processes before the COVID-19 pandemic, the advent of COVID-19 made the acceleration justifiable as a way of preventing the further spread of the virus and, at the same time, limiting the movement of migrants. It is now a fact that the anti-immigrant sentiments within South Africa have threatened regional integration, which is a product of migration (Mukumbang, Ambe & Adebisi, 2020).

Migration data during COVID-19 era in South Africa

Migration data during the COVID-19 pandemic should guide how migrants are potentially affected by the impact of COVID-19. Migrants with irregular jobs were most affected during the pandemic. Migrants, especially those in the critical sector, played a critical role in mitigating the spread of the pandemic. Twenty countries with the highest number of COVID-19 cases accounted for 32% of the total international migrant stock as of March 2022. Migration data related

to the COVID-19 pandemic is still evolving in South Africa, so there is not a dearth of information right now, but figures and other data are expected to be updated on a regular basis to keep the populace informed. According to a StatsSA (2020) survey conducted during the pandemic, 6% of respondents moved from one province to the other during the pandemic, with the majority moving between the announcement of the lockdown and the start of the lockdown. Proximity to family and friends was majorly responsible for this movement. During the lockdown, about 12% of respondents travelled across provincial boundaries to attend funerals, 15% for essential services, 13% for non-essential services and 15% to visit family and friends. About 90% of respondents were non-migrants born in South Africa, while 9% were born outside South Africa. Out of the foreign-born migrants, one-third were born in countries that are part of the SADC region. It was interesting to note that 82% of migrant respondents preferred to stay back in South Africa following the announcement of lockdown because they see South Africa as their home, 11% felt that the COVID-19 pandemic was global and that they would still be at risk regardless of whether they moved, and 5% of migrant respondents indicated they were concerned that they would be unable to re-enter South Africa if they left the country. StatsSA posited that the aim of the survey was to provide information that could be used by the government and other service providers to better understand the impact of the pandemic on migration and education and to devise interventions to assist the population (StatsSA, 2020).

Effect of COVID-19 pandemic on migration process in South Africa

The effect of the COVID-19 pandemic on immigrants was devastating as it affected:

Labour movement

During the COVID-19 pandemic, there was a global lockdown inclusive of South Africa. This act, even though painful, was the best and most responsible precautionary measure that should be taken by any responsible government to minimise the transmission of infection. As a result of the restriction of movement, labour movements were also halted, thus preventing skilled and unskilled workers from contributing positively to the South African economy. This was partly

due to temporary travel restrictions and border closure against any form of movement of goods and services.

Tourism

South Africa is a tourist attraction (Giddy, Fitchett & Hoogendoorn, 2017). The majority of tourists who planned to enjoy their visit to South Africa for the purpose of tourism could not actualise their plans because of the outbreak of the COVID-19 pandemic, which necessitated the South African government to declare a total lockdown to minimise the spread of the virus. This affected the revenue generation of South Africa and, by extension, had a toll on the already ailing economy.

Schooling

The majority of students could not accomplish their dreams of being educated and furthering their education during the pandemic. So many admitted people could not immigrate to South Africa to conclude their registration due to the restriction in the issuance of visas that are needed to move across countries. Many who had also completed their education could not emigrate and had to wait until the restriction of movements was eased. It must be noted that South Africa boasts top-rated universities in Africa and all over the world due to exceptional educational platforms, staff and facilities. Thus, attracting lots of potential students from all over the world.

Asylum seekers

Many asylum seekers were caught unawares by the COVID-19 pandemic movement restrictions that occurred in most parts of the world, including South Africa (Hayward et al., 2021). This development had a serious adverse clinical and socio-economic effect on asylum seekers (Kondilis et al., 2021) as they had to remain where they were, irrespective of the challenges or brutality in their home country. This hardship continued until the movement restrictions were eased to allow for trans-border movement.

Recommendations on migration process in South Africa

Migration, which involves the movement of goods and services, is a global phenomenon and occurs in virtually every country, especially from underdeveloped or developing countries to developed countries. The degree of migration in South Africa has changed after the apartheid

era. More migrants within than outside the country are searching for good jobs and better lives, and more migrants from neighbouring African countries are coming to South Africa (Maunganidze, 2021). As new events and activities surrounding migration begin to unravel, there is a need for measures to be put in place.

According to Maluleke (2019), the gross domestic product (GDP) growth of South Africa has gradually reduced over the years; it slowed down in 2017 from 1.3% to 0.7% in 2018. The rate of unemployment also increased to about 29% in 2019, much higher than in 2018. There have also been several forms of xenophobic attacks in one part of the country.

The following recommendations are expected to enhance the encumbrance surrounding immigration:

- There should be a review of obsolete policies and labour-related schemes that have to do with entry requirements into South Africa to mitigate irregular migration.
- There should be a collaboration with other countries on how to reduce trans-border criminality and illegal immigration.
- There should be deterrence of new arrivals or moderation in asylum capacities.
- South Africa can start the discussion with other countries that are disposed to migration on structured migration programmes or pacts that can checkmate incessant migration.
- The Department of Home Affairs should be structured in such a way that there should be either redeployment or recruitment of staff to meet the ever-increasing number of migrants
- Ensure all migrants are well documented to make it easier for concerned officers to manage the data.

Conclusion

The trend and pattern of migration in SADC regions during the COVID-19 pandemic showed that countries from the SADC areas were seriously affected as many labour migrants from these regions were stranded. Many of these migrants, displaced due to poverty or conflict, did not have free access to healthcare services following the announcement of total lockdown and closure of ports of entry. It will be in the interest of South Africa to revisit and review some of the migration policies to meet the current realities and also design better strategies to enhance data generation on immigrants within the SADC region during future pandemics such as COVID-19.

References

- Borjas, G.J. 1995. The economic benefits from immigration. *Journal of Economic Perspectives*, 9(2):3–22. <https://doi.org/10.1257/jep.9.2.3>
- Butler, A. 2017. *Contemporary South Africa*. London: Macmillan International Higher Education. <https://doi.org/10.1057/978-1-137-37338-0>
- Clemens, M.A. & Pritchett, L. 2019. The new economic case for migration restrictions: an assessment. *Journal of Development Economics*, 138:153–164. <https://doi.org/10.1016/j.jdeveco.2018.12.003>
- Crush, J. & McDonald, D.A. 2001. Introduction to special issue: evaluating South African immigration policy after apartheid. *Africa Today*, 48(3):1–13. <https://doi.org/10.2979/AFT.2001.48.3.1>
- Department of Home Affairs (DHA). 2017. *White Paper on International Migration for South Africa*. Pretoria: DHA. <https://www.gov.za/documents/white-paper-inertnation-migration-south-africa-28-jul-2017-0000>
- Field, M., Stiefenhofer, J., Robey, J. & Kurszlaukis, S. 2008. Kimberlite-hosted diamond deposits of southern Africa: a review. *Ore Geology Reviews*, 34(1–2):33–75. <https://doi.org/10.1016/j.oregeorev.2007.11.002>
- Fitchett, J. & Hoogendoorn, G. 2018. An analysis of factors affecting tourists' accounts of weather in South Africa. *International Journal of Biometeorology*, 62(12):2161–2172. <https://doi.org/10.1007/s00484-018-1617-0>
- Flahaux, M.L. & De Haas, H. 2016. African migration: trends, patterns, drivers. *Comparative Migration Studies*, 4(1):1–25. <https://doi.org/10.1186/s40878-015-0015-6>
- Fubah, C.N. & Moos, M. 2022. Exploring COVID-19 challenges and coping mechanisms for SMEs in the South African entrepreneurial ecosystem. *Sustainability*, 14(4):1944. <https://doi.org/10.3390/su14041944>
- Giddy, J.K., Fitchett, J.M. & Hoogendoorn, G. 2017. Insight into American tourists' experiences with weather in South Africa. *Bulletin of Geography: Socio-Economic Series*, 38:57–71. <https://doi.org/10.1515/bog-2017-0034>

- Hayward, S.E., Deal, A., Cheng, C., Crawshaw, A., Orcutt, M., Vandrevalla, T.F., Norredam, M., Carballo, M., Ciftci, Y., Requena-Méndez, A. & Greenaway, C. 2021. Clinical outcomes and risk factors for COVID-19 among migrant populations in high-income countries: a systematic review. *Journal of Migration and Health*, 3:100041. <https://doi.org/10.1016/j.jmh.2021.100041>
- International Labour Organisation (ILO). 2020. *Protecting migrant workers during the COVID-19 pandemic: recommendations for policymakers and constituents*. ILO policy brief. Geneva: ILO.
- Ionesco, D., Mokhnacheva, D. & Gemenne, F. 2016. *The atlas of environmental migration*. London: Routledge. <https://doi.org/10.4324/9781315777313>
- Ismail, F. 2015. *An empirical analysis of apartheid South Africa's ideas and practices in the GATT: 1947 to 1994*. PhD thesis. Manchester, UK: University of Manchester.
- Kondilis, E., Papamichail, D., McCann, S., Carruthers, E., Veizis, A., Orcutt, M. & Hargreaves, S. 2021. The impact of the COVID-19 pandemic on refugees and asylum seekers in Greece: a retrospective analysis of national surveillance data from 2020. *Clinical Medicine*, 37:100958. <https://doi.org/10.1016/j.eclinm.2021.100958>
- Lee, A. 2020. Wuhan novel coronavirus (COVID-19): Why global control is challenging? *Public Health*, 179(2):A1-A2. <https://doi.org/10.1016/j.puhe.2020.02.001>
- Lennard, J. (ed). 2019. *Global Overview 2015: People internally displaced by conflict and violence*. Geneva, Switzerland: Internal Displacement Monitoring Centre. <https://www.internal-displacement.org/publications/global-overview-2015-people-internally-displaced-by-conflict-and-violence> [Accessed 19 April 2022].
- Macrotrends (MT). South Africa Immigration Statistics 1960–2022. <https://www.macrotrends.net/countries/ZAF/south-africa/immigration-statistics> [Accessed 19 April 2022].
- Maluleke, R. 2019. *Quarterly Labour Force Survey*. Pretoria: Statistics South Africa.
- Mason, J.E. 2003. *Social death and resurrection: slavery and emancipation in South Africa*. Charlottesville, Virginia: University of Virginia Press.
- Maunganidze, O.A. 2021. *Migration policy in South Africa: lessons from Africa's migration magnet for European policymakers*. DGAP Report, 17. Berlin: Research Institute of the German Society for Foreign Policy.

- McAuliffe, M. & Khadria, B. (eds). 2020. *World Migration Report 2020*. Geneva, Switzerland: International Organisation for Migration. 61–63. <https://doi.org/10.1002/wom3.11>
- Mishra, P. 2014. Emigration and wages in source countries: a survey of the empirical literature. In: E.B. Lucas (ed). *International Handbook on migration and economic development*. Cheltenham, UK: Edward Elgar Publishing. 241–266. <https://doi.org/10.4337/9781782548072.00013>
- Moyo, K. 2021. South Africa reckons with its status as a top immigration destination, apartheid history, and economic challenges. *Migration Information Source*, November 18. Washington: Migration Policy Institute. <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history#:~:text=The%20government's%20statistical%20agency%2C%20Statistics,in%20the%202001%2D06%20period> [Accessed 19 April 2022].
- Mukumbang, F.C., Ambe, A.N. & Adebisi, B.O. 2020. Unspoken inequality: how COVID-19 has exacerbated existing vulnerabilities of asylum-seekers, refugees, and undocumented migrants in South Africa. *International Journal for Equity in Health*, 19(1):1–7. <https://doi.org/10.1186/s12939-020-01259-4>
- Mushomi, J.A., Palattiyil, G., Bukuluki, P., Sidhva, D., Myburgh, N.D., Nair, H., Mulekya-Bwambale, F., Tamuzi, J.L. & Nyasulu, P.S. 2022. Impact of coronavirus disease (COVID-19) crisis on migrants on the move in southern Africa: implications for policy and practice. *Health Systems & Reform*, 8(1):e2019571. <https://doi.org/10.1080/23288604.2021.2019571>
- Navsaria, P.H., Nicol, A.J., Parry, C.D.H., Matzopoulos, R., Maqungo, S. & Gaudin, R. 2021. The effect of lockdown on intentional and non-intentional injury during the COVID-19 pandemic in Cape Town, South Africa: a preliminary report. *South African Medical Journal*, 111(2):110–113. <https://doi.org/10.7196/SAMJ.2021.v111i2.15318>
- Ncube, A., Bahta, Y.T. & Jordaan, A. 2019. Coping and adaptation mechanisms employed by sub-Saharan African migrant women in South Africa. *Jàmà: Journal of Disaster Risk Studies*, 11(1):1–13. <https://doi.org/10.4102/jamba.v11i1.645>
- Pritchett, L. & Hani, F. 2020. The economics of international wage differentials and migration. In: J.H. Hamilton, A. Dixit, S. Edwards & K. Judd (eds). *Oxford Research Encyclopedia of Economics and Finance*. Oxford: Oxford University Press. <https://doi.org/10.1093/acrefore/9780190625979.013.353>

- Ramirez-Villegas, J., Ghosh, A., Craparo, S., Thornton, P., Manvatkar, R., Bogart, B. & Läderach, P. 2021. *Climate change and its impacts in Southern Africa: a synthesis of existing evidence in support of the World Food Programme's 2021 Climate Change Position Paper*. Climate Change, Agriculture and Food Security (CCAFS) Working paper, 358. Wageningen, The Netherlands: Consultative Group for International Agricultural Research Program on CCAFS.
- Schauwinhold, B. 2015. Historische Entwicklung der Migration [Historical development of migration]. *Bundeszentrale für politische Bildung [Federal Agency for Civic Education]*, February 12. <https://www.bpb.de/themen/migration-integration/laenderprofile/200126/historische-entwicklung-der-migration/> [Accessed 2 April 2022].
- Schreiner, B. & Baleta, H. 2015. Broadening the lens: a regional perspective on water, food and energy integration in SADC. *Aquatic Procedia*, 5:90–103. <https://doi.org/10.1016/j.aqpro.2015.10.011>
- Statistics South Africa (StatsSA). 2020. Mobility and migration in SA during the COVID-19 lockdown; 2020. Pretoria: StatsSA. <https://www.statssa.gov.za/?p=13483> [Accessed 2 April 2022].
- Thielemann, E. & Schade, D. 2016. Buying into myths: free movement of people and immigration. *Political Quarterly*, 87(2):139–147. <https://doi.org/10.1111/1467-923X.12246>
- World Health Organisation (WHO). 2020. *Preparedness, prevention and control of coronavirus disease (COVID-19) for refugees and migrants in non-camp settings: Interim guidance*. Geneva: WHO. [https://www.who.int/publications-detail-redirect/preparedness-prevention-and-control-of-coronavirus-disease-\(covid-19\)-for-refugees-and-migrants-in-non-camp-settings](https://www.who.int/publications-detail-redirect/preparedness-prevention-and-control-of-coronavirus-disease-(covid-19)-for-refugees-and-migrants-in-non-camp-settings)
- World Health Organisation (WHO). 2021. *Refugees and migrants in times of COVID-19: mapping trends of public health and migration policies and practices*. Geneva: WHO. <https://www.who.int/publications/i/item/9789240028906>
- Williams, W. 2020. COVID-19 and Africa's displacement crisis. *Africa Centre for Strategic Studies*, March 25. <https://africacenter.org/spotlight/covid-19-and-africas-displacement-crisis/> [Accessed 15 June 2022].

Chapter 10:

Migrant entrepreneurship: opportunities and challenges faced by migrants in the informal trade, and the politics of policing xenophobia

Lily Hlophe and Tawanda Matema

Abstract

Migrant entrepreneurship is central to the organisation and operations of the informal sector in South Africa. The complexity of informal activities and diversity of skills points to the large reservoir of entrepreneurship potential within this sector. Focusing on the operations of migrants at the coalface of informal trade: this chapter will explore the challenges that characterise informal trade and the opportunities available to migrant entrepreneurs. The chapter presupposes that the 'grey' nature of informal trade, devoid of social security, social welfare and limited government regulation, is simultaneously the source of many challenges migrant entrepreneurs face and their innovative opportunities.

Migration status also contributes considerably to some of the challenges mentioned above and opportunities to boot. In reference to the politicisation of migration, the chapter will analyse the role of politics and how it contributes to and shapes the policing of xenophobia, given that anti-migrant sentiments are a source of social capital. Exploring these challenges and opportunities holds prospects for illuminating the shifting orientation of migration governance and management in the country post-apartheid, as well as the evolution of migration challenges. These insights are critical in expanding the academic, public and policy literature on migrant entrepreneurship to formulate inclusive migrant-friendly policies within the South African context. The chapter will be informed by an extensive review of migrant entrepreneurship literature in the informal sector and draw from the work of the Migration Project and the findings of this intervention in its implementation sites.

Keywords: migrant entrepreneurship, policing, xenophobia, informal sector

Introduction

This chapter elaborates on migrant entrepreneurship in the informal sector. The authors start by giving a case study of a migration project being implemented in Durban, KwaZulu Natal. The project closely works with African migrants and local host informal traders, aiming for better relations between the two groups. An overview is given of migrant entrepreneurship in South Africa, mainly in the informal sector, which has expanded in the country. However, there are limited, accurate statistics on its growth and participation levels due to the challenges of restricting the informal sector boundaries. Although African migrant-owned businesses have often been exposed to ill-treatment by locals, they have positively contributed to the country's social and economic sectors, especially at the community level.

This chapter addresses some of the challenges faced by African migrant entrepreneurs in the informal sector. Challenges faced by African migrant traders include, but are not limited to, institutional challenges, such as struggles in attaining trade permits from local municipalities. Other challenges are access to financial assistance from financial institutions, making it difficult for them to operate with potential growth. These are not the only types of discrimination that African migrant entrepreneurs in the informal sector experience. At the societal level, xenophobia is accompanied by crime and theft. African migrants often operate their businesses in unconducive and unprotected spaces, which sometimes negatively affects their trade and well-being.

Despite the South African constitution permitting non-nationals to enter the country and operate businesses, African migrant businesses in the informal sector have continued to be the target of xenophobic attacks. Conversely, there are opportunities for migrant traders in the country's informal sector. Those are also discussed at length. Although xenophobic outbreaks continue in South Africa, policing them has been problematic. The challenge is either under-policing or over-policing of African migrants. The former refers to purposely minimal policing (Torres & Reling, 2020) to the point of not doing due diligence in case investigations and prosecutions related to African migrants. While the latter means that the police are overly present, they treat African migrants aggressively to the point of harassing and

criminalising them under the guise of “doing their job”. Both forms of policing challenges are mainly felt by African migrant traders who are targeted because they are easy to access through their informal trade in the streets.

Migrant entrepreneurship: insight from the Migration Project

This section details the experiences and observations of the Migration Project with the title, *Strengthening CSOs intervention capacities for lessening xenophobic tendencies among African migrants, South Africans and duty-bearers in KZN*, implemented by the Democracy Development Program (DDP) and funded by the European Union. This three-year project is being implemented in the greater Durban area and aims to improve community interrelationships and conflict reduction in KwaZulu Natal (KZN) through socio-economic cooperation between African migrants and local host communities. The African migrant traders in the greater Durban area expressed the challenges reported above in this chapter, showing some universality of difficulties faced by African migrant traders.

In trying to strengthen the relationships between African migrants and South African local host communities, the Migration Project uses different methodologies such as community dialogues, policy dialogues, entrepreneurship workshops, and networking sessions. These sessions intend to invite both African migrants and their local hosts. The project has also conducted studies, first was a community survey to measure tensions between the two groups. Literature has illustrated that hostility between migrants and locals threatens peace and stability in South Africa (Mahlakoana, 2022). Second, the project conducted two exercises to map the economic activities of South African locals and African migrants operating in the informal traders.

The Migration Project found great distrust between locals and African migrants, although disproportionately burdening the latter. South African locals often express not trusting African migrants because of the anti-migrant sentiments in the country, where they are often labelled as criminals (Ndlovu, 2022). In contrast, African migrants say they do not trust locals because of sporadic xenophobic attacks. Due to such notions, when the Migration Project staff went into the communities seeking participants and beneficiaries for the project, it was more challenging to find commitment from the African migrants. Instances are indicated below:

- When the Migration Project team was recruiting participants for their research, they had a challenge getting African migrants because, to participate in the research, respondents had to sign informed consent forms to show that they willingly decided to be part of the studies. The African migrant potential respondents did not always easily decide to participate. Instead, the team had to convince them that their signatures would not be used against them. Additionally, the team emphasised the benefits of participating.
- The recruitment of beneficiaries, namely, African migrants and locals, for the entrepreneurship workshops needed traders to sign a Memorandum of Understanding, provide some form of identification and produce their bank account for their stipend to be paid. This process was a massive struggle for the Migration Project team, as most African migrants wished to participate but did not want to provide the team with identification.

Distrust by African migrants towards locals was mainly based on the discrimination they had either personally experienced or witnessed through friends and families. African migrants continuously express fear because they do not know when xenophobic attacks may start again, especially in Durban, one of the prominent cities prone to xenophobia (BBC News, 2019). Such incidents raise questions over the definition of “xenophobia”, which an ordinary dictionary explains as the dislike or prejudice against certain people because they are from other countries. The definition also extends that it is usually local host communities that fear migrants, hence the dislike and the ill-treatment directed at them. However, it appears that the African migrants were more scared of locals because of their experiences of looting and burning down their shops. Through the Migration Project’s community dialogues, the local host community members expressed that the main reason that they sometimes did not tolerate African migrants was that some of them had illegally entered South Africa. However, this approach is extra-judicial because a person’s documentation status cannot be ascertained just by looking at them. Locals generally believe that all African migrants are undocumented in South Africa, an erroneous perception that perpetuates xenophobic tendencies. This could also be because not much is said about African migrants who are documented. Instead, the media too often talks about undocumented migrants.

Integrating African migrants into communities is a general concern for locals in the greater Durban area but also a suggestion made by Erwin (2017). The locals often articulated that either there

were no transparent systems to integrate African migrants into their communities or such structures were once established but had never been used or stopped being functional. The local hosts expressed their confusion and were frustrated when they suddenly saw a container or 'spaza' shop owned by an African migrant, yet they knew nothing about them. Not learning much about African migrant informal traders has contributed to blaming migrants for social ills in communities. Some locals would even accuse African migrants of using their 'spazas' as illegal fronts for activities such as selling drugs. These were sentiments by locals that had not been proven yet widely accepted by locals. Misago, Freemantle and Landau (2015) suggest that such uninformed views can form strong stereotypes about non-nationals, leading people to victimise migrants.

Conversely, some of the Migration Project beneficiaries (locals) expressed that they were the protectors of African migrant-owned shops to the extent that when xenophobic attacks started, locals would stand in front of the African migrant-owned shops to block any other locals who may want to burn or loot migrant owned businesses. When asked why they protected shops owned by non-nationals, the locals indicated that African migrants were also their brothers and sisters and were part of their communities. Communities support and protect one another. Locals' morally and humanely rooted sentiments showed that not all South Africans are against African migrants and their economic activities. Although, the media often showcase and write stories about anti-migrant stories.

Another huge sentiment by local traders and community members is that supplies sold at African migrant-owned 'spazas' are too cheap, creating significant competition for locals creating intolerance and discontent towards African migrants. Local traders also complain that African migrants do not share where they buy their cheap stocks, so they can also buy stock there to make more profits and not lose customers. Many authors have written about the perceived competition between locals and African migrants in the informal trade sector, which causes animosity between the two groups. This is believed to be fuelling the intolerance of locals towards migrants. Although President Cyril Ramaphosa indicated that blaming African migrants for taking economic opportunities is populist sentiment, to the extent of calling action to fight populism as it contributes to xenophobic tendencies (Carciotto, 2020). There is a myth that African migrants dominate the informal sector. However, research by Gauteng City-Region Observatory found that the sector had an estimated 10%

African migrants in Johannesburg in 2017 (Peberdy, 2017). Notably, there may be an undocumented increase due to limited data on the informal sector.

Anti-migrant sentiments purposely dismiss the positive contributions made by migrants through informal trade. For instance, Postman (2020) reported that 70% of poor households buy their foods from informal traders because they are often closest to that section of the marketplace because their clients do not have to use transportation to get to them. Furthermore, informal traders usually start operating early and close late (Postman, 2020), which some customers find helpful.

Overview of migration entrepreneurship in South Africa

The International Labour Organisation (2021) states that, globally, out of every ten workers, more than six work in the informal sector, and four trade informally out of five businesses. Although it is difficult to measure this sector in South Africa, the International Monetary Fund (2017) estimated the value of this sector to be around 35% of South Africa's gross domestic product (GDP) in 2017. This contributes significantly to the country's yearly output from this sector. The informal sector mainly provides opportunities for marginalised populations. Thus, this business sector is crucial in a developing country like South Africa. Fourie (2018) suggests that the informal sector is crucial in poverty reduction because informal trade profits typically go to underprivileged families. This is more critical as the unemployment rate in the country continues to increase. As of 2021, unemployment had reached a record of 35.3%, with youth unemployment at 66.5% (StatsSA, 2021).

Over the past few years, South Africa's labour markets have attracted both external and local migration in search of better economic and social opportunities. Due to ongoing civil wars and unrest on the African continent, African migrants have often sought refuge in South Africa.

Ngota, Rajkaran, Balkaran and Mang'unyi (2017) define migrant entrepreneurship as the act of immigrating to a new country to launch a business venture. Upon arrival in South Africa, most African migrants resort to informal trade, which highly correlates with improving the country's economy (Ngota, Rajkaran, Balkaran & Mang'unyi, 2017). These migrant entrepreneurs start their businesses mainly because

of the inability to find employment in their countries of origin and their need for economic survival. African migrants are regarded as entrepreneurial (Ngota, Mang'unyi & Rajkaran, 2019). They also note that African migrants in South Africa transfer skills to locals, which stimulates and encourages locals also to start their own businesses. Such initiatives by African migrants are beneficial for the local host. Khosa and Kalitanyi's (2014) study estimates the South African college graduation rate to be at 15%, one of the lowest in the world. Noting the country's challenges regarding providing fundamental skills in different fields. Although it cannot be wholly quantified, it can be said that migrant entrepreneurship, specifically in the informal sector, has positively contributed to the country's economy. Many scholars, such as Crush, Skinner and Kansas (2015), note that African migrants' entrepreneurial activities have created employment for South African local host communities.

Often African migrant entrepreneurs identify a niche in the marketplace where the informal sector is lowly represented or non-existent, and the informal sector comprises local and international migrants who often compete with each other for the same markets (Skinner et al., 2018). This is one of the reasons for the xenophobic tendencies in South Africa. Skinner et al. (2018) also indicate that the number of migrants in the country is often exaggerated, while policymakers often lowball the important role they play in the country's economy. Yet it remains that African migrant entrepreneurs have restructured the nature of informality and informal entrepreneurship in South Africa. The effects of reshaping the informal sector are evident in often-expressed anti-migrant sentiments by some South African officials, politicians and citizens. If there had not been any change, there would not be so much noise and anger directed at African migrants and expressions that they need to return to their home countries instead of learning as much as possible from them. The informal sector appears to be causal without much contribution, being partially operated by African migrants and has caused reprehensible behaviour by locals.

The plight of African migrant entrepreneurship in precarity: an exploration of the challenges of migrant entrepreneurs in the informal sector

Migrant-owned businesses signify an advancement in the South African economy. They contribute to the country's economy by creating employment for both other migrants and South African citizens.

Migrant-owned businesses also contribute by paying taxes (Tengeh & Nkem, 2017). Despite the importance of migrant entrepreneurship, African migrant economic initiatives continue to face obstacles that encumber them from fully exploring potential growth that would further contribute to the country's economy. Most of the challenges facing African migrant entrepreneurs are rooted in discrimination stemming from language differences, skin colour differences from locals, different accents and other external factors beyond the African migrants' control, most of which are specific to the socio-economic and political context of South Africa.

Discrimination

In 2018, the Department of Justice and Constitutional Development (DoJCD) enacted the *Prevention and Combating of Hate Crimes and Hate Speech Bill*. This Bill addresses human rights violations concerning racism, racial discrimination, xenophobia and related intolerance, provides for the felony of hate crime and the offence of hate speech and the prosecution of those who commit such crimes (DoJCD, 2018). The Bill also provides for possible sentences that may be executed on those who commit hate crimes and hate speech offences and how hate crimes and hate speech may be prevented (DoJCD, 2018). Although this Bill exists, the violation of African migrants' rights in South Africa has not ceased.

South Africa often experiences outbreaks of xenophobic attacks against African migrants' businesses. The most affected provinces are KwaZulu-Natal, Gauteng and the Eastern Cape. When xenophobic attacks occur, African migrant-owned shops are often looted, burnt and totally destroyed (Erasmus, 2021; Goba, 2021). Additionally, African migrant entrepreneurs are often physically harmed (Majola, 2021), negatively impacting their psychological well-being. This form of discrimination means that, often, African migrant entrepreneurs have to start from scratch rebuilding their informal businesses, and unfortunately, some traders are not always able to restart and rebuild their businesses. The other impact is that South African locals employed by these informal businesses also lose their jobs. In other words, discrimination is costly to both locals and African migrants.

Discrimination and xenophobia towards African migrants lead to fear. African migrant entrepreneurs may fear starting again or continuing their economic activities due to fear of violence. Naturally, fearful living is unhealthy for the body, mind and soul. If one is mentally

preoccupied or disturbed, they are likely to be unproductive, which means that the African migrant entrepreneurs would either pause their operations or completely lose their economic activities, which would further contribute to poverty (for the entrepreneurs themselves and those they employed in their businesses).

Although crime in South Africa is considered high, it is worse for African migrants. According to the World Population Review (2022), South Africa has the third highest crime rates, with Venezuela and Papua New Guinea taking first and second place, respectively. As an expression per 100 000 people, Venezuela has the highest number of 83.76 people, followed by Papua New Guinea with 80.79 people and South Africa with 76.86 people. The South African Police Services (2022) fourth quarterly crime statistics showed a 22% increase in murder. Women and children have been facing the brunt of this, with murders of children increasing by 37.2% and women by 70.5%. Unfortunately, there is limited data on the crime directed at African migrants; therefore, it is difficult to quantify. However, it is widely known that African migrants are more susceptible to crime because, by virtue of being non-nationals, they are easy targets. However, in 2008 when xenophobic violence occurred in South Africa, over 60 African migrants were murdered, thousands were displaced, and over 550 migrant-owned shops were looted and burnt (SIHMA, 2022). This incident ushered in xenophobia attacks in South Africa, and there have since been more xenophobic incidences in the country. Not only do African migrants face violations during huge xenophobic attacks, but they also experience it in their daily lives, which is not always reported.

Challenges with trade permits

South Africa's informal sector is regulated by by-laws and municipal-specific policies. This means that informal traders require trade permits in order to operate their businesses. However, accessing trade permits is often difficult. Mapping research conducted by the DDP targeting African migrant traders in the greater Durban area revealed that over 65% did not have trade permits (Matema, 2021). The contributing reasons are the challenges related to acquiring trade permits. The by-laws are challenging because of rigid regulations and barriers to African migrant traders. Yet there is an assumption that all migrant traders know and understand the by-laws and the processes to obtain them.

Since some African migrant traders do not have trade permits, they are often harassed by the municipal police (Zogli, Dladla & Dlamini, 2021), which leads to the confiscation of their stock. Once their stock is confiscated, they do not get it back. This correlates with DDP's (Matema, 2021) research which found that about 67% of African migrant entrepreneurs felt unprotected by the law. As is, there is very limited non-existence prosecution of any person who unfairly treats or violates the rights of migrants. Mahadea and Zogli (2018) indicate that harassment by municipal staff hinders the growth of the informal sector, and the ripple effect is that they cannot transition into the formal sector.

Difficulty accessing financial assistance

Zogli, Dladla and Dlamini (2021) indicate that informal traders struggle to get funding for their businesses. There is very limited to non-existent financial capital to fund the economic activities of African migrants (Desiderio, 2014). Difficulty accessing financial assistance may be the most significant hindrance to the growth and success of migrant entrepreneurship in South Africa. To access a loan facility from a financial institution in South Africa, one needs to have proper documentation, which some African migrants often do not have due to delays within the Department of Home Affairs (DHA). Notably, some African migrants have adequate documentation yet still face challenges. The financial institution requirements are worse for the informal sector because most of the informal traders' businesses are not registered with the Company and Intellectual Property Commission. Since African migrants struggle for a long time to meet the financial institution prerequisites, they are often left in an indeterminate state, which stagnates their business and all their potential; therefore, they are unable to grow their businesses.

A lack of credit history to assess financial risk is another challenge African migrant traders have in accessing financial assistance. Due to already mentioned discrimination and prerequisites, there is a general reluctance from formal financial institutions to grant credit to non-nationals. The traders often improvise by accessing finance from informal financial institutions. The term "informal financial institutions" refers to organisations which provide financial services not categorised under the formal financial sectors and not governed by formal financial regulations (Beeior, Ajegi & Tyoakosa, 2016). Since informal financial institutions are unregulated by law, they usually have undocumented rules. An example of an informal financial service

includes a money lender (Shuaib, 2018), sometimes referred to as a 'loan shark'.

Informal financial institutions usually have very high-interest rates, much higher than the normal and law-regulated formal financial institutions such as banks (Shuaib, 2018). However, due to the inability to access bank loans, African migrant informal traders approach such money lenders for credit, which is very risky, and the high-interest rates imply that the traders cannot save money. Instead, they spend their profits repaying the money lenders. Additionally, due to the high-interest rates from money lenders, and the daily operations of their trades, African migrants struggle with cash flow in their businesses. A negative cash flow may mean that the informal traders seek more loans to remain operational and possibly to pay already existing loans. If the situation does not change, it could mean no profits are made, and traders may find themselves too indebted. Finally, they may have to liquidate their businesses rather than accumulate more debt. Local entrepreneurs may have the option of borrowing money from friends and family. However, African migrants usually have tiny circles of friends who can lend them money.

Stock related challenges

For a business to survive and grow, it needs to have sufficient stock. Money is needed to buy enough stock, and the place it is kept must be conducive and safe enough to protect it from damage. Zogli, Dladla and Dlamini (2021) suggest that informal traders have the challenge of having insufficient stocks. The other challenge has damaged stock that cannot be sold, meaning it would operate at a loss. Working in the streets can be problematic as equipment such as fridges cannot be kept; therefore, selling such things as fresh produce can have challenges, especially if unsold. Furthermore, some African migrants sell supplies such as clothes which are often put on the floor (the streets) and often get dirty or damaged, which also decreases the chances of the items being sold. Conversely, customers willing to buy damaged or dirty items may ask for discounts, which minimises projected profits.

Lack of social benefits

Social benefits are transfers (usually made in cash) received by persons or families to enlighten the financial burden that may result from sickness, disability, or loss of employment. In South Africa, social benefits include old age pensions, child support grants, social

relief of distress, grants in aid, disability grant, and care dependency grants (South African Government, 2022). The grants are usually received by those not in a position to provide for themselves and not formally employed. Often local informal traders qualify and access different grants.

Although accessing social benefits may be challenging for South African local informal traders, it is worse for African migrant traders. By being nationals, local traders have better hope of accessing such benefits in the future. However, there is little hope for African migrant traders informally operating in South Africa because they are not protected by labour legislation. Even the recently released *Draft National Labour Migration Policy* in February 2022 (Nxesi, 2022) does not adequately address the informal trade sector for African migrants. African migrants trading in the informal sector lack access to protection such as maternity, insurance and disability benefits.

Furthermore, the lack of social benefits for African migrant traders is worse because the chances of them finding employment (which offers some benefits) in the future are less. Preference may be given to locals. Some African migrants may not have proper documentation due to having entered the country illegally and struggling to get it once they are inside. Additionally, some African migrants experience difficulties renewing their expired visas – the DHA process takes too long. Ultimately, without social benefits, poverty may never end.

Space and environmental challenges

Nkrumah–Abebrese and Schachtebeck (2017) indicate that informal traders lack basic infrastructure. To the extent that some of them do not have space to operate for the day and have to use whatever space they can find. The DDP (Matema, 2021) found that some African migrant traders must wake up very early to find space to operate for the day. Due to a lack of fixed spaces to operate, some traders move around. Therefore, on one day or different days, they sometimes operate in different parts of the town at different times (Skinner et al., 2018). The movement to different parts of the city may make the traders lose their regular clients or fail to gain regular clients since customers who may have bought from the traders may not know where to find them should they want to buy again.

Zogli, Dladla and Dlamini (2021) also indicate that basic access to water and sanitation is lacking in the streets, where informal traders are mainly based. Lacking such basics is detrimental to one's health,

as hygiene is compromised. Gamieldeen and Van Niekerk (2017) found that many informal traders were vulnerable to ill health due to their working conditions. Most traders operate in open areas without shelter. Therefore, they are often exposed to unpleasant weather conditions, either extreme heat, cold or rain. Such conditions expose them to illnesses and infections. The impact of being exposed to harsh environments is that they could often be sick and have to take time off their economic activities, which impacts profits and trade growth. If the traders continue to be sick, they may also be forced to discontinue their informal trade activities, which may mean that some of their employees also lose their income. Additionally, rainy weather may force informal traders may stop trading and lose money.

Entrepreneurial opportunities for migrants operating in South Africa's informal trade

The complexity of informal activities in South Africa and the diversity of skills operating therein point to the large reservoir of entrepreneurship potential within this sector. Skinner et al. (2018) draw on the reports from Statistics South Africa (StatsSA, 2021) that showed that there were about 4.5 million people in informal employment. Of this total, 400 thousand were formally employed but under precarity, 1.3 million were employed in domestic work and 2.8 million in informal trade. In addition, the above are rough estimations as there is a serious lack of data on migration stock. The picture illustrated by these statistics paints a grey picture of South Africa's informal sector. Therefore, it is presupposed that the 'grey' nature of informal trade, devoid of social security, social welfare and limited government regulation, is simultaneously the source of many of the challenges migrant entrepreneurs face and the innovative economic opportunities that incentivise their continued stay in the country regardless of said challenges.

Contextualising the informal sector of migrant entrepreneurship

The sphere of informal trade in South Africa is hostile to migrant entrepreneurs reflecting the broader narrative that casts migrants in a negative light (Peberdy, 2016). Migrants in South Africa have been exposed to extreme hostilities (Kalitanyil & Visser, 2010), which in some unfortunate cases, have resulted in violence, vandalism and brutal

deaths (Moyo, 2021). Migrants bear the brunt of xenophobia, poor conditions for local integration, absent social protection mechanisms and constant harassment from locals, criminal entities and local law enforcement (Theodore, Pretorius, Blaauw & Schenck, 2018).

Focusing on the operations of migrants at the coalface of informal trade and on those employed informally, migrant entrepreneurs enjoy very little access to government labour protection. They are exposed to substandard working conditions and experience extreme exploitation in the workplace (Nxesi, 2022). They earn low and insecure wages (Ferraro & Weideman, 2020) at the hands of industries willing to limit labour costs and maximise profits by violating immigration provisions (Theodore, Pretorius, Blaauw & Schenck, 2018). Despite the challenges mentioned above and hostilities, a few studies have noted that a significant number of migrants have been successful in employing themselves and even creating employment for local hosts. Additionally, they have been able to establish small to medium enterprises, as illustrated by their continued economic trade activities and operations in the informal sector (Rogerson, 1997; Kalitanyil & Visser, 2010; Tengeh, Ballard & Slabbert, 2011; Peberdy, 2016; Theodore, Pretorius, Blaauw & Schenck, 2018).

According to Theodore, Pretorius, Blaauw and Schenck (2018), a possible explanation for this is the plethora of potential opportunities and financial earnings that informal trade presents regarding the absence of these opportunities in their countries of origin. We conceptualise the economic opportunities that the informal sector presents to migrant entrepreneurs and even locals in the dimension of alternative sources of employment for income generation. We present the following as the key entrepreneurial opportunities, broadly construed, available to migrants in South Africa's informal trade.

Entrepreneurial opportunities for migrants

Alternative source of employment

A key significance of the informal sector and the most important economic opportunity it presents is that it is a crucial alternative source of employment for migrant entrepreneurs with various skills constellations (Barrett, Jones & McEvoy, 2001; Ligthelm, 2004; Kalitanyil & Visser, 2010; Blaauw, 2017; Skinner et al., 2018). Various economic activities constitute the informal sector, from wholesale and retail in spaza shop traders, transport operated by taxi drivers, street

traders and hawkers, taverns, fast food outlets, construction workers, domestic workers, waster recyclers, hairdressers and bush mechanics, amongst many others (Rogan & Skinner, 2017; CDE, 2020).

Migrants are a source of critical skills in various economic sectors. Some migrants have various skills, education, and experience; however, they always face the challenge of securing employment due to their documentation status (Kalitanyil & Visser, 2010). Other migrants do not have the necessary education, critical skills and documentation but are considerably hands-on and a great source of general cheap labour. Because of this and their inability to integrate into South African society, they turn to the informal sector to sustain their livelihoods in the face of economic adversity (Barrett, Jones & McEvoy, 2001; Kalitanyil & Visser, 2010).

Skills development and sharing

Skills development and sharing between migrants and local hosts are key entrepreneurial opportunities in the informal sector. The barriers to entry in the niche areas of the informal sector are shallow, given the little to no government regulation mechanisms (Skinner et al., 2018); therefore, entry into this sector is open to both African migrants and local South African host entrepreneurs. Although at the national policy level, the driving argument is to have employed migrants share and transfer their skills to local hosts (Nxesi, 2022). This interaction is more complementary at the community level, where informal activities usually occur. African migrant entrepreneurs and local South African entrepreneurs have skills and ideas to offer one another, and no one group has more skills than the other. For instance, through cooperation between migrants and local hosts in economic activities like rotating credit schemes which are aimed at raising and consolidating financial capital, both parties can share ideas about business activities they are engaged in and source out specific skills they require in their business ventures, by extension, the development and sharing of entrepreneurial skills as well as those above. Informal trade activities have the potential to foster social cohesion.

Following the example of rotating credit, the constant exchange of money creates a sense of trust and confidence in one another, which are important aspects of cohesion in society. Other entrepreneurial activities like hairdressing and operating spaza shops, which allow for constant interaction, have a similar effect.

Access to economic activities in the formal sector

The formal and informal sector intersection is often overlooked in discussions detailing the niche economic opportunities presented by the informal sector. As established above, the informal sector is an essential alternative employment source with many entrepreneurship activities (Blaauw, 2017; Skinner et al., 2018). There is some level of complementary utility between the formal and informal sectors. The latter complements the former by broadening employment opportunities in the case of urban employment opportunity shortages. Research on informal pickers and formal recycling conducted by Council for Scientific and Industrial Research (CSIR) in 2016 illustrated this complementary intersection (Godfrey, Strydom & Phukubye, 2016). In 2014, an estimated R 309.2-R 748.8 million in municipal landfill airspace was saved by informal waste pickers diverting waste to formal recycling (Godfrey, Strydom and Phukubye, 2016). There are strong linkages between the formal and informal sectors (Rogan & Skinner, 2017): the informal sector activities offer access to the formal sector because of the complementary linkages between the two sectors. These linkages open possibilities for formalisation.

Financing models for entrepreneurial start-ups

A recurring challenge with small-scale enterprises operating in the informal sector has always been financial capital injection. Migrants are always at a disadvantage when trying to access capital, given their undocumented status and the fact that formalised institutions are not willing to provide migrants with credit (Tengeh, Ballard & Slabbert, 2011; Crush, Chikana & Skinner, 2015; Theodore, Pretorius, Blaauw & Schenck, 2018). Despite this challenge, the informal sector creates several opportunities for migrant entrepreneurship financing, namely, personal savings from informal work, the contributions of social networks and loans from informal financial arrangements (usually dependent on social networks). According to Rogerson (1997), migrants from the Southern African Development Community (SADC) region usually have little to no capital and the little capital they might have, was usually earned from the previous precarious jobs they might have had in the past. The latter finance their businesses and sometimes depend on social networks.

Research on social and migration networks in migration trends is somewhat laudable; after all, the presence of migration and social networks in destination countries is critical in ascertaining the ideal

migration destination (Kok, Gelderblom, Oucho & Van Zyl, 2006; Maharaj & Moodley, 2009; Lin, 2014). South Africa remains the desirable migration destination for migrants coming from the SADC region and the rest of the African continent (Crea, Loughry, O'Halloran & Flannery, 2017; Nkomo, 2019). However, these networks not only indicate the ideal migration destination but also facilitate smooth integration in the destination society. Most importantly, they provide the much-needed financial capital for entrepreneurial start-ups and introduce new migrants to informal loan or credit arrangements.

The politics of policing xenophobia

Migration is a crucial policy concern in South Africa and is heavily politicised. Although the South African informal sector presents key opportunities for migrant entrepreneurship, migrants always face the challenge of xenophobia. Migrants are often easy scapegoats for South Africa's social ills and government failures in service provision as well high unemployment rate, and because of this, anti-migrant narratives have always influenced restrictive migration policies and drive xenophobia (Skinner et al., 2018). Factors such as poor service delivery and high levels of unemployment are some of the key factors fuelling xenophobia. Migrants have been accused of tax evasion, monopoly of markets in the informal sector, illegal trading and trading in expired goods to discourage competition and to dominate informal trade, crime and violence (Carciotto, 2020). Regardless, research has shown that sometimes political actors perpetuate the negative narrative of migrants and use it as a source of political currency to gain political support (Moyo, 2021). The mobilisation of communities based on portraying immigrants as the cause of high unemployment and social ills perpetuates xenophobia; therefore, there is a need for xenophobia to be policed.

Policing migration as opposed to xenophobia

South Africa has made considerable efforts in policing migration and undocumented migrants, from tightening border controls (Klaaren & Ramji, 2001) to repatriating undocumented migrants with an emphasis on black African migrants. However, very little attention has been given to policing xenophobia. According to Peberdy (2017), South Africa shares a 220-kilometre border with Zimbabwe and Mozambique that is protected by a lethal electric fence. Border patrol was primarily

shifted from the soldiers to police in 2008, international airports were reduced from 36 to only 10, land border posts were reduced from 52 to 19 from 1994 to 1997, and there are regular police operations to identify undocumented migrants. Furthermore, the current *Draft National Labour Migration Policy* (Nxesi, 2022) seeks to introduce quota systems and restrict the activities of migrants in certain sectors to limit the number of migrants employed in the country.

While the above illustrates the regulation of migration and undocumented migrants, the policing of 'xenophobia' is often overlooked as an area of improving migration management and governance in South Africa. The spectrum of regulating xenophobia ought to begin with changing the anti-migrant narrative. Xenophobia occurs at various levels that permeate the totality of South Africa (Tella, 2016).¹ That is, xenophobia occurs at the individual intra-level of negative attitudes and hateful sentiments. Xenophobia also occurs at the inter-level, where it manifests as acts of intolerance, inflicting material damage and bodily harm that unfortunately results in violent death. Xenophobia also occurs at the larger societal policy level, whereby it is sustained by the lack of acknowledgement of xenophobic activities, inaction as a response to past xenophobic occurrences and populist rhetoric of political actors. Exploring these challenges and opportunities holds prospects for illuminating the shifting orientation of migration governance and management in the country post-apartheid on the one hand and the evolution of migration challenges on the other.

Conclusion

The chapter explores the phenomenon of migrant entrepreneurship to illustrate the challenges and opportunities they face within South Africa's informal trade and sketch the politics of xenophobia. This analysis of migrant entrepreneurship suggests that the informal sector presents challenges and opportunities for migrant entrepreneurs. The restrictive nature of national migration policy, coupled with the negative narrative of migrants and their undocumented status, makes it extremely challenging for migrants in general but more specifically, undocumented migrants, to find formal employment and, by extension, face economic adversity and loss of livelihoods.

1 A fuller examination of the levels of analysis of xenophobia from the work of Tella (2016).

However, the informal sector presents these migrants with an economic opportunity to engage in entrepreneurial activities and generate some income on the one hand. On the other, it offers migrants precarious informal employment. Although entrepreneurial activities are an alternative source of employment and income generation, South Africa's informal sector is still hostile to migrant entrepreneurship as they face challenges such as discrimination, lack of access to financial capital, enjoying limited social protection and the constant threat of xenophobia which in some unfortunate cases results in the loss of life.

Despite the preceding, migrant entrepreneurship is on the rise and migrant entrepreneurs continue to operate in such an environment. This is because the informal sector creates strategic opportunities for migrant entrepreneurs. Since there is little to no government regulation in the informal sector, migrant entrepreneurs enjoy a relative level of protection from punitive and restrictive migration policies, providing them with reasonable stability to establish entrepreneurial activities. Coupling this strategic opportunity is the fact that the informal sector provides them with alternative sources of capital financing and credit injections to establish their small businesses. This analysis suggests that there are linkages between formal and informal sector activities. Most raw materials are sourced from informal economic activities and feed into formal institutions' operations, as illustrated by the CSIR research on recycling (Godfrey, Strydom & Phukubye, 2016). The scope of these linkages is an area that requires further research and attention.

The one challenge that migrants, in general, face daily is xenophobia. As indicated above, the authors argue that while the South African government has made strides to police migration and undocumented migrants, very little attention has been paid to policing xenophobia. This is very much an area of research that needs further exploration. This research can shed light on the persistence of xenophobia in the country and help inform the development of migration policies that protect migrants from the constant threat of xenophobic violence. This chapter maintains that the 'grey' nature of informal trade, devoid of social security, social welfare and limited government regulation, is simultaneously the source of many challenges migrant entrepreneurs face and their innovative opportunities.

References

- Barrett, G.A., Jones, T.P. & McEvoy, D. 2001. Social-economic and policy dimension of mixed embeddedness of ethnic monitoring business in Britain. *Journal of Ethnic and Migrant Studies*, 27(2):241-258. <https://doi.org/10.1080/13691830125088>
- Beeior, C.T., Ajegi, S.O. & Tyoakosa, J.A. 2016. Informal Financial Institutions (IFIs) and poverty reduction in Konshisha Local Government Area of Benue State, Nigeria. *Asian Journal of Social Science*, 3:82-90. <https://doi.org/10.20448/journal.500/2016.3.1/500.1.82.90>
- Bernstein, A. (ed). 2020. *South Africa's informal sector in the time of COVID-19*. Johannesburg: Centre for Development and Enterprise. <https://www.cde.org.za/south-africas-informal-sector-in-the-time-of-covid-19/> [Accessed 12 February 2022].
- Blaauw, P.F. 2017. Informal employment in South Africa: still missing pieces in the vulnerability puzzle. *Southern African Business Review*, 21:339-361.
- Carciotto, S. 2020. *In the cross-hairs: foreigners in SA's informal sector*. Pretoria: Institute for Security Studies. <https://issafrica.org/iss-today/in-the-cross-hairs-foreigners-in-sas-informal-sector> [Accessed 12 February 2022].
- Cele, B. 2022. *Minister Bheki Cele: Quarter Four Crime Statistics 2021/22*. South African Government: Speeches, June 3. <https://www.gov.za/speeches/minister-bheki-cele-release-quarter-four-crime-statistics-202122-3-jun-2022-0000> [Accessed 22 February 2022].
- Crea, T.M., Loughry, M., O'Halloran, C. & Flannery, G.F. 2017. Environmental risk – urban refugees: struggles to build livelihoods in South Africa. *International Social Work*, 60(3):667-682. <https://doi.org/10.1177/0020872816631599>
- Crush, J., Chikana, A. & Skinner, C. 2015. *Mean streets, migration, xenophobia and informality in South Africa*. Cape Town: Southern African Migration Programme. https://www.researchgate.net/publication/316546328_Mean_streets_Migration_xenophobia_and_informality_in_South_Africa. <https://doi.org/10.2307/j.ctvh8r45r>

- Crush, J., Skinner, C. & Kansas, A. 2015. *Informal migrant entrepreneurship and inclusive growth in South Africa, Zimbabwe and Mozambique*. Migration Policy Series, 68. Cape Town: Southern African Migration Programme. <https://www.researchgate.net/publication/280444796> [Accessed 12 February 2022].
- Department of Justice and Constitutional Development (DoJCD). 2018. *Prevention and Combating of Hate Crimes and Hate Speech Bill, B9-2018*. Pretoria: DoJCD. <https://www.justice.gov.za/legislation/hcbill/hatecrimes.html> [Accessed 15 June 2022].
- Desiderio, M.V. 2014. Policies to support immigrant entrepreneurship. In: *Open for business: migrant entrepreneurship in OECD countries*. Paris, France: OECD.
- Erasmus, D. 2021. Durban xenophobia: foreign traders tormented by violence, vandals and fear. *Daily Maverick*, March 11. <https://www.dailymaverick.co.za/article/2021-03-11-durban-xenophobic-foreign-traders-tormented-by-violence-vandals-and-fear/> [Accessed 12 February 2022].
- Erwin, K. 2017. *Migration and the Inclusive City: migration and social inclusion*. Literature review. <http://durbanmigration.org.za/wp-content/uploads/2017/06/MigrationInclusiveCity.pdf> [Accessed 22 June 2022].
- Ferraro, F. & Weideman, M. 2020. *Labour-related experience of migrants and refugees in South Africa*. Cape Town: Scalabrini Institute for Human Mobility in Africa. <https://www.icmc.net/future-of-work/report/04-south-africa/> [Accessed 22 February 2022].
- Fourie, F.C. 2018. Creating jobs, reducing poverty I: Why the informal sector should be taken seriously and enabled properly. In: F.C. Fourie (ed). *The South African informal sector: creating jobs, reducing poverty*. Cape Town: HSRC Press. <http://www.econ3x3.org/article/creating-jobs-reducing-poverty-i-why-the-informal-sector-should-be-taken-seriously-and-enabled>.
- Gamielien, F. & Van Niekerk, L. 2017. Street vending in South Africa: an entrepreneurial occupation. *South African Journal of Occupational Therapy*, 47(1):24-29. <https://doi.org/10.17159/2310-3833/2017/vol47n1a5>
- Goba, T. 2021. Xenophobic attacks wreak havoc in Durban CBD. *News24*, March 8. <https://www.news24.com/amp/witness/news/durban/watch-xenophobic-attacks-wreak-havoc-in-durban-cbd-20210308> [Accessed 12 February 2022].

- Godfrey, L., Strydom, W. & Phukubye, R. 2016. *Integrating the informal sector into the South African waste and recycling economy in the context of extended producer responsibility*. Briefing Note, February. Council for Scientific and Industrial Research (CSIR) Policy Brief and Briefing Note Series. Pretoria: CSIR.
- International Labour Organisation (ILO). 2021. *Informal economy*. <https://www.ilo.org/global/topics/employment-promotion/informal-economy/lang-en/index.htm> [Accessed 22 February 2022].
- International Monetary Fund (IMF). 2017. *South Africa: 2017 Article IV Consultation-Press Release; Staff Report; and Statement by the Executive Director for South Africa*. Country Report, 2017/189. <https://www.imf.org/en/Publications/CR/Issues/2017/07/06/South-Africa-2017-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-the-45044>. <https://doi.org/10.5089/9781484307557.002>
- Kalitanyil, V. & Visser, K. 2010. African immigrants in South Africa: job takers or job creators? *South African Journal of Economic and Management Sciences*, 13(4):376–390. <https://doi.org/10.4102/sajems.v13i4.91>
- Khosa, R.M. & Kalitanyi, V. 2014. Challenges in operating micro-enterprises by African foreign entrepreneurs in Cape Town, South Africa. *Mediterranean Journal of Social Sciences* 2, 5(10):205–215. <https://doi.org/10.5901/mjss.2014.v5n10p205>
- Klaaren, J. & Ramji, J. 2001. Inside illegality: migration policing in South Africa after apartheid. *Africa Today*, 48(3):35–47. <https://doi.org/10.1353/at.2001.0054>
- Kok, P., Gelderblom, D., Oucho, J.O. & Van Zyl, J. 2006. *Migration in south and southern Africa: dynamics and determinants*. Pretoria: Human Sciences Research Council.
- Ligthelm, A.A. 2004. *Informal markets in Tshwane: entrepreneurial incubators or survivalist reservoirs? Report number 335*. Pretoria: Bureau of Market Research, University of South Africa.
- Lin, E. 2014. Big fish in a small pond: Chinese migrant shopkeeper in South Africa. *International Migration Review*, 48(1):181–215. <https://doi.org/10.1111/imre.12074>
- Mahadea, D. & Zogli, L.K.J. 2018. Constraints to growth in informal sector activities and formalisation: a case study of Ghanaian slums. *Southern African Journal of Entrepreneurship and Small Business Management*, 10(1):a130. <https://doi.org/10.4102/sajesbm.v10i1.130>

- Maharaj, B. & Moodley, V. 2009. New African immigration to the Durban region. *Canadian Journal of African Studies*, 134(1):1–13.
- Mahlakoana, T. 2022. ANC identifies migration as issue that threatens SA's peace and stability. *EWN*, June 10. <https://ewn.co.za/2022/06/10/anc-identifies-migration-as-issue-that-threatens-sa-s-peace-and-stability> [Accessed 31 July 2022].
- Majola, N. 2021. Durban xenophobic violence witness: it is a sin that South Africans can do this to their fellow Africans. *Daily Maverick*, March 9. <https://www.dailymaverick.co.za/article/2021-03-09-durban-violence-witness-it-is-a-sin-that-south-africans-can-do-this-to-their-fellow-africans/amp> [Accessed 22 February 2022].
- Matema, T. 2021. *In the eye of the storm: the state of African immigrants' businesses in Durban*. Pretoria: Frontline Group, Democracy Development Programme and Migration Project. <https://www.kas.de/en/web/suedafrika/single-title/-/content/in-the-eye-of-the-storm-the-state-of-african-immigrants-businesses-in-durban> [Accessed 12 February 2022].
- Misago, J.P., Freemantle, I. & Landau, L.B. 2015. *Protection from xenophobia: an evaluation of UNHCR's Regional Office for Southern Africa's xenophobia related programmes*. Johannesburg: African Centre for Migration and Society, University of the Witwatersrand.
- Moyo, K. 2021. South Africa reckons with its status as a top immigration destination, apartheid history, and economic challenge. *Migration Information Source*, 18 November 2021. Washington: Migration Policy Institute. <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history> [Accessed 12 February 2022].
- Ndlovu, Z. 2022. Poverty and policy drives xenophobia in South Africa. *Mail & Guardian*, March 20. <https://mg.co.za/top-six/2022-03-20-poverty-and-policy-drives-xenophobia-in-south-africa/> [Accessed 31 July 2022].
- Ngota, B.L., Mang'unyi, E. & Rajkaran, S. 2019. African immigrant entrepreneurship: a catalyst for skills transfer. *Academy of Entrepreneurship Journal*, 25(2):1–20. <https://www.researchgate.net/publication/333237666> [Accessed 22 February 2022].
- Ngota, B.L., Rajkaran, S., Balkaran, S. & Mang'unyi, E.E. 2017. Exploring the African immigrant entrepreneurship–job creation nexus: a South African case study. *International Review of Management and Marketing*, 7(3):143–49.

- Nkomo, T.S. 2019. Exploring Congolese refugees and asylum seekers' survival strategies in South Africa: implication for social work practice. *Journal of Human Behavior in the Social Environment*, 29(4):499–518. <https://doi.org/10.1080/10911359.2018.1556142>
- Nkrumah-Abebrese, B. & Schachtebeck, C. 2017. Street trading in South Africa: a case of the Tshwane Central Business District. *Acta Universitatis Danubius. OEconomica* [Journal of the University of Danube. Economic], 13(3):128–138.
- Nxesi, T.W. 2022. *Draft Labour Migration Policy & Employment Services Amendment Bill*. Cape Town: Parliamentary Monitoring Group. <https://pmg.org.za/call-for-comment/1138/>
- Peberdy, S. 2016. *International migrants in Johannesburg's informal economy*. Southern African Migration Programme (SAMP) Migration Policy Series, 71. Cape Town: SAMP. <https://www.gcro.ac.za/outputs/occasional-papers/detail/international-migrants-in-johannesburgs-informal-economy/>
- Peberdy, S. 2017. *Trade in the Gauteng City-Region (2017)*. Johannesburg: Gauteng City-Region Observatory, University of the Witwatersrand. <https://www.gcro.ac.za/research/project/detail/trade-in-the-gauteng-city-region-2017/> [Accessed 6 June 2022].
- Postman, Z. 2020. We are not doing any business says street vendor. *GroundUp*, June 9. <https://www.groundup.org.za/article/we-are-not-making-any-business-says-street-vendor/> [Accessed 20 June 2022].
- Reality Check Team. 2019. *South Africa: How common are xenophobic attacks?* BBC News, October 2. <https://www.bbc.com/news/world-africa-47800718> [Accessed 31 July 2022].
- Rogan, M. & Skinner, C. 2017. *The nature of the South African informal sector as reflected in the Quarterly Labour-Force Survey, 2008–2014*. Research Project on Employment, Income Distribution and Inclusive Growth Working Paper. Cape Town: Southern Africa Labour and Development Research Unit, University of Cape Town.
- Rogerson, C.M. 1997. No. 3: *International migration, immigrant entrepreneurs and South Africa's small enterprise economy*. Southern African Migration Programme (SAMP) Migration Policy Series, 3. Cape Town: SAMP.

- Scalabrini Institute for Human Mobility in Africa (SIHMA). 2022. *Spazas, foreigners and crime: it's more complicated than that*. Cape Town: SIHMA. <https://sihma.org.za/Blog-on-the-move/spazas-foreigners-and-crime-it-s-more-complicated-than-that> [Accessed 27 July 2022].
- Shuaib, S.N. 2018. *Informal financial institutions: a source of soft loans to individuals and small business owners*. Research proposal. Lapai, Nigeria: Department of Business Administration, Ibrahim Badamasi Babangida University. <https://www.researchgate.net/publication/329035401> [Accessed 22 February 2022].
- Skinner, C., Alferts, L., Barrett, J., Pillay, V., Rogan, M. & Von Broembsen, M. 2018. *Informal economy/sector*. Small and Micro-enterprise Support Stream 3, policy brief 1. Johannesburg: Labour Caucus, Jobs Summit Small and Microenterprise Support Working Group, Institute for Economic Justice. <https://scholars.wlu.ca/samp/99/>
- South African Government. 2022. *Social benefits*. www.gov.za/services/services-residents/social-benefits [Accessed 22 February 2022].
- Statistics South Africa (StatsSA). 2021. *Quarterly Labour Force Survey (QLFS) – Q3:2021*. Media release. Pretoria: StatsSA. <https://www.statssa.gov.za/?p=14957> [Accessed 22 February 2022].
- Tawodzera, G., Chikanda, A., Crush, J. & Tengeh, R. 2015. *International migrants and refugees in Cape Town's informal economy*. Southern African Migration Programme (SAMP) Migration Policy Series, 70. Cape Town: SAMP. <https://doi.org/10.2307/j.ctvh8r2zz>
- Tella, O. 2016. Understanding xenophobia in South Africa: the individual, the state and the international system. *Insight on Africa*, 8(2):142–158. <https://doi.org/10.1177/0975087816655014>
- Tengeh, R., Ballard, H. & Slabbert, A. 2011. A framework for acquiring the resources vital for the start-up of a business in South Africa: An African immigrant's perspective. *European Journal of Social Science*, 23(3):362–381.
- Tengeh, R.K. & Nkem, L. 2017. Sustaining immigrant entrepreneurship in South Africa: the role of informal financial associations. *Sustainability*, 9(8):1396. <https://doi.org/10.3390/su9081396>
- Theodore, N., Pretorius, A., Blaauw, D. & Schenck, C. 2018. Informality and the context of reception in South Africa's new immigrant destinations. *Population, Space and Place*, 24(3):e2119. <https://doi.org/10.1002/psp.2119>

- Torres, J. & Reling, T. 2020. Under-policing and apprehensiveness toward stopping minorities across white and nonwhite officers post-Ferguson. *Journal of Ethnicity in Criminal Justice*, 18(4):282-314. <https://doi.org/10.1080/15377938.2020.1754992>
- World Population Review. 2022. Crime Rate by Country 2022. Walnut, California, US: World Population Review. <https://worldpopulationreview.com/country-rankings/crime-rate-by-country> [Accessed 22 June 2022].
- Zogli, L.K.J., Dladla, N. & Dlamini, B.I. 2021. Assessing the challenges faced by informal street traders operating in Durban, South Africa. *International Journal of Entrepreneurship and Business Development*, 4(4):412-217.

Chapter 11:

Assessing South Africa's political and policy response to migrants from the SADC region

Lizzy Ofusori

Abstract

South Africa is a member of the Southern African Development Community (SADC), which allows migrations from other member countries to South Africa and vice versa. However, the inflow of migrants from this region appears to be more than the outflow to the region for South Africa as a country. The reasons for these migrants leaving other SADC countries include political conflict, environmental issues and economic challenges. The unpredictability of South Africa's politics makes migration a political strategy used by the aspirants to solicit support and encourage conflicts among those termed "marginalised" within the society. South Africa's privileged political class normally depicts migration as a political and economic issue to contend with, especially because migrant labour keeps on strengthening much of the country's economy. The fact that migration is seen as politically disruptive but economically indispensable is part of the reason South Africa's complicated approach to migration policy is not easy for migrants. Despite this difficulty, there are proper procedures to assist migrants in their movement into as well as within the country.

In this chapter, South Africa's political and policy response to migrants from the SADC region is examined. This chapter adopts a systematic literature review of relevant academic literature on the political and policy response of South Africa to migrants from the SADC region. Section one examines the SADC region to establish the objectives of the study. In section two, the study looks into the issue of migrant smuggling. Section three focuses on the SADC migration protocol as well as the factors responsible for migration within the SADC region. While section four focuses on labour migration as well as South Africa's political and policy response to migrants from the SADC region. The chapter concludes by suggesting recommendations towards better migration management in South Africa.

Keywords: political, policy, migrant, SADC, response

Introduction

The SADC is an inter-governmental organisation that started as a Southern African Development Coordinating Conference (SADCC) in 1980 (Pauwelyn, 2004). It later, in 1992, became a development community dedicated to regional integration and poverty eradication in Southern Africa through economic development as well as guaranteeing peace and security (Schoeman, 2002). Its goal is to encourage sustainable and unbiased economic growth and socio-economic development by means of capable, productive systems, profound collaboration and incorporation, good governance, and long-lasting peace and security among the member countries (Matlosa & Lotshwao, 2010).

The SADC vision is to establish a region with a high level of harmonisation and rationalisation, to facilitate the grouping of resources in order to realise collective self-sufficiency, which in turn improves the quality of life of the people in that region (Williams, 2002). The vision of SADC is that of a united future within a regional community which guarantees economic well-being, enhancement of the quality of life, freedom, and social justice, as well as peace and safety for the people of the SADC region (Evans, 2010). The SADC mission statement encourages sustainable and equitable economic growth and socio-economic development through proficient, industrious systems, deeper cooperation and integration, good governance, and long-lasting peace and security (Farahane & Heshmati, 2020). This allows the region to become a competitive and efficient participant in international relations and the world economy (Cleary, 1999).

The SADC's Common Agenda summarises the institution's main plans, course of action and strategic priorities, consequently aligned with the SADC institutional arrangement (Muntschick, 2018). The general aim of the SADC is to achieve regional integration and eliminate poverty in the Southern African region (Chingono & Nakana, 2009). Member countries have to work collectively in harmony to realise these aspirations and achieve an efficient outcome on general challenges. Several legal and institutional mechanisms, such as the SADC Protocols, are set up to direct and regulate the job of the SADC with member countries in order to sustain their rapport.

A protocol is a lawfully binding document that commits member countries to the objectives and precise action points mentioned. A protocol takes effect only when two-thirds of the member countries approve or endorse the contract (Salman, 2001). This gives official approval and makes the document formal. If any member country was not originally part of a protocol, there is an opportunity to subsequently assent to it. A protocol adjustment takes place by any member country, putting forward the adjustment to the executive secretary of the SADC for initial deliberation by the council. This is done when all member countries have been adequately informed. The adjustment to such a protocol can then be accepted by the majority of three-quarters of the member countries of SADC (Williams & Carr, 2006). A stipulation for any disagreement resulting from the application or elucidation of a protocol is handled by referring complaints to the SADC Tribunal when they cannot be resolved harmoniously through normal diplomatic avenues.

Migrant smuggling

There are various motives responsible for the continuous movement of people in Southern Africa, just as in different regions worldwide. These motives include searching for employment, fleeing poverty, getting together with family, and escaping conflict, among others. Even though there are active migration policies in place, migrants are still confronted with challenges in accessing legitimate routes for migration. Most of the time, they depend on smugglers to arrive at their destination. This is referred to as migrant smuggling (Ferguson, 2013).

In collaboration, the SACS Secretariat and the United Nations Office on Drugs and Crime (UNODC), in collaboration, organised a regional meeting in May 2016 to discuss the problems created by migrant smuggling (Maher, 2019). It was noted that the smuggling of migrants has turned into a mega business capable of destabilising security at any level. SADC member countries agreed to employ an all-inclusive move towards solving these problems by incorporating the justice response to the nationwide efforts for overseeing migration flow (Nshimbi & Moyo, 2016).

According to Oucho (2007), within the SADC, smuggling routes in the region are used for migrant smuggling, which seems to produce huge returns for the criminals involved. This is because when people become dependent on smugglers, they are easy targets for exploitation and abuse (Oucho, 2007). Migrants' smuggling is a security challenge

in the SADC region as it weakens any country's capability to protect countrywide boundaries and jeopardises the lives and safety of migrants. On the other hand, it creates massive proceeds for criminals, which automatically increases corruption and well-thought-out crime (Nakayama, 2018).

The SADC Secretariat has developed a regional sketch strategy to combat illegal migration, smuggling of migrants, and trafficking in persons, especially women and children (Vhumbunu, 2020). The SADC has also established an anti-corruption committee according to its protocol against corruption, aimed at reinforcing measures against suspected dishonest officials that work at borders. Despite regional collaboration initiatives, the number of criminal cases against smugglers is significantly lower than the crime committed. Therefore, there is a need for an explicit national legal framework and cross-border collaboration to improve and facilitate an efficient criminal justice response (Mollema, 2013).

Joint patrol programs within the SADC region persistently struggle over border control initiatives. This is due to disjointed approaches, clumsy systems, a lack of collaboration, and each country's supreme benefit, making it hard to synchronise policies and procedures (Minnaar, 2001). Although many SADC member countries have approved laws that criminalise migrant smuggling, enforcement is conspicuously lacking. A major outcome of the UNODC and SADC meeting was that weak laws against migrant smuggling in the majority of SADC countries make it uneasy to take legal action against criminals (Gallinetti, 2008). For instance, in 1997, the South African government established the national interdepartmental structure for migration control; however, its borders were still somewhat porous, partly due to contradictory regulations and a lack of inter-agency collaboration. This means more and more restrictive immigration administration at the national level, intermittent level, and impulsive policies at the border, which seem to promote smuggling services. Immigrants and refugees are still attracted to South Africa due to its comparative stability and economic strength. Although it was a major destination for labour migrants, especially those in the mining and agriculture sectors, more regional migrants seeking political and economic protection in the country have recently emerged (Collinson, Tollman, Kahn, Clark & Garenne, 2006).

Migrants have little or no power over which routes they use to arrive at their destination. The smugglers usually select routes depending on their insight into safety, violence rates, and corruption

level to be confronted with, as well as flexibility and simplicity in reaching the next intermediate terminal point. Smugglers are quite easily adapted and flexible about their routes and techniques due to changes in certain protocols, such as changing border protocols. Migrants are usually only aware of the smugglers who transport them on the initial lap of their crossing (Schachter, 2009).

These are quite different from the more ordered networks, which are characteristics of human trafficking. Usually, negotiators and smugglers organise the logistics, obtain guides, help bribe officials, and arrange "safe houses" in any location available. This means that border guards and police at checkpoints are regularly bribed to make the transit of unlawful migrants easy. Smugglers are similarly employed for the final lap of the trip into South Africa (Van Liempt, 2011). Inadequate comprehensible information about South African immigration policy and border procedures and misinformation given out by smugglers has persuaded a lot of lawful migrants, especially asylum seekers, to pay for what they are entitled to, free of charge. With strengthened border controls and the planned actions to make it harder to apply for asylum, the expectation would be that more migrants will alternatively start paying smugglers to migrate to South Africa (Maher, 2019).

SADC migration protocol

Migration to and from countries in Southern Africa is primarily determined by the search for economic opportunities, political stability and environmental security (Pelser, 2003). A few countries are responsible for the economic prosperity of the region and its industrial developments. The mining sectors in South Africa, Botswana, and Zambia, and the oil wealth of Angola have constituted a source of attraction for skilled and unskilled labour migrants from within and outside the region. South Africa happens to be the most industrialised economy in that region and a predominantly eye-catching destination for people searching for education and improved prospects (Amos, 2010). Some countries in the region, such as Mozambique and Madagascar, are often confronted with natural hazards, which include cyclones and flooding. While other countries, such as Namibia and Zambia, are most affected by drought.

The SADC member countries have created, approved, and signed many protocols right from the start. So many of these protocols recognise the attraction of increased economic collaboration,

particularly for the improved mobility of capital and goods between member countries. In this regional economic growth and integration situation, regional movement across borders is an important matter; however, it cannot be effectively administered and controlled by the national laws of individual member countries. Consequently, countries in that region have to collaborate to build up suitable courses of action, laws, and methods to institute regional migration management (Nshimbi & Fioramonti, 2013).

According to Nita (2013), the *Protocol on the free movement of persons in the SADC region* suggested a gradual method for the ultimate free mobility of persons between SADC member countries, which includes the right to work or search for a job and to be resident in any of the member countries. However, there was a negative response to the protocol from some countries with the strongest economies, specifically South Africa, Namibia and Botswana. The draft protocol has since gone through many revisions, but member countries have found it quite challenging to agree on adopting an updated version called the *Protocol on the facilitation of movement of persons* and the most recent version, the *Free movement of persons protocols*. This leaves the free movement between member countries unsettled (Hirsch, 2021).

Migration, an international phenomenon, is essentially about skilled or unskilled individuals seeking opportunities. On another note, the accessibility of migrants as a source of inexpensive and vulnerable labour lessens the efforts to legalise the status of migrant workers as well as safeguard their human rights in South Africa and the world at large. Seeing that the SADC region is moving nearer to free trade, the matter of migration and, more generally, the free movement of people comes into the limelight (SP Kerr, W Kerr, Özden & Parsons, 2016). However, the free movement of people continues to be balanced against the political and economic benefits of individual member countries. Border migration, predominantly for job-related purposes and cross-border trade within the SADC region, was rampant earlier than in the 1990s. The SADC countries have been transporting migrants since the middle of the nineteenth century (Moyo, 2020). These migrants originally came separately; however, the mining industry saw this as unbeneficial and created a contract-labour system in cooperation with colonial governments (Mokofe, 2020).

All SADC member countries have migration regulations and courses of action anchored on some essential principles. This includes the autonomy of the state, the integrity of national boundaries, and the

right to determine who may enter its national territory and to impose any conditions and obligations upon such persons (Oucho, 2007). Many administrations also have policies concerning emigration; however, migration laws and policies are primarily conservative and discourage people's transport across borders. This puts immigration laws and policies at variance with the reality of cross-border migration, thereby supporting illegitimate migration (SP Kerr, W Kerr, Özden & Parsons, 2016). In this case, it becomes harder to accomplish what migration laws and policies plan, which is the regulation and administration of cross-border migration to guarantee that it does not unreasonably disadvantage citizens, thereby having a negative effect on either the source or destination countries.

Labour migration

Labour migration is the movement of people from their resident country to a new country with the primary intention of employment (Crush & Williams, 2010). Many people work outside their country of origin. Despite the attempts made to guarantee the safety of the migrant workforce, many migrants go through several challenges, especially among more susceptible groups, like female household employees, entertainers, and subordinate skilled workers (Crush & Williams, 2010). The prospects for semi-skilled labour, which consists of sectors like construction, mining, and services, are key migration drivers all over the SADC region. South Africa attracts high-skilled labour in financial services, while commercial agriculture takes in the bulk of low-skilled migrant labour (Munakamwe, Jinnah & Hartman-Pickerill, 2014). Structured and well-controlled labour migration has a vast prospect for all parties involved in countries of origin and destination. Although the establishment of employment in the resident country is an excellent decision, many countries perceive international labour migration as an essential component of national growth and job creation approach by exploiting global employment prospects that bring in foreign exchange. Labour migration can alleviate the strain of joblessness in countries of origin. It can also augment expansion by controlling payments, movement of expertise, and the establishment of commerce and trade associations. In countries of destination confronted with labour scarcities, organised and well-administered labour migration can reduce labour shortage, aid movement, and contribute to the human resources reserve. Similarly, well-prepared labour migration procedures, laws, and efficient approaches are necessary to care for migrant workers and maximise the profits of

labour migration for both the country of origin and destination and the migrants (Schachter, 2009).

The International Organisation for Migration (IOM) works in partnership with countries of origin and destination to avoid uneven migration and labour exploitation (Munakamwe, Jinnah & Hartman-Pickerill, 2014). IOM executes actions to notify migrants concerning their future living and operational surroundings preceding their departure, and help migrants build up language education lessons to aid integration in the office and community of residence. Furthermore, IOM notifies the migrant workforce of the hazards and realities related to labour migration and works to increase migrants' access to information on immigration and labour laws through the institution of migrant resource hubs, information movements, and outreach activities in countries of origin and destination as well as direction and education for the migrant workforce and their family members (Hagen-Zanker, Mosler Vidal & Sturge, 2017).

Several manufacturing countries need a foreign workforce on a short-term and long-term basis since the home labour force cannot meet local demands to maintain competitiveness in the international market economy. Encouraging circular migration can counter the short-term necessities for labour while simultaneously taking full advantage of the expansion effect of migration in countries of origin. Progressively, more governments and private sector bodies have requested IOM's assistance to establish fair employment methods guaranteeing that the migrant workforce is situated in a good working environment, especially in the structure of mutual arrangements. IOM's precise focal point consists of the following: information broadcasting, record setup and registration of prospective migrant workforce harmonising expertise with demand, selection and orientation before departure, passage and support after arrival, corresponding orientation in the destination country, employment placement, return and integration into the country of origin (Makoche Kanwa & Maringwa, 2009).

South Africa's political and policy response to SADC migrants

South Africa has one of the highest figures of immigrants in Africa because of its middle-income status, steady democratic institutions, and relatively industrialised economy (Bhorat, Cassim & Hirsch, 2014). Estimates suggest that the country is an abode of almost three million immigrants, just under 5% of the total populace of about 60 million citizens (Chamunorwa & Mlambo, 2014). This figure seems to

be a miscalculation due to many illegal migrants, especially from SADC countries. Immigration seemed to have multiplied recently, mainly since the onset of democracy and the end of apartheid around the mid-nineties. However, there was a defining moment in certain occurrences in the nineteenth century. These were the late-1860s detection of diamonds in Kimberley and the striking of gold in the Witwatersrand basin, discoveries that activated massive immigration into South Africa, especially in the city of Johannesburg (Davenport, 2009).

In succeeding years, the growth of the mining economy produced a demand for labour that could not be met through local employment schemes and necessitated the country to draw a workforce outside its boundaries, especially from the SADC region. Consequently, the expansion of this mining sector produced a regional migration passageway between South Africa and the SADC member countries. The South African government instituted mutual agreements with contracted labour migration for the mines, agriculture, and other emerging sectors (Nshimbi & Fioramonti, 2014). In view of these, South Africa developed into a foremost migrant destination country within the SADC region. Accordingly, the development of the migrant labour structure in relation to South Africa's gold and diamond mines is a vital perspective for comprehending the regional and circular migration models. There is a significant caution to these migrations, which has to do with the country's history of apartheid. Although the most influx of migrants came from elsewhere around the world to work in mining and other areas, they did not have the right to permanent residence in the past. Access to permanent status in South Africa was the exclusive right of white immigrants, mostly from North America, Europe, and afterwards from recently autonomous African countries such as Mozambique and Zimbabwe (Klotz, 2012; Thompson, 2008). Black African immigrants were only allowed to remain on the condition that they offered their labour and retained their valid contracts. However, immediately after these contracts had been concluded, they were sent back to their home countries. This tradition of a dissimilar set of laws for diverse immigrants on account of their race was enshrined into legislation with the official establishment of apartheid in 1948 and continued till the beginning of democracy in 1994. Prior to 1994, all Africans and black South Africans did not have the legal backing to completely belong to South Africa. Only white people had the right to South African citizenship. Black South Africans were downgraded to second-class citizens, administered independently by homeland governments. Native-born black South Africans were considered citizens of their homelands instead of the country of South Africa

and were expected to show passes to travel from their respective homelands to other parts of the country.

One of the last apartheid-era legislation was the Aliens Control Act of 1991 (Moyo, 2017). It conflicted with the recent democratic era, which emerged as apartheid ended. This legislation came with serious punishment for unlawful migration and for encouraging migrants whose arrival was unlawful; it conferred upon immigration establishments new authority to seek and take into custody anyone in breach of the laws (Moyo, 2017). The Aliens Control Act was in force for many years following the onset of democracy and was accountable for many detentions and repatriations per annum. Mutual labour delivery contracts with South Africa's neighbouring countries were also in force. This structure created the "two gates" policy for immigration: one was an evidently defined temporary pathway that was very strict for black migrant workers. The second was a more tolerant pathway for white immigrants who sought to be permanent residents (Tshabalala, 2017). The Aliens Control Act was substituted by the *Immigration Act of 2002*. This law upheld a stance of stopping irregular migration and was decisive in upholding skilled labour migration. Afterwards, it was revised in 2007 and 2011 to consider the transformed nature of the South African scenery; however, the law still contains components of the apartheid era's focus on giving preferential access to certain categories of immigrants while excluding others (Moyo & Nshimbi, 2020). Remarkably, the Immigration Act appears to disregard the majority of the low-skilled workers from other places in the SADC region with a slight opportunity to legally migrate to South Africa. This has produced an enormous nuisance of irregular migrants; some prospective economic migrants also have taken to the country's asylum system as an avenue to be documented.

Recommendations

The discriminatory immigration policy should be done away with because a number of manufacturing countries need a foreign workforce on a short-term and long-term basis, and the home labour force cannot meet local demands. There should be proper and adequate procedures to assist migrants in their movement into as well as within South Africa to make it easier for migrants. In countries of destination confronted with labour scarcities, organised and well-administered labour migration can reduce labour shortage, aid movement, and contribute to the human resources reserve.

Conclusion

The Aliens Control Act was substituted with the Immigration Act of 2002 and revised in 2007 and 2011 to take into consideration the transformed nature of the South African scenery, but the law still contains components of the apartheid era's focus on giving preferential access to certain categories of immigrants while excluding others (Moyo, 2017). The apartheid era can be described as a system of legislation that upheld segregationist **policies against non-white citizens of South Africa** (Posel, 2020). Apartheid complicated international economic relations: international hostility endangered South Africa's export markets and hindered South Africa's ability to attract foreign capital and technology (Mangu, 2019). Migration was severely restricted during the apartheid era, and the Pass Laws required residential and work permits for black people to live in restricted areas (Posel, 2020). Migration is an international phenomenon and is essentially about skilled and unskilled individuals who are seeking enhanced opportunities; however, South African immigration laws and policies seem to be at variance with the reality of cross-border migration, thereby supporting illegitimate migration (SP Kerr, W Kerr, Özden & Parsons et al., 2016). As the SADC region is moving towards free trade, which is the movement of capital and goods freely, and eventually economic integration, the matter of migration and, more generally, the free movement of people is vital. All SADC member countries have migration regulations and courses of action anchored on some essential principles, such as the autonomy of the state, the integrity of national boundaries, and the right to determine who may enter its national territory and impose any conditions and obligations upon such persons.

References

- Amos, S. 2010. The role of South Africa in SADC regional integration: the making or breaking of the organisation. *Journal of International Commercial Law and Technology*, 5(3):124–131.
- Andrijasevic, R. & Walters, W. 2010. The International Organisation for Migration and the international government of borders. *Environment and Planning D: Society and Space*, 28(6):977–999. <https://doi.org/10.1068/d1509>
- Bhorat, H., Cassim, A. & Hirsch, A. 2014. *Policy co-ordination and growth traps in a middle-income country setting: the case of South Africa*. World Institute for Development Economics Research (WIDER) Working Paper, 155/2014. Helsinki, Finland: United Nations University World Institute for Development Economics Research. <https://doi.org/10.35188/UNU-WIDER/2014/876-6>
- Chamunorwa, W. & Mlambo, C. 2014. The unemployment impact of immigration in South Africa. *Mediterranean Journal of Social Sciences*, 5(20):2631–2631. <https://doi.org/10.5901/mjss.2014.v5n20p2631>
- Chingono, M. & Nakana, S. 2009. The challenges of regional integration in Southern Africa. *African Journal of Political Science and International Relations*, 3(10):396–408.
- Cleary, S. 1999. Regional integration and the Southern African Development Community. *Journal Of Public and International Affairs – Princeton*, 10:1–15.
- Collinson, M., Tollman, S.M., Kahn, K., Clark, S. & Garenne, M. 2006. Highly prevalent circular migration: households, mobility and economic status in rural South Africa. *Africa on the move: African migration and urbanisation in comparative perspective*, 194:216.
- Crush, J. & Williams, V. 2010. *Labour migration trends and policies in Southern Africa*. Southern African Migration Programme (SAMP) Migration Policy Brief, 23. Cape Town: SAMP.
- Davenport, J. 2009. *Colonial mining policy of the Cape of Good Hope: an examination of the evolution of mining legislation in the Cape Colony, 1853–1910*. Master's thesis. Cape Town: University of Cape Town.
- Dodson, B. & Crush, J. 2004. A report on gender discrimination in South Africa's 2002 Immigration Act: masculinizing the migrant. *Feminist Review*, 77(1):96–119. <https://doi.org/10.1057/palgrave.fr.9400158>

- Durrheim, K., Mtose, X. & Brown, L. 2011. *Race trouble: race, identity and inequality in post-apartheid South Africa*. Washington: Lexington Books.
- Evans, J. 2010. The neoliberal turn in the SADC: regional integration and disintegration. *Nokoko*, 2(1):97–124.
- Farahane, M. & Heshmati, A. 2020. *Trade and economic growth: theories and evidence from the Southern African Development Community*. Institute of Labour Economics (IZA) Discussion Paper, 13679. Bonn, Germany: IZA. <https://doi.org/10.2139/ssrn.3691392>
- Ferguson, J. 2013. Declarations of dependence: labour, personhood, and welfare in southern Africa. *Journal of the Royal Anthropological Institute*, 19(2):223–242. <https://doi.org/10.1111/1467-9655.12023>
- Gallinetti, J. 2008. *Child trafficking in SADC countries: the need for a regional response*. Harare: International Labour Organisation.
- Hagen-Zanker, J., Mosler Vidal, E. & Sturge, G. 2017. *Social protection, migration and the 2030 Agenda for Sustainable Development*. Overseas Development Institute (ODI) briefing/policy paper. London: ODI.
- Hicks, T.F. 1999. The Constitution, Aliens Control Act, and xenophobia: the struggle to protect South Africa's pariah – the undocumented immigrant. *Indiana Journal of Global Legal Studies*, 7(1):393–417.
- Hirsch, A. 2021. The African Union's Free Movement of Persons Protocol: Why has it faltered and how can its objectives be achieved? *South African Journal of International Affairs*, 28(4):497–517. <https://doi.org/10.1080/10220461.2021.2007788>
- International Organisation for Migration (IOM). 2006. *World Migration Report 2005: costs and benefits of international migration*. IOM World Migration Report Series, 3. Geneva, Switzerland: IOM.
- Kerr, S.P., Kerr, W., Özden, Ç. & Parsons, C. 2016. High-skilled migration and agglomeration. *Annual Review of Economics*, 9:201–234. <https://doi.org/10.1146/annurev-economics-063016-103705>
- Klotz, A. 2012. South Africa as an immigration state. *Politikon*, 39(2):189–208. <https://doi.org/10.1080/02589346.2012.683939>
- Maher, S. 2019. Migrant smuggling data and research: a global review of the emerging evidence base. In: A. Triandafyllidou & M. McAuliffe (eds). *Migrant smuggling data and research: a global review of the emerging evidence base*. Volume 2. Geneva: International Organisation for Migration. 123–142. <https://doi.org/10.18356/13d19044-en>

- Makochekanwa, A. & Maringwa, J. 2009. *Increasing temporary movement of natural persons in the SADC region: What should be done?* Trade and Industrial Policy Strategies, Services Sector Development and Impact on Poverty Thematic Working Group. Quatre Bornes, Mauritius: University of Mauritius.
- Mangu, A.M. 2019. Xenophobia and migration in post-apartheid South Africa: myths and realities. *African Journal of Democracy and Governance*, 6(1):44–72.
- Matlosa, K. & Lotshwao, K. 2010. Political integration and democratization in Southern Africa: Progress, problems and prospects. *Africa Portal*, January 1. <https://www.africaportal.org/publications/political-integration-and-democratisation-in-southern-africa-progress-problems-and-prospects/>
- Minnaar, A. 2001. Border control and regionalism: the case of South Africa. *African Security Review*, 10(2):89–102. <https://doi.org/10.1080/10246029.2001.9627939>
- Mokofe, W.M. 2020. The international labour organisation in pursuit of decent work in Southern Africa: an appraisal. *Obiter*, 41(3):573–592. <https://doi.org/10.17159/obiter.v41i3.9580>
- Mollema, N. 2013. *Combating human trafficking in South Africa: a comparative legal study*. Doctoral dissertation. Pretoria: University of South Africa.
- Moyo, I. 2017. Historical perspectives on migration and the xenophobia discourse. In: I. Moyo (ed). *African immigrant traders in Inner City Johannesburg: deconstructing the threatening 'other'*. London: Palgrave Macmillan. 73–95. https://doi.org/10.1007/978-3-319-57144-7_4
- Moyo, I. 2020. On borders and the liminality of undocumented Zimbabwean migrants in South Africa. *Journal of Immigrant & Refugee Studies*, 18(1):60–74. <https://doi.org/10.1080/15562948.2019.1570416>
- Moyo, I. & Nshimbi, C.C. 2020. Of borders and fortresses: attitudes towards immigrants from the SADC region in South Africa as a critical factor in the integration of Southern Africa. *Journal of Borderlands Studies*, 35(1):131–146. <https://doi.org/10.1080/08865655.2017.1402198>
- Munakamwe, J., Jinnah, Z. & Hartman-Pickerill, B. 2014. *A bitter harvest: migrant workers in the commercial agricultural sector in South Africa*. Draft Migration for Work Research Consortium (MiWORC) Report. October. Johannesburg: African Centre for Migration and Society, University of the Witwatersrand.

- Muntschick, J. 2018. The Southern African Development Community (SADC): an analytical overview of its history, policies and institutional framework. In: J. Muntschick (ed). *The Southern African Development Community (SADC) and the European Union (EU)*. 83–103. London: Palgrave Macmillan. https://doi.org/10.1007/978-3-319-45330-9_3
- Nakayama, Y. 2018. *Multilateral migration governance in SADC countries*. Working paper. Tokyo, Japan: African Studies Center, Tokyo University of Foreign Studies. 29–43.
- Nita, S. 2013. Regional free movement of people: the case of African Regional Economic Communities. *Regions and Cohesion*, 3(3):8–29. <https://doi.org/10.3167/reco.2013.030302>
- Nshimbi, C.C. & Fioramonti, L. 2013. *A region without borders? Policy frameworks for regional labour migration towards South Africa*. Migration for Work Research Consortium (MiWORC) Report, 1. Cape Town: MiWORC, University of Cape Town. <https://doi.org/10.2139/ssrn.2518432>
- Nshimbi, C.C. & Fioramonti, L. 2014. The will to integrate: South Africa's responses to regional migration from the SADC region. *African Development Review*, 26(S1):52–63. <https://doi.org/10.1111/1467-8268.12092>
- Nshimbi, C.C. & Moyo, I. 2016. Human trafficking legislation in the Southern African development community region: an overview. *Journal of Trafficking, Organized Crime and Security*, 2(2):157–170.
- Oucho, J.O. 2007. Migration in southern Africa: migration management initiatives for SADC member states. *Institute for Security Studies Papers*, 2007(157):12.
- Oucho, J.O. & Crush, J. 2001. Contra-free movement: South Africa and the SADC migration protocols. *Africa Today*, 48(3):139–158. <https://doi.org/10.1353/at.2001.0059>
- Papamitsiou, Z. & Economides, A.A. 2014. Learning analytics and educational data mining in practice: a systematic literature review of empirical evidence. *Journal of Educational Technology & Society*, 17(4):49–64.
- Pauwelyn, J. 2004. Going global, regional, or both—dispute settlement in the Southern African Development Community (SADC) and overlaps with the WTO and other jurisdictions. *Minnesota Journal of Global Trade*, 13(2):231–304.

Developmental migration

- Pelser, A.J. 2003. Migration in South Africa: a profile of patterns, trends, and impacts. In: L.L. Adler & G.W. Gielen (eds). *Migration: Immigration and Emigration in International Perspective*. Westport, Connecticut: Praeger Editors. 329–350.
- Posel, D. 2020. Measuring labour migration after apartheid: patterns and trends. In: L.J. Bank, D. Posel & F. Wilson (eds). *Migrant labour after apartheid: the inside story*. Cape Town: HSRC Press. 29–43.
- Salman, S.M. 2001. Introductory note to SADC: revised protocol on shared watercourses in the Southern African Development Community. *International Legal Materials*, 40(2):317–319. <https://doi.org/10.1017/S0020782900007129>
- Schachter, J.P. 2009. *Data assessment of labour migration statistics in the SADC region: South Africa, Zambia, Zimbabwe*. International Organisation for Migration (IOM) World Migration Report Series, 1. Geneva: IOM. 1–33.
- Schoeman, M. 2002. *From SADCC to SADC and beyond: the politics of economic integration*. Paper presented at the XIII World Congress of the International Economic History Association Buenos Aires, Argentina, April 19. 1–12.
- Thompson, L. 2008. *A history of South Africa*. In: L. Thompson (ed). *A History of South Africa*. New Haven, Connecticut: Yale University Press.
- Tshabalala, X. 2017. *Hyenas of the Limpopo: the social politics of undocumented movement across South Africa's border with Zimbabwe*. Linköping, Sweden: Linköping University Electronic Press. 729.
- Van Liempt, I. 2011. Different geographies and experiences of 'assisted' types of migration: a gendered critique on the distinction between trafficking and smuggling. *Gender, Place and Culture*, 18(02):179–193. <https://doi.org/10.1080/0966369X.2011.552316>
- Vhumunu, C.H. 2020. Combating human trafficking in the Southern African Development Community: strategies, challenges, and opportunities. *Strategic Review for Southern Africa*, 42(2):179–203. <https://doi.org/10.35293/srsa.v42i2.79>
- Williams, V. 2002. *An overview of migration in the SADC region*. Paper presented at the Regional Integration, Migration and Poverty Seminar, Human Sciences Research Council, Pretoria, April 25. https://sarprn.org/EventPapers/april2002_imp/williams/index.php

- Williams, V. & Carr, L. 2006. The draft protocol on the facilitation of movement of persons in SADC: implications for state parties. Southern African Migration Programme (SAMP) Migration Policy Brief, 18. Waterloo, ON: SAMP. 1–21.
- Wise, R.D., Covarrubias, H.M. & Puentes, R. 2013. Reframing the debate on migration, development and human rights. *Population, Space and Place*, 19(4):430–443. <https://doi.org/10.1002/psp.1783>

Index

A

Apartheid 18, 23, 24, 34, 37, 38, 41, 44, 47, 51, 55, 56, 57, 58, 59, 60, 61, 62, 64, 80, 84, 91, 105, 109, 117, 120, 130, 141, 148, 149, 166, 169, 170, 172, 177, 179, 180, 181, 183, 200, 204, 205, 217, 218, 219, 221, 222, 224

C

Census v, 38, 47, 53, 57, 60, 161, 165, 172

Citizenship i, 5, 65, 66, 68, 69, 70, 75, 76, 77, 80, 81, 94, 98, 107, 217

Counter-narrative 103, 106, 114

COVID-19 iii, vii, 10, 11, 12, 22, 31, 32, 50, 52, 70, 71, 72, 73, 76, 78, 79, 83, 84, 85, 86, 87, 89, 90, 91, 92, 95, 96, 97, 98, 99, 100, 101, 102, 104, 108, 110, 111, 121, 122, 126, 127, 139, 141, 142, 143, 144, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 174, 175, 176, 177, 178, 179, 180, 181, 182, 202

E

Emigrant 66

Evidence-based discourse 103, 114

I

Immigrant 2, 3, 20, 25, 66, 67, 106, 109, 110, 111, 112, 114, 115, 117, 141, 161, 168, 175, 203, 205, 206, 207, 221, 222

International i, ii, iii, iv, vii, 12, 14, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 31, 34, 35, 36, 37, 38, 47, 51, 59, 62, 64, 66, 73, 75, 78, 79, 80, 81, 83, 88, 96, 99, 101, 119, 122, 126, 127, 128, 129, 130, 133, 134, 135, 136, 137, 139, 140, 141, 142, 143, 144, 145, 159, 162, 163, 165, 166, 174, 175, 179, 180, 181, 182, 188, 189, 200, 202, 204, 205, 206, 207, 208, 210, 214, 215, 216, 219, 220, 221, 222, 224

L

Labour laws 24, 165, 216

M

Media 8, 11, 77, 79, 80, 87, 100, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 163, 164, 186, 187, 207

Migrant vii, 7, 8, 9, 12, 19, 20, 21, 22, 23, 24, 31, 32, 35, 36, 38, 56, 60, 64, 65, 77, 81, 89, 92, 93, 94, 103, 104, 108, 116, 120, 122, 123, 124, 126, 127, 128, 129, 131, 133, 134, 135, 136, 137, 138, 141, 142, 144, 147, 152, 155, 156, 157, 158, 160, 162, 166, 173, 174, 175, 176, 180, 181, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 209, 210, 211, 212, 214, 215, 216, 217, 218, 220, 221, 222, 224

Migrants 2, 20, 57, 70, 72, 73, 88, 94, 112, 117, 121, 125, 127, 139, 140, 151, 152, 153, 155, 156, 157, 158, 159, 175, 195, 196, 197, 198, 199, 211, 212, 213

Migration i, iv, v, vii, viii, 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 43, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 70, 71, 73, 76, 77, 78, 79, 81, 83, 84, 88, 92, 93, 96, 99, 100, 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 151, 153, 154, 155, 156, 159, 161, 162, 163, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 194, 195, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225

N

Narrative 103, 104, 105, 106, 107, 108, 109, 112, 114, 115, 118, 195, 199, 200

Nationality 65, 66, 67, 68, 69, 70, 73, 74, 75, 76, 77, 78, 80, 81, 111, 113

P

Policy iii, v, vii, viii, 8, 9, 10, 12, 13, 14, 17, 18, 19, 21, 24, 26, 31, 32, 33, 34, 37, 38, 60, 63, 77, 78, 91, 94, 95, 99, 100, 108, 114, 122, 123, 127, 128, 129, 130, 134, 135, 136, 138, 139, 141, 142, 144, 157, 163, 165, 170, 171, 179, 180, 181, 183, 185, 194, 197, 199, 200, 202, 203, 204, 205, 206, 207, 209, 210, 213, 216, 218, 220, 221, 222, 223, 225

Political ii, v, 1, 7, 9, 12, 13, 17, 18, 19, 21, 22, 23, 24, 25, 28, 29, 30, 31, 33, 35, 37, 42, 53, 54, 55, 56, 65, 67, 68, 70, 72, 74, 75, 76, 83, 86, 87, 93, 97, 104, 111, 112, 113, 119, 131, 134, 148, 165, 169, 170, 175, 182, 190, 199, 200, 209, 210, 212, 213, 214, 216, 220, 222

R

Radio i, 106, 109, 110, 115, 116, 117

Chapter 8: Migration and social protection

Response 22, 25, 29, 38, 64, 73, 79, 83, 84, 86, 87, 88, 89, 90, 91, 92, 95, 97, 101, 111, 116, 122, 123, 126, 129, 149, 163, 167, 200, 209, 210, 211, 212, 214, 216, 221

S

SADC viii, 12, 13, 14, 23, 32, 35, 37, 70, 73, 77, 79, 95, 114, 118, 121, 126, 129, 130, 136, 143, 165, 166, 167, 170, 171, 172, 174, 176, 178, 182, 198, 199, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225

Social arrangement 41, 57, 58

Social disruption 9, 10, 41, 43, 44, 45, 46, 61

Social interaction 41

Social media 103, 106, 111, 112, 115, 116, 117, 119, 120

South Africa ii, iii, v, vii, viii, 1, 5, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 126, 127, 129, 130, 131, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 150, 151, 152, 154, 155, 157, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224

Statelessness 10, 65, 66, 67, 68, 69, 73, 75, 76, 77, 78, 79, 80

T

Television i, 106, 109, 110, 111, 115

Trend 42, 47, 51, 165, 178

