

# HEADING FOR CANAAN: A REFLECTION ON ILLEGAL MIGRATION IN SOUTH AFRICA<sup>1</sup>

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## 1. INTRODUCTION

Owing to a general perception of South Africa as a comparatively stable and wealthy country that offers ample economic opportunities, displaced and impoverished people from southern - and lately even central - Africa have been gravitating towards South Africa for many years. This process, however, has been taking place on an increasing scale since profound political change in South Africa had been launched in 1990, and gained momentum after the election of a new government in 1994. The Gauteng province, for example, is regarded as the migration centre of Africa with its capital, Johannesburg, often being referred to as the "bright light" or "New York" of Africa (Schutte 1993:3-4). In many ways the harsh economic conditions in sending countries have been triggered or exacerbated by realities such as political instability, civil strife, environmental degradation and rapid population growth. In both Angola and Mozambique civil wars have effected millions of people, most of whom are potential migrants.

In the past few years the question of illegal migration<sup>3</sup> to South Africa gradually developed into one of the major policy issues the new South African government has to confront. The urgency of the issue is further intensified by the fact that public awareness and reaction to the presence of both legal and

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3 An undocumented or illegal immigrant is anybody who enters or remains in South Africa in contravention of the Aliens Control Act and therefore resides in South Africa without official endorsement. This includes a person who-

- (i) enters South Africa at a place other than a port of entry;
- (ii) remains in the country without a valid residence permit;
- (iii) acts in contravention of his/her residence permit;
- (iv) remains in South Africa after the expiry of this residence permit.

illegal immigrants in the country have risen notably during the past three years. As historically disadvantaged (black) South Africans stake their claim to a decent livelihood, they increasingly find that their social environment has turned into a battleground for scarce resources, whether it be employment, housing or social services. Apart from the creeping xenophobia and growing hostility towards aliens, there is a myriad of other social effects caused by unfettered migration to South Africa. For example, in the past few years South Africans had to witness escalating rates in drug trafficking, organized crime, uncontrolled invasion of land, official corruption, etcetera.

Illegal migration, and specifically the social consequences resulting from it, raises a number of complicated policy issues - both for South Africa and its neighbouring countries. Part of its complexity for the South African government derives from the fact that it cannot be categorically approached as either a domestic policy issue or a foreign (regional) policy issue; its very nature, scope and impact in the subcontinent involve elements of both. Therefore, when formulating a policy response, South Africa will have to consider and address both domestic and regional concerns. This may place contradictory demands on policy-makers not only in South Africa, but also in neighbouring countries as they face the consequences of illegal migration.

Albeit a central aspect to the issue, the scope of this article does not allow for an in depth and sound analysis of those domestic and regional determinants that should be considered when formulating a policy response on illegal migration. Rather, the purpose of this overview is to briefly deal with various aspects pertaining to the nature and problem of illegal migration to South Africa. More specifically the impact of illegal migration on the social, political and economic life of South Africa as well as some of its implications for the region, will be addressed.

## **2. A TYPOLOGY OF ILLEGAL IMMIGRANTS**

South Africa is the heartbeat of a regional economic life that has entwined neighbouring countries in a web of relations for almost a century. A vital aspect in these relationships has been the demand for and supply of labour on South African gold, coal and diamond mines. Given the difficulties in attracting local labour to the mines, mining companies came to rely on foreign labour drawn from countries adjacent to South Africa - especially Botswana, Lesotho, Swaziland, Zimbabwe and Mozambique. Large numbers of labour migrants

were also recruited in Malawi. Though many of these foreign workers have spent virtually all of their working lives in South Africa, their boundary crossing is (supposed to be) temporary, never permanent. Since the early 1990s, however, a strong relationship has developed between contract migrant labour and illegal immigrants. In this regard the situation in South Africa resembles that in Europe where foreigners enter the country legally as contract migrant workers and then overstay their contract period. In 1995, for example, some 750 000 people in South Africa were classified as illegal immigrants for overstaying the validity period of their temporary residence permits (Solomon 1995:6). These migrants, however, by far do not represent the only category of illegal immigrants in South Africa.

## 2.1 Categories of illegal immigrants

Illegal aliens in South Africa belong to two main categories, namely undocumented voluntary migrants and undocumented forced migrants (or refugees). The two categories are used synonymously by most South Africans and even officially little attempt has been made to distinguish between forced and voluntary migrants up to now. However, as forced migrants are increasingly being considered a separate category by international conventions, it is important that a distinction be made in the South African context as well.

### ■ Undocumented voluntary migrants

Undocumented voluntary migrants can be categorized as either informal movers or organized movers. Informal movers primarily migrate to South Africa for economic reasons. In most cases they enter the country illegally from neighbouring states such as Lesotho, Swaziland, Mozambique, Zimbabwe and Botswana and then reside in South Africa on a semi-permanent basis. The majority enter the country without any documentation and then try to obtain South African identity documents. Others enter South Africa with valid passports or temporary permits as tourists, students or migrant workers. They then either try to obtain employment or simply elect to remain in the country when their contracts are terminated or the validity period of their residence permits has expired. Quite often they are joined by their families, who immigrate illegally.

Organized movers are migrants who illegally immigrate to South Africa on a permanent basis. The largest proportion of these people originate from

countries in central Africa, Asia and the Pacific Rim. They may enter South Africa on either valid or fraudulent passports. Since their methods of entry and employment are more sophisticated and, in many cases, often linked to criminal activities, this group of illegal aliens must be seen to constitute the major threat to South Africa.

#### ■ **Undocumented forced migrants**

In contrast to voluntary migrants who make a primarily individual decision to come to South Africa, forced migrants are refugees fleeing political persecution, civil war, environmental degradation and economic ruin - in other words, displaced persons who were compelled to leave their country of birth due to circumstances beyond their control. In the past five years, Southern Africa has hosted an unprecedented number of forced migrants. Ethnic conflict in Rwanda, civil strife and famine in Zaire and Angola, post-war impoverishment in Mozambique and poverty in Zimbabwe have generated large numbers of non-voluntary migrants to South Africa.

Despite the legal and technical descriptions of a refugee in various international conventions, distinctions between forced and voluntary migrants are often blurred. Mozambican refugees in South Africa who fled civil war between 1985 and 1992, are a case in point. The some 350 000 refugees who entered South Africa did so clandestinely, without the government's approval. Despite a region-wide effort by the United Nations Higher Commission for Refugees at repatriating Mozambican refugees in 1993, only about 31 000 Mozambicans in South Africa registered for repatriation (Sinclair 1996:13). The estimated 320 000 refugees that remain in South Africa, are inevitably regarded as a subgroup of the larger number of illegal aliens and are therefore subject to prosecution and deportation.

As the most prosperous country in the region, South Africa will probably always find it difficult to slot foreigners into exact categories of "refugee" or "illegal immigrant". Given the potential for refugee crises in Africa in future and thus the probability of increased numbers of forced migrants in South Africa, the government will have to formulate a distinct position on refugees. For the time being, however, it seems if refugees are destined to be branded as "illegal aliens", regardless of whether they have legal sanction to stay or not.

### 3. EXTENT AND CAUSES OF ILLEGAL IMMIGRATION

There are widely divergent estimates of the number of illegal immigrants in South Africa. While official estimates put the figure at between two and three million, some recent reports have published figures as high as eight or nine and even twelve million (Capraro 1997:7; Cohen 1997:2; Hough 1995:14; South Africa Survey 1995/96:30). This latter estimate seems unrealistic, as it would mean that approximately one in every four persons in the country is not a South African. A more realistic figure would perhaps be between three and five million. The largest proportion of these people is Mozambicans. The rest originate from countries such as Zimbabwe, Zaire, Angola, Malawi, Tanzania, Nigeria, Sudan, Ethiopia, Rwanda, Burundi, Taiwan and (the former) Eastern Europe.

Since the start of political transformation in South Africa, actions to crack down on illegal immigrants seemed to have hardened. Official statistics show that the number of illegal immigrants *repatriated* almost quadrupled between 1988 and 1995 (see figure 1). The repatriation statistics for the period 1988 to June 1996 therefore serve as an indication of the increasing extent of the phenomenon of illegal immigrants in South Africa.

**FIGURE 1: REPATRIATION OF ILLEGAL IMMIGRANTS (1988-1995)**

| 1988   | 1989   | 1990   | 1991   | 1992   | 1993   | 1994   | 1995    | 1996                |
|--------|--------|--------|--------|--------|--------|--------|---------|---------------------|
| 44 225 | 51 529 | 53 403 | 61 334 | 82 549 | 96 554 | 90 526 | 157 084 | 80 566 <sup>4</sup> |

Sources: Klaaren 1997:4; South Africa Survey 1995/96:32; South Africa Survey 1996/97:48.

Despite intensive police action and other deterrents, the number of people entering the country illegally is increasing steadily. Some reports state that illegal immigrants are entering the country at a rate of one every ten minutes (Carim 1995: 221). The South African Police Service estimate that one in five people living in informal settlements (squatter camps) in Gauteng province is an illegal immigrant. Their ranks are continuously supplemented by the some 1 200 immigrants who are entering Gauteng every month - people flocking to

4 Figure for the first six months of 1996 only.

Johannesburg with aspirations of a better life. This pattern suggests, firstly, a high level of desperation in neighbouring countries, and, secondly, that purely repressive measures fail to prevent illegal immigration. Of those apprehended and forcibly repatriated, most simply elect to brave rivers, game parks or electrified fences in yet another attempt to cross the South African border.

The movement of illegals into South Africa can first of all be linked to the root causes of refugee movements. Civil war, famine and drought in countries such as Mozambique, Angola, Rwanda and Zaire have resulted in a combination of refugees and illegal aliens entering South Africa. In the case of Zimbabwe and Zambia, adverse economic conditions seem to be among the major factors underlying the movement of illegals to South Africa. In addition to these, certain factors seem to facilitate the inflow of illegal immigrants or at least facilitate avoidance of being detected. A first set of facilitating factors relates to physical factors. This includes long borders with a number of African states, a long coastline and the high cost of border protection. These constraints are aggravated by political factors impeding the more effective use of electrified fences on the Mozambican and Zimbabwean borders.

A second set of facilitating factors is of a socio-political and economic nature. This includes among others the relatively smooth transition to majority rule in South Africa and the perception among immigrants of ample employment opportunities in the country. Also, some employers in South Africa have seemingly come to view illegal immigrants as a source of cheaper, more reliable and non-unionized labour. A further contributing factor is the increase in informal settlements at the outskirts of urban areas in South Africa - something that eases the disappearance of illegals into the mass population (it is estimated that up to 60 per cent of South Africans do not have formal addresses).

Another set of facilitating factors pertains to corruption and fraud in Departments such as Home Affairs and Customs and Excise. The increase in forged identity documents - South African passports until recently were reportedly amongst the easiest in the world to forge - and the fact that not all South Africans have identity documents, are contributing factors in this regard. Given its extent in terms of sheer numbers and the apparent escalation of the problem, it thus follows quite obviously that illegal immigration, in various ways, must have a profound impact upon South African society.

### 3. THE IMPACT OF ILLEGAL IMMIGRANTS ON SOUTH AFRICAN SOCIETY

The presence of illegal immigrants has strong negative effects on the South African economy in respect of aspects such as employment opportunities, health, education and housing. Politicians, trade unions and the public at large are increasingly strident in blaming immigrants for undercutting prices, grabbing low-paid jobs and scarce housing and adding to the crime rate. Little wonder that the presence of illegal immigrants is now being linked to either the success or failure of the government's Reconstruction and Development Plan (RDP). Considering the fact that illegal immigrants cost the South African taxpayer approximately R2,5 billion per year (an amount equal to the estimated budget for the 1999 general elections), this state of affairs must surely have a detrimental effect on the RDP. Illegal immigrants, however, do not only impact upon the macro economy; they also have far-reaching political and social consequences for South Africa.

#### 3.1 Impact on the labour market

The greatest source of fear concerning the increasing number of illegal workers in South Africa appears to be economic. South Africa's unemployment rate is currently higher than ever before and the country is economically vulnerable. Given this, the influx of large numbers of predominantly uneducated and unskilled illegal immigrants is clearly a matter for concern. Most of these immigrants only do manual labour and are usually active at the lower end of the labour market. They are employed as casual workers or subcontractors in sectors such as hotels and restaurants, construction, domestic maintenance and informal trading. Since South Africa itself has a large number of unemployed citizens in the unskilled category, illegal immigrants first and foremost pose a threat to the local unemployed.

The large numbers of illegal immigrants seeking work at the lower end of the labour market have a depressing effect on wage levels. Since these immigrants are prepared to accept lower wages to survive, wages in certain sectors have dropped well below the level at which South Africans are prepared and able to work and to live. Union members thus feel that the presence of foreign workers depresses wages and that local people have decreased access to employment as a result of foreign workers. Many of the illegal immigrants from African states also enter the informal business sector by hawking artifacts,

curios, knitted/crocheted items and African ethnic print cloth which they bring with them. Since they are able to bring in goods at a seemingly much cheaper rate than local traders, these immigrants are much resented for their price undercutting activities. They are also accused of not paying import and custom dues.

### 3.2 Arousal of local hostility towards foreigners

In many ways the post-apartheid South Africa has become an international model in social harmony and reconstruction with its citizens having gained a reputation for tolerance towards one another. Simultaneously, however, South Africa is rapidly gaining a reputation for intolerance towards non-South Africans, particularly those from African countries who enter South Africa as illegal immigrants or refugees. A debate on whether migration from other countries should be encouraged, is indeed rife in South Africa.

Since the April 1994 elections, South Africa has experienced an escalating tide of xenophobia against foreigners in general and illegal immigrants in particular. Studies undertaken by the HSRC in October 1994 indicated that 56% of South Africans believed that the government should act more severely against illegal aliens. By February 1995 this figure has increased to 72% (Solomon 1995:12). This xenophobia is manifested in various ways. In the metropolitan areas of Johannesburg, Durban and Cape Town, for instance, foreign hawkers have been verbally abused, physically assaulted and their property damaged or destroyed. This hostility is rooted in a perception among many South Africans that the presence of foreigners will prevent the needs of local people to be met. The general sentiment is one that echoes the proverb "charity begins at home": South Africans need to address their own country's problems of housing, health care and education before they can look at helping foreigners. Clearly the reigning perception is that illegal immigrants place a strain on the country's limited resources, which apparently are now being used to shelter, feed and heal immigrants. It thus appears to many as if *illegal immigrants* are reaping the fruit of the liberation struggle, instead of (black) South Africans themselves.

It is not difficult to trace the sources of this xenophobia. A growing anti-foreigner sentiment is, to a certain extent, propagated on television and in newspapers. Media reports increasingly link illegal immigrants to burning social issues such as unemployment, escalating crime and the spread of AIDS. In the previous political dispensation, the apartheid system took the blame as the



source of black South Africans' misery. With the advent of a democratic government, illegal immigrants have become the scape-goat for the disillusionment and frustration following the post-apartheid epoch's initial euphoria and high expectations.

The opposite side of the debate focuses attention on the human rights abuses suffered by illegal immigrants. Those belonging to this camp stress the fact that countries in Southern Africa made a considerable contribution to the liberation struggle by providing bases for banned organizations and by bearing the brunt of apartheid destabilization strategies. Up to now, the local debate on illegal immigrants has thus been polarized between a moral issue on the one hand and a developmental one on the other. Ultimately, however, policy options will have to be based on a development approach, while simultaneously respecting international agreements and conventions on refugees, rather than relying on xenophobia.

### 3.3 Impact on crime

The rising levels of crime and violence in South Africa are increasingly being linked to the growing number of illegal immigrants. Too often these immigrants are poverty-stricken and therefore easily driven to crime. There has reportedly been an increase of 150 per cent in serious crime involving illegal immigrants during the months following the elections in 1994, compared to the same period in 1993 (Van Niekerk 1995:6). Police have estimated that 14% of all crimes within South Africa involve illegal immigrants (Carim 1995:222). These crimes generally include arms-smuggling, drug-trafficking, prostitution, money laundering and car theft. The very nature of these criminal activities, however, often result in other crimes such as rape and murder. Some nationalities have also been identified as being closely associated with or involved in crimes of a specific nature. These are illustrated in figure 2.

**FIGURE 2: INVOLVEMENT OF NATIONALITIES IN SPECIFIC CRIMES  
IN SOUTH AFRICA**

| Nationality       | Type of crime   |
|-------------------|---|
| Nigerians         | Drug-trafficking (in particular cocaine dealing) and money laundering |
| Zairians          | Smuggling of diamonds   |
| Taiwanese/Chinese | Smuggling of abalone and crayfish                                     |
| Thai/Russian      | Prostitution  |
| Angolans          | Smuggling of arms   |
| Zimbabweans       | Car-theft and game poaching   |
| Mozambicans       | Smuggling of arms, car-theft and game poaching                        |

Source: Van Niekerk 1995:7 (adjusted).

The involvement of illegal immigrants in criminal activities has an adverse effect on the South African economy in at least two ways. First, rising crime rates and levels of violence reduce investor confidence. Second, state resources that could have been earmarked for RDP projects, have now to be channelled into the security apparatus of the state

### 3.4 Impact on health and health care

Illegal immigrants place enormous strain on the health system (another priority area of the RDP). Clinics in the rural areas of the Northern Province and Mpumalanga, for example, are flooded by thousands of Mozambicans residing illegally in these areas. The "over-use" of these facilities particularly gained momentum after May 1994 when a policy of free health care for pregnant women and children under six was implemented by the newly-elected government.

Illegal immigrants from Mozambique are also believed to be responsible for re-introducing diseases such as cholera, malaria and yellow fever into the north-eastern parts of South Africa, where these diseases had been eradicated. Since the majority of illegal immigrants enter South Africa in a clandestine manner, it is not possible to ensure that the necessary health precautions, such as immunization, have been complied with before they cross the border. Several

studies have also suggested a causal link between illegal immigrants and the spread of the HIV virus in the country as well as in the region (Labuschagne & Muller 1993; Solomon 1995). Many illegal immigrants end up in urban areas without their families; sexual services are thus often purchased. Some illegals also find themselves in situations where prostitution becomes their only source of income. South Africa borders six other countries and since the government is unable to control illegal influx, it has virtually no control over the spread of HIV/AIDS within South Africa or the region. It is estimated that 27 % of the South African population between the ages of 15 and 60 will be HIV positive by the turn of the century - something that holds serious consequences for the economy (Solomon 1995:11).

### **3.5 Impact on social and welfare services**

The accelerated tendency towards urbanization in South Africa has caused informal settlements (squatter camps) to grow alarmingly. The increasing influx of illegal immigrants further contributes to the squatter problem, as the majority arrive in South Africa destitute, jobless and homeless. Poverty-stricken illegal aliens, especially in the Gauteng province, are therefore settling in large numbers in new squatter camps. It has been estimated that as many as 80 % of illegal immigrants live in informal housing settlements and squatter camps (Schutte 1993:9). Since it is extremely difficult to distinguish between the illegal immigrant and the citizen in a squatter community, illegal immigrants come to benefit from the services and houses provided under the RDP at the expense of the South African taxpayer. Funds that are made available to provide services and to up-grade squatter settlements are intended for South African citizens in the first place, but the influx of illegal immigrants into squatter settlements has undoubtedly an impeding effect on the RDP. It is furthermore obvious that the presence of illegal immigrants places additional pressure on water supplies, education facilities, transport and even firewood. Other irregularities also occur. Illegal immigrants, for example, do not qualify for social pensions but they often attempt, by insidious means, to obtain such pensions.

## **4. SOME FUTURE TRENDS**

In most countries the proportion of illegal immigrants is six per cent or less of the total population, for example six per cent for the United States of America, two per cent for France and 0,2 per cent for Singapore (Van Niekerk 1995:10). Based on a (for many, conservative) estimation of five million illegal

immigrants, South Africa is fast approaching the 10 per cent mark with no signs of the influx abating. On the contrary, as long as the entire region is plagued by political instability, economic stagnation and environmental degradation, South Africa will remain the destination for thousands of people willing to risk their lives in search of a better future. The prospects for the next few years are thus that of increased illegal migration to South Africa. However, with the South African government having signalled its intention to adopt a tough approach, the long-term trend points undeniably towards greater government effort and capacity to control illegal immigration. Increasing public pressure, in all likelihood, will necessitate further measures and more comprehensive policing in order to control the influx of illegal immigrants into South Africa.

This given, a complex challenge facing policy-makers in South Africa is the formulation of a national policy on migrants and refugees that will take into consideration the developmental needs of the country, the economic position and opportunities of South Africans as well as the position of South Africa in Southern Africa. Addressing this challenge requires empirical and up-to-date research on the volume and nature of migration from all regions in the world and from other African countries in particular. We need to know the level of skills and the geographical origin of migrants. The effects of legal and illegal migration on the national economy, social services, family life and crime need also to be researched extensively - something that, to a certain extent, has been neglected up to now.

## **BIBLIOGRAPHY**

- Capraro I 1997. "Stroom onwettiges raak al dikker", in *Die Volksblad* 12 May: 7.
- Carim X 1995. "Illegal migration to South Africa", in *Africa Insight* 25(4):221-3.
- Central Statistics 1996. "Statistics in Brief". Pretoria: Central Statistics.
- Chimere-Dan O 1996. "Migrants from other African countries in South Africa", in *South African Labour Bulletin* 20(1): 45-7.
- Cohen R 1997. **International migration: Southern Africa in global perspective** (unpublished research paper prepared for the South African Commission on International Migration).

- Crush J & James W (eds) 1995. **Crossing boundaries: mine migrancy in a democratic South Africa**. Cape Town: Idasa.
- Hough M 1995. "Illegal aliens in South Africa: causes and facilitating factors", in **Strategic Review for Southern Africa** xvii(1):1-25.
- Klaaren J 1997. **Institutional reform and immigration management** (unpublished research paper prepared for the South African Commission on International Migration).
- Labuschagne GS & Muller ME 1993. "Population and migration in Southern Africa in the 1990s", in **Politikon** 20(1):47-53.
- Maduna P 1995. "Illegal immigrants as a domestic issue", in De Villiers R & Reitzes M (eds). **Southern African migration: Domestic and regional policy implications**, pp.7-11. Johannesburg: Centre for Policy Studies.
- Schutte DPA 1993. "Migration: the status quo and prospects for southern Africa", in **ISSUP Bulletin** 5: 1-18. Pretoria: University of Pretoria (Institute for Strategic Studies).
- Sinclair MR 1996. "Unwilling aliens: forced migrants in the New South Africa", in **Indicator South Africa** 13(3):14-8.
- Solomon H 1995. **Population movements into South Africa: trends, outlook, policies**. Braamfontein: Foundation for Global Dialogue (occasional paper series no 2).
- South Africa Survey 1994/95 1995. Johannesburg: South African Institute of Race Relations.
- South Africa Survey 1995/96 1996. Johannesburg: South African Institute of Race Relations.
- South Africa Survey 1996/97 1997. Johannesburg: South African Institute of Race Relations.

South Africa Survey 1996/97. Johannesburg: South African Institute of Race Relations.

Toolo H & Betlehem L 1995. "Migration to South Africa: problems, issues and possible approaches for organised labour", in De Villiers R & Reitzes M (eds). **Southern African migration: Domestic and regional policy implications**, pp. 13-36. Johannesburg: Centre for Policy Studies.

Van Niekerk B 1995. "The impact of illegal aliens on safety and security in South Africa", in **ISSUP Bulletin 7**: 1-11. Pretoria: University of Pretoria (Institute for Strategic Studies).