The immigration Issues in the Post-Apartheid South Africa: Discourses, Policies and Social Repercussions

Les enjeux de l'immigration en Afrique du Sud après l'apartheid : discours, politiques et répercussions sociales

Gabriel Tati
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INTRODUCTION

Since coming to power in 1994, the African National Congress (here and after ANC) has had to deal with numerous challenges, and one of these is related to the implementation of an immigration policy regime that suits the transformative and developmental needs of the nation. It is in line with these needs that the political discourse on immigration has been over the past years increasingly focused on curbing irregular migration (unwanted migration). To what extent has this focus echoed in the public perception of issues around immigration? This is the central question the paper seeks to address. It does so by looking into the evolving forms of responses from the state apparatus and groups in the civil society to migration (regular and irregular) of foreigners and way in which they have been collectively driven, locally and nationally, in association with the immigration policy regime in South Africa. The paper also provides a critical assessment of the extent to which these responses are inclusive, selective, discriminatory, human rights protecting and supported by the political sphere. The responses are assessed in terms of trends in detention and deportation, public and international perceptions, political and social tolerance at grassroots level. The paper draws on various sources of information of which existing empirical and public records form a considerable part. Author’s research outputs have also been used to supplement the insights from the records.

To put the paper in a geopolitical context, one must note that South Africa is the destination of an increasing immigration from different parts of the world. Concurrently to this movement of populations, the country is experiencing a massive emigration of its skilled labour to such developed countries as the United Kingdom, Australia, New Zealand and the United States. Within the new global structures of production, South Africa is regarded as an emerging economy along with Brazil, India or Malaysia. While the resulting effects of losses and gains from these migratory processes remain under assessed, the least one can say
is that the country has a real potential for attracting international migrants from diverse countries. Some provisions are in place to facilitate the immigration of skilled persons through various permits, alarmist views are constantly expressed that a large proportion of the migration flux to the country is of illegal nature. Using the categorisation proposed by the Global Commission on International Migration [GCIM, 2005], this type of migration includes migrants who enter or remain in the country without authorisation, those who have come through smuggling or human trafficking across the border, unsuccessful asylum seekers who fail to observe a deportation order and people who circumvent immigration controls through the arrangement of bogus marriages.

The main sections of the paper are structured around three major orientations. The first orientation briefly presents a retrospective account on the political economy of African migrant labour in the apartheid period. The second orientation of the paper extends this presentation by examining the political discourses on immigration in the post-apartheid period and looking at the policy instruments in place for its management. The third and last orientation of the paper provides some insights into the repercussions of such discourses from the perspective of society at large. Some concluding remarks are thereafter made on the possibility of reconciling the imperative of nation-state reconstruction with that of establishing a more inclusive and integrative immigration policy regime.

SOME MAJOR MIGRATORY PATTERNS IN THE BUILDING OF SOUTH AFRICA

Issues around migration from outside have had a long standing in the building of South Africa as a nation. Migration has been an intrinsic component of the developmental process of Southern Africa, importantly marked by the history of labour migration in the region since the 19th century. Peripheral countries to South Africa such as Lesotho, Mozambique, Swaziland, Botswana and Malawi served as labour reserves for the mining industry. This was so because colonial capitalism, with its uneven development, facilitated the establishment of economic nodes acting as the key locus of capital accumulation in South Africa and Zimbabwe. Cheap migrant labour was drawn from these reserves to the South African mining industry (gold, diamonds and other minerals). Historically labour migration dominated the movements of population in Southern Africa, and the flows were in majority made of unskilled or semi-skilled male workers recruited mainly by the South African mines. Taking a retrospective assessment from the supplying states’ side, there is little dispute that the determinants of the changing patterns of demand for workers in South Africa were associated with the changes in the South African legislation introduced since the mid 1960s through the Bantu Laws Amendment Act n° 76 of 1961 that facilitated labour migration from some countries while at the same prohibited population movements from others. The Act institutionalised the recruitment of foreign migrants through labour bureaus such as TEBA established in the so-called peripheral labour reserves. Working in South Africa was only permitted in specified industries, essentially mining and agriculture. Consequently, under the Act, conditions to enter South Africa were made more stringent and restraining for other forms of migration as the handling of travel documents (passport) was conferred to the authorities in the country of citizenship. On the South Africa side, the same legislation made it mandatory for employers hiring foreign Africans from Swaziland, Botswana and Lesotho to undertake their repatriation upon expiration of contract. Altogether, these restrictive measures on the recruitment of foreign workers considerably reduced the flows of migrants from the peripheral labour reserves. In the 1980s, and parallel to the internalisation of manpower, the mining industry of South Africa started to experience an other downturn in its performance due to fall in price and demand for gold, depletion of existing gold resources in certain areas and increased mechanisation in coal mining. The downturn resulted in massive loss of mining jobs and the effective collapse of once prosperous
mining urban centres. The KwaZulu-Natal (KZN), major zone of destination for most foreign African migrants from the Southern African Region, was the most affected by the closure of coal mines. Nel et al. (2003) report that the effects of closure were relatively profound in terms of job loss as a decline of 84% was recorded. In the late 1980s, the composition of migration flows to South Africa began to experience profound structural changes, reflecting in the decrease in the number of foreign workers as a percentage of the total labour force in the country. Some figures from Chipenta (2000) indicate a decline of about 54,000 foreign migrants in the South African mines within the period 1984-1994. The net result of this interplay of factors has been a rise of competition for the scarce new job opportunities on mines, concurrently growing with a declining demand for African labour in this country. As the ANC was coming to power in 1994, there was no proclaimed policy intention to rely on African foreign labour from the periphery. The ANC government has not as such departed from the intention embedded into the internalisation policy above mentioned. Rather the political discourses on immigration and its impacts become entrenched in the enforcement of selective measures in order to ensure migration of quality. The reasons why, despite high expectations for betterment in the new dispensation, the mining sector is regarded in the public discourse as a major sector for job creation to reduce unemployment. Contrary to the apartheid regime that relied at varying degree on the (uneducated) foreign labour to protect this sector against black activists engaged in the struggle for political and civic rights, the ANC government has tended to move away from this reliance by pursuing a policy giving priority to quality. This has been very visible in the enforcement of the restrictive measures on foreign labour recruitment put in place under the internalisation policy of 1974. Some of these measures are encapsulated in the so-called affirmative action promoted by the ANC government in its transformative agenda through the so-named Black Economic Empowerment (BEE). As part of the transformation affecting the social and economic institutions, the mining sector has experienced increased intakes of black South Africans. This has been largely the result of the pressure exerted by the trade unions on the ANC government to get rid of the recruitment of foreign labour on mines. It has therefore become difficult for Africans from the peripheral countries to find work in the mines due to increased competition with local job seekers. Thus, since the early 1990s, organised regional recruitment to the mines and other sectors has drastically reduced, inducing a shift from a controlled and relatively homogenous flow to a diverse and unmanaged flow [Polzer, 2008]. This shift of flow has not only changed the range of roles foreign migrants play in South Africa, but also generated a new kind of political discourse on immigration. To fully apprehend the government’s focus on immigration of quality, it is important to look at the challenges associated with the composition migration inflows in the country.

POLITICAL CHALLENGES ASSOCIATED WITH DIVERSIFIED MIGRATORY PATTERNS IN AN INTERNATIONAL PERSPECTIVE

Migration imposes challenges of different magnitude to the government of South Africa in the context of post-apartheid dispensation and that of globalisation. These challenges emanate from the fact that the country is major destination of migrants, displaced populations and refugees from all over the world, mostly from the Africa continent. The decline of contract labour migration to South African mines has been counteracted by the increases in the influxes of other types of migration including undocumented migra-
tion. The problem faced by South Africa is the mixed nature of the relationship between economically motivated irregular migration and the movement of refugees who deserve protection under the UN convention. Whereas the formal gates of migration to the mines have experienced closure, floodgates of undocumented migrants are making use of underground channels to enter South Africa as they strive either for illicit money making activities or for mere daily survival under conditions of abject poverty in most countries of the region and elsewhere. With high unemployment prevailing in most parts of sub-Saharan Africa, refugees-induced displacements and restrictions on legal immigration in the EU area, irregular migration to South Africa is likely to increase.

Irregular migration is a worldwide phenomenon over which global concerns started to emerge in the early 1960s. While it mostly affects the industrialised countries, irregular migration has also been observed in the developing world. Lohrmann (1989) provides a quite informative review of this type of migration in the period 1960-1990 with special reference to Africa, Asia and Latin America. The GCIM (2005) in its report on international migration indicates that between 10 and 15% of Europe’s migrant population have irregular status. This percentage increases yearly as new irregular migrants continue to enter the EU territory. Irregular migration is not confined to industrialised countries; it also occurs in developing nations, as the result of inequalities in labour conditions or the existence of authoritarian political regimes. The GCIM’s report also highlights that such migrants are also to comprise the majority of all migrants in Africa, Asia and Latin America. In a quite similar review, Adepoju (2008) emphasises that irregular migration is on the increase in many parts of sub-Saharan Africa. Countries in the Maghreb region serve as routes to Europe for thousands of such migrants. Some of these migrants fail to make it and opt for staying illegally in the country. Irregular migration affects especially African countries that are experiencing economic boom. This is the case of oil-producing countries in Africa (Gabon, Equatorial Guinea, Ivory coast). Rich countries of Latin America, Southeast Asia and the Caribbean equally attract irregular migrants in thousands. Looking into the experience of Thailand, Chalamwong (2004) indicated that that country has experienced the largest migration of illegal immigrants from neighbouring countries. In 2001, for example, irregular immigrants comprised almost 3% of the country’s work force. In its report, the GCIM observed that irregular migration comes with negative consequences; one of these being xenophobic sentiments that are directed not only at migrants with irregular status but also at established migrants [GCIM, 2005]. Globally, in most of the situations where irregular migration has increased, it has been observed significant changes in attitude as noted in several United Nations World Population Conference [Lohrmann, 1989]. The concerns arise mainly around the treatments of migrants who find themselves in irregular situation. While in Asia it has emerged a great deal of involvement of agents and intermediaries in human trafficking, several analysts have observed that in the context of Africa, irregular migration has been mostly the result of ineffective border controls [Lohrmann, 1989; GCIM, 2005; Adepoju, 2008]. A similar observation was made for Latin America. In places of destinations in industrialised countries strong reactions such as apprehension, anti-immigrant political mobilisation and xenophobia, have not deterred influxes of irregular migrants [Adepoju, 2008; GCIM, 2005]. Among developing countries, xenophobia is less drastic but these migrants are still far from being truly accepted. Compared to other parts of the developing world, mass expulsion of irregular migrants has been more common in Africa [Lohrmann, 1989]. Mass expulsion of irregular migrants was common practice throughout the past years. At times, and excluding South Africa, African countries that practised expulsion coercive measures to curb down irregular migration include Nigeria, Gabon, Congo (Brazzaville), Algeria, Libya, Ivory Coast to name but a few.

A shared view amongst most scholars is the complexity involved in managing the flows of irregular migrants at the national level (see for example GCIM, 2005). Chalamwong (2004) underlined that for several labour receiving countries in Southeast Asia, the essential focus of immigration policy since
the financial crisis of the late 1990s has been on limiting the extent of illegal immigration and on combating the employment of illegal foreign workers. South Africa does not escape from this view. Over the past years, irregular migration has become an issue of concern in South Africa in the same way it is felt in some other parts of the world. This concern is accompanied by a growing public opinion of a situation that is reaching unmanageable level. This opinion is reinforced by government statements which are showing a growing awareness of and sensitivity to the presence of irregular migrants and their concentration in the cities of the country. This type of migration has fuelled an anti-migration attitude among the officials and civil society. The International Labour Office (1997) estimated that 34027 Mozambicans were employed as informal labour in South Africa’s commercial farm and services sector. Since 2000, the economic chaos prevailing in Zimbabwe has drained thousands of economic migrants (approximately 40,000) of which undocumented migrants are dominant. Most of these Zimbabwean migrants are employed on South Africa’s commercial farming in the Limpopo province. Others have found their way in the services and construction sectors in the major cities of South Africa, especially Johannesburg. Undocumented African migrants also hailed from Swaziland, Lesotho, Malawi and Botswana and the rest of Africa. Being undocumented, these migrants work under inhuman conditions and their rights are usually violated. This has been the case for Zimbabweans working on farming estates. To avoid paying seasonal employees’ wages at the expiration of contract farm owners inform the police on their illegal presence in South Africa. The situation of foreign workers is further worsened by the rising tide of xenophobia in the country after the 1994 political changes. African foreigners are perceived as threat for scarce jobs as they substitute to or compete with local job seekers by accepting low wages. Curbing the competition for jobs associated with undocumented migration poses a major political challenge to the government especially in situation of growing perception of injustice within the population. Irregular migration is very sensitive issue in South Africa. Not only the number of irregular migrants present in South Africa is a matter of statistical uncertainty and controversies, it is also a source of political contestation and social debates. Around the end of the 1990s, an estimated figure came from the Human Science Research Council (HSRC) putting the number between 2.5 and 4 million, with an upper limit of 12 million. This turned out to be an unrealistic figure. Other estimates have at times suggested a lower figure of 500,000. A recent report issued in 2008 has put the figure at 5 million illegal entries. The real figure of persons in this status is difficult to estimate due to the obscure nature of irregular migration. No public effort as such has been undertaken to clarify this uncertainty or at the least to reduce it. This has contributed to shedding confusion over the size of a “shadowed” population of aliens publicly perceived as an incubator milieu for criminal activities. The uncertainty around the exact number of irregular migrants is not unique to South Africa. There seems to a consensus amongst scholars that estimates of the numbers of irregular migrants are not particularly reliable. Calculations done with varying sophistication are most of the time controversial. DeFreitas (1998) equally noted the difficulty of getting an acceptable estimate of the irregular migrant population in the US labour markets. Chalamwong (2004) also indicated the difficulty in obtaining reliable data on the extent of irregular migrant workers in Thailand. The prominent place irregular migration has gained in the policy discourse of South Africa necessitates looking into some of its driving forces. The following section intends to serve this purpose.

SOME DRIVING FORCES OF IRREGULAR MIGRATION

Globally, it has been documented that irregular migration is driven by a multifaceted and complex set of factors ranging from macro and micro-level institutions to poverty-related variables [GCIM, 2005]. This applies as well to the context of South Africa. Some of the pull factors attracting migrants are associated with the position (historical and
contemporary) of SA in the SADC region and the continent. Historically the country used to be the main outlet for foreign labour migration on mines from the neighbouring countries (Lesotho, Mozambique, Swaziland and Botswana). The pervasive climate of violent conflicts and chronic poverty across the continent has, over the recent years, emerged as a push factor drifting away migrants from their own countries. A more recent migratory component is made of displaced populations and refugees (including asylum seekers). South Africa is not immune against the human consequences of conflicts affecting many countries across the continent. These conflicts have generated massive flows of displaced people in search of security for their lives. Most of these displaced persons once in the country, seek for the refugee status. Since the late 1990s, asylum seekers have come in numbers from such countries as Democratic Republic of Congo (DRC), Somalia, Burundi, Rwanda, Ethiopia, to name but a few. Most of these asylum seekers transit in at least a country in Southern Africa. For example Malawi is reckoned as a transit place for Somalis and Ethiopians on their way to South Africa, regarded by many as a land of opportunities. With the continued violent wars in DRC and Somalia, South Africa plays host to an increasing population of refugees from these areas. Adding to these, the Mozambicans are predominantly represented as some of them decided not to go back to their home country after the political settlement in 1992. Following the cessation of hostility in that country, it was anticipated that a least 250,000 refugees would volunteer for repatriation under the auspices of the United Nations High Commission for refugees (UNCHR), but less than 70,000 did so [ILO, 1998] as they took advantage of the Amnesty granted in 1995. It must be noted that this was the only instance since 1994 foreigners were granted option for permanent residence in the territory. This option was taken up by thousands of Mozambicans with refugee status or irregular migrants. The situation in Zimbabwe is a strong case showing influxes of economic migrants flooding in South Africa as they come in numbers to seek for better living conditions. The borders, extremely porous with the neighbours, attract most of the blames in the public discourse when it comes to this irregular migration. The label of economic migrant is the one widely used in the official discourse. It must be admitted that jumping the border may represent the option by choice to enter the country for the bulk of migrants. South Africa has one of the most discouraging legislation in terms of facilitating documentation to enter the country as legal migrant. The legislation in place is very selective, restraining and even exclusive to various categories of potential migrants, especially for those from the sub-Saharan Africa. The procedures around the granting of visa to enter the country are time consuming, bureaucratic and involve a great deal of logistical and financial hassles. It is believed that the high fee makes clandestine entry appealing to those candidates to migration that cannot afford it.

As part of the 2002 immigration Act, supplementary measures were introduced to tighten visa restrictions. These have proven to be of little effect in preventing irregular migration as smuggling across the borders provides cheaper ways of facilitating clandestine entry in the country. Through that way, irregular migration finds roots in the extension of kinship across the borders. Some borderline areas in South Africa have experienced a large concentration of irregular migrants whom traditions (including the language) are quite similar with the indigenous population. In the official discourse, the link between irregularity in migration and international criminal activities is frequently emphasised. This is in recognition of South Africa as a strategic location in the global economy. From a geopolitical perspective, the country provides space to some underground activities involving both locally and internationally based drug and human traffickers. Recent records suggest a steady rise in smuggling criminals, economic migrants and prostitutes, as well as human trafficking [South African Law Reform Commission, 2004]. This has fuelled a public perception of irregular migration that brings criminals or persons with criminal intent, in the country. Some of the crime syndicates are transnational in nature whilst others operate in the country and collude with the immigration officials. Most of the irregular immigrants make their way
to the country through fraudulent channels. Once in the country, the detection of irregular migrants is not easy as they tend to live in the hiding. This happens in township where there are so many of those locations regarded as “no-man-go areas” for these migrants ideal places for hiding.

Although the perception of involvement in crime may be correct, to a certain degree, it remains fundamentally untrue taking recognition of the fact that the majority of irregular migrants are engaged in non-criminal activities. They are mostly present either in formal or informal employment. South Africa, due to its history of apartheid, is known as a violent society. The blame placed on migrants is unsupported by the data at hand, and their involvement in organised crime is not statistically established. Yet, because they tend to be associated with unknowns, irregular migrants do fuel the public view that they represent a security threat. A study conducted by the Institute of Security Studies established that there was no link between prostitution and human trafficking in the cities of South Africa. The same institute also found that violence is not related to the presence of foreigners in the country. Yet the debate that has entered the public domain is that of the presumed association between urban criminal activities and foreigners. Corrupt officials have been found linked to Chinese, Pakistani and Nigerian migrants [Department of Home Affairs, 2001-2004]. Because the status of irregular migrants excludes from services and rights entitlement, legalising their presence becomes the only way of getting access to these services through fraudulent citizenship (late registration of births, fake marriage with South Africans). These tactics are made possible through the collusion of corrupt officials with the syndicates and other criminals. Sparse official records indicate that citizens who are frequently involved in marriage scams are mainly from Pakistani, India, Egypt and Nigeria. The tactic of “marriage scam” or “bogus marriage” involving sometimes amounts of cash as low as R1500 is used to seek permanent residence. Considering all the drivers of irregular migration, the least one can say is that the 2002 immigration Act has been more on law enforcement than on the facilitation of immigration.

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**GOVERNMENT’S FOCUS ON IRREGULAR MIGRATION AND INTERVENTION**

Since 1994, it is not exaggerate to say that the political discourse has mainly shifted its attention on irregular migration, and most of steps in formulating and implementing the immigration policy enacted in 2002 are indirectly or directly intended to deal with it [Polzer, 2008]. A retrospective appraisal of past measures (table 1) suggests that the government of South Africa has not as such demonstrated innovative approaches to either promoting the so-called migration of quality or stemming irregular migration. Before the end of apartheid regime, migration of all forms was somewhat closely monitored with a purpose of controlling subversive intruders from neighbouring countries. Labour migrants were recruited through agents operating in the country of origin under certain arrangements established with the mining companies. During the transition period, the Aliens Control Act, n° 96 of 1991 was intended to act along that line. Under the new dispensation, in spite of some amendments in the Act in 1995, tighten control of immigration was introduced as publicly praised by the then Minister of Home Affairs [Minister Buthelezi, 1996]. This measure somewhat contravenes the regional integration process. South Africa is the only country in the SADC strongly opposed to the free movement of persons in spite of incessant calls for such mobility coming from some civic organisations. It is politically argued that, if granted, free movement of persons may open up the country to the necessity of giving legal recognition to irregular migrants. This stance has been echoed in the civil society by some think tanks, one of these being the HSRC, recommending that government should exert caution in promoting a general agreement on free movement of persons. Table 1 below provides a summary of measures taken by the government in order to control irregular migration (for a comprehensive set of measures see Kabwe-Sengatti and Landau, 2008).
Despite the uncertainty around its validity, the estimated number of irregular migrants given by the HSRC remains the most frequently quoted figure in official documents and the media. The alarmist discourse around the number of irregular migrants has been the foundation of an interventionist approach heavily focusing on deportation in order to curb irregular migration. The trends show a steady increase in the numbers of deportation since the early 1990s (see tables 2 and 3). Detection occurs in various instances. Some short-period migrants may be easily detected by the controlling mechanisms in place such as the national movement Control System. Others are not easily detectable because they are out of the system and this happens for several reasons, one of these being related to underground employment. Most of the time, employed migrants in irregular situation get detected when their employers report the presence to the police to get away from paying wages. Members in the community where those migrants live also report to the police if they want to get rid of particular individuals and, in the process, appropriate their assets. Occasionally, some migrants get arrested on criminal charges when involved in unlawful activities. Figures from repatriation records, though questionable have some reliability, suggest some interesting trends displayed in tables 2 and 3. Looking at the data, it visibly emerges that three countries have the largest numbers of deportees. Out of these countries, Zimbabwe shows a very stable increase over the period 1994-2004. The number of deportees in 2002 indicates a substantial drop. Interestingly, the trends for Mozambique show a steady decline with a peak in 1999. Mozambicans remain however at the top when compared to other countries. Over that period, deportation increased in intensity as a result of stringent control emanating from the 1995 amendments to the Aliens Control Act n° 96 of 1991. One of the aspects emphasised in these amendments is the government’s harsh attitude towards irregular migrants, while giving indication on increased irregular immigration following the inception of democracy in South Africa, which held premises of employment to impoverished populace. Between 1990 and 1997, the South African authorities deported a considerable number of citizens from the SADC and these accounted for 99.7% of the total of deportees. These deportees are relatively young (26 years on average) and males are proportionally dominant. It is likely that the trend has remained in place over the subsequent years while only 0.1% is accounted for by countries outside the SADC. There have been some deportations to countries outside the African continent. Countries of concern include Pakistan, India, Chine, United Kingdom, Bangladesh, Turkey and Thailand to name but a few.

Table 1 : Selected policy measures implemented to regulate irregular migration

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<tr>
<th>Date/period</th>
<th>Legal framework instruments</th>
<th>Aims</th>
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<tr>
<td></td>
<td>Amnesty offered to mine workers from 1989 and to illegal SADC nationals who had been in the country since 1 July 1991</td>
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<td></td>
<td>Detection of fraudulent use of documents, surveillance of smuggling routes, monitoring of national borders to unauthorised migration.</td>
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<td>2000 to now</td>
<td>Operation crackdown led by the police in areas with high concentration of black foreigners</td>
<td>To eradicate crime in areas predominantly inhabited by African Immigrants</td>
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<td></td>
<td>Increased obstruction of irregular migration (criminalisation of human trafficking, legal disregard of fraudulent marriages, instituting of fines and penalties, disseminating information to missions abroad, training of immigration officials to identify fraudulent passports, visa stamps and permits.</td>
<td>To fight against irregular migration</td>
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<td></td>
<td>Reinforcement of deportation (despite the heavy costs associated with this practice)</td>
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Source : compiled from Waller (2006).
The practice of deporting irregular migrant is not really effective. Most deportees return to South Africa using various illegal channels and re-enter the country within a short time after deportation. This phenomenon, known as “the revolving door syndrome”, presents a major challenge to the effective management of irregular migration. It requires some technologically advanced methods such as fingerprinting to address the problem of recidivism. The “revolving door syndrome” is sometimes intentionally used by some irregular migrants when they wish to visit free of charge their home country at particular dates of the year. For example, it has been reported that irregular migrants will present themselves to immigration officers for arrest and deportation around Christmas season, a time for visiting relatives in the home country. This has prompted the Department of Housing not to deport detainees over the Christmas period [SAPA, 2005].

Some activists in the human rights community also claim that deportation is ineffective. To them, the system of detention and deportation is futile as it encourages irregular immigration into the country. This view has been frequently reported on various media platforms. It is important to note that recently South Africa, through the Department of Safety and Security, has introduced the deployment of a new satellite system working in conjunction with helicopters and fixed-wing aircraft to beef up security on its notoriously porous borders. This deployment, announced in the parliament this year, also informed that the images gathered would be fed to the appropriate stations from where the arrests would be affected. The introduction of this technology came to the public following the 2007 tough report from the Auditor General that more than 5 million illegal entries were recorded in the country. The report blamed the change in authority over the control of porous borders. The police was given responsibility to control the border, a task previously assigned to the South African National Defence. In the government discourse, there seems to be a direct association between the irregular

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<td>Angola</td>
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<td>4</td>
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<td>458</td>
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<td>-</td>
<td>250</td>
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<td>88</td>
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<td>-</td>
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<td>11</td>
<td>1</td>
<td>16</td>
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<td>20</td>
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Source: Department of Home Affairs (quoted in Segatti et al., 2008).
migration, border jumping and public intolerance of foreigners. This comes out from the words of the Minister himself in his presentation to the parliament (August, 2008):

Cross border migration and internal migration have become a serious problem. The recent attacks on foreigners in South Africa had brought the issue of cross border migration to the fore in a dramatic way. Cross-border migration and internal migration have become a serious problem for law enforcement. Both cross border and internal migrants establish themselves in informal settlements. Most of them have no jobs and live in squalor, while others are drawn into crime to make a living. The informal settlements have grown to almost 3000 in number, with the bulk in Gauteng (Minister’s speech to parliament as reported by Hartley, 2008). While these words find resonance in the public perception, they also indicate little recognition of the legal status some of these cross-border migrants had at the time they entered the country. Yet this is the official view that cross border migrants are in illegal situation even if they are coming from countries of the same economic community like the Southern African Customs Union. For instance, some migrants who entered the country as contract mine workers were granted through the 1995 Amnesty Act permanent resident status. Border policing has failed to produce effective deterring of irregular migration. Besides the porosity of borders, policing is a matter of concern due to some abuses in human rights by the police. Bearing in mind the so called unwritten rules with policing within the SAPS (South African Police Services), it does not surprise any observer that when incidents occurred, they do not get appropriate response from the Ministry. The mediatised story of a Mozambican being bitten by dogs unleashed by two white police officers raised several criticisms on this measure. It also illustrates some of the vicious incidents that can go unreported. The general perception is that some of the policy measures tend to be framed with little connections to a more comprehensive framework of intervention being in place. Some doubts have been raised around the effectiveness of deportation. Besides the issues around the detection of those in situation of irregularity and that of the “the revolving door” previously evoked, the questions of its running are as well matters of public concern. The experience of developed countries with the practice of deportation suggests limited effectiveness in reducing irregular migration. Besides, the institution in charge of ensuring deportation, situated in Lindela (somewhere in the Limpopo province), is costly to run. In 2001 for example the SA government disbursed R32 million to the hospitality company Bosasa that operates the Lindela Repatriation Centre. The costs are incurred in the sending back home detainees that originate from various countries around the world. Some locations are very expensive in terms of fares for government costs as well the expenses of the immigration officials travelling with them [Chronicle, 2007]. Cross border traffickers are very active along the borders South Africa shares with, on the one hand, Mozambique, and, on the other hand, with Zimbabwe (known as Belt bridge). As reported in a local paper Chronicle (September 2007), Zimbabwe cross border transport operators are frequently arrested by the South African police. Records show that in 2007, for example, 13 traffickers were arrested as they were carrying several border jumpers, among them 13 unaccompanied children. The illegal migrants were smuggled into Zimbabwe through Beitbridge Border Post. The operation was undertaken by the police as part of the actions aimed at dealing with the increase in cases of human trafficking through the border post. The transporters, operating as syndicates, benefit a lot from this activity as they charge considerable fees due to the risks involved. Fees are three times more than the actual air ticket fare from Zimbabwe to South Africa. The traffickers locally named Omalayitsa actually pick up their “clients” at several points along the crocodile-infested Limpopo River, one of the crossing passages between South Africa and Zimbabwe. The crossing of the river is sometimes complicated by flooding and this comes with the fear of drowning or being attacked by crocodiles. Such natural hazards motivate border jumpers to resort to the services of Omalayitsa. Others, however, are smuggled into the neighbouring countries after having bribed the police and immigration officers at the border post,
border jumpers are made to pay between R800 and R1000 per trip, while by conventional transport means it costs around R300. Hundreds of Omalayitsha have been jailed by the police but smuggling has not gone down. When tracked by the police, Omalayitsha often dump their “clients” along the roads in some isolated places quite distant from settled areas. When this happens, the dumped passengers are most of the time arrested and deported. The very few lucky smuggled persons make way on their own to reach their final place of destination. Some Police operations are conducted on daily basis along the borders with Zimbabwe to arrest smugglers. Whenever arrested, they are rarely jailed but instead individually summoned to pay fines amounting to R1500. Their passengers are automatically deported or chased back to Zimbabwe. It has been reported that most of the smuggled passengers are recently deported illegal migrants from South Africa. They frequently come back in the hope of a successful passage. This is a manifestation of what has been previously named the revolving door. The situation of social and economic chaos prevailing in Zimbabwe generates considerable numbers of illegal economic migrants. Smuggling has become such a lucrative survival strategy for many people in the areas along the borders that smugglers’ touts often operate in the open. They increasingly venture in the vicinity of the International Organisation Migration support Centre located in Belt Bridge in the hope to get “clients” despite the presence of a police.

Some analysts have argued that measures intended to curb irregular migration address the symptoms rather the root cause of uneven development in the region. Besides ineffective deportation, failure has been also particularly noticeable in the surveillance of employment of irregular migrants. The close monitoring of underground employment is notoriously ineffective. Up to now very few employers using irregular migrant workforce have been prosecuted. This practice is widespread in the farming sector that provides jobs to seasonal workers from the near border countries, especially to Zimbabweans in the Limpopo province. A similar practice is observed in some service-based companies that fraudulently employ foreign students with no work permit. Information gathered casually from foreign students indicates that some of them find jobs in privately run institutions in the training sector. Wages vary from institution to institution but the common feature is that most of these students are not registered as tax payers and do not hold work permit. The practice of claiming refugee status or asylum seekers is also well entrenched within the community of students. Numerous cases have been reported of students from such countries as Ivory Coast, Cameroon, Rwanda, Uganda or Zimbabwe— which are not apparently in situation of civil war— applying for refugee status in South Africa. Foreign students represent a human reservoir of “irregular migrants” as there is no guarantee for all of them to find employment in the formal sector of the economy. Considering all the deficiencies in the official system of managing irregular immigration, some angered South African citizens have had to resort to uncivil ways of expressing intolerance toward migrants. This is the most manifest in the situation of intolerance toward groups of co-ethnic migrants like those from Somalia examined later. These measures have echoed in the public in different ways. Within the civil society, for instance, actions of informal regulation manifest themselves in various ways including acceptance, support, intolerance, xenophobia and collective violence against immigrants. It has also been observed active involvement of civil society groups in regard to the protection of illegal migrants, and this has tended to clash with the immigration policy regime in place. Some religious communities are quite well involved in the provision of support to irregular immigrants and refugees. This assistance operates within the limits of their resources. In Johannesburg, for example, the Baptist Church provides humanitarian support ranging from shelter to food to a considerable number of irregular immigrants, mainly from Zimbabwe, as a result of border jumping. Since 2007, the number of asylum seekers, mostly from Zimbabwe and DRC, has grown at such level that it has become unmanageable from a humanitarian side looking at ways in which refugees-assisting organisations’ resources are being stretched to meet the demands. These charities organisations are overwhelmed
by continuous influxes of border jumpers from neighbouring Zimbabwe. As upon arrival in the city of Johannesburg, irregular migrants have no where to go but to stay in one of these unhealthy storey buildings that are found in the Central Business District. They generally apply for asylum seeker with no guarantee of being granted the status as they are regarded as economic migrants. Gradually the conditions in the buildings have got close to environmental disaster and life threatening due to over crowding. Some of the asylum seekers have resorted sleep on the street as the building is overcrowded. Human waste from over used toilets facilities is spilling all over the streets in the vicinity of the shelter. Even the mobile toilets provided by the city authority have done little to alleviate the health hazards caused by the growing number of asylum seekers in the area. As a consequence of the deteriorating environmental conditions, numerous near-by businesses have been significantly affected at such a point that the city authority had to restrain the church bishop from hosting further asylum seekers. This decision has resulted from collective action taken by business owners against the influxes of asylum seekers.

SOCIAL INTOLERANCE AND EXPRESSION OF XENOPHOBIA AT THE COMMUNITY LEVEL

Not only migration provided during apartheid means of recruiting cheap labour from neighbouring countries, it also served to fuel the political and public debates around the formation of citizenship in South Africa [Klarreen, 2008; Belvedere, 2008; Neocosmos, 2006; Kabwe-Segatti and Landau, 2008]. In the post-apartheid South Africa, as was in apartheid era, migration is very central to the various entitlements to public goods and services through citizenship. A noticeable fact is the way in which entitlement has got entangled in xenophobic attitudes directed to African foreigners. Lesser expressed in the past, its virulence has gradually reached a level that one would qualify tense. However, the tension arising from the politics of entitlement goes beyond the 1994 elections. Neocosmos (2006) strongly argues that:

Xenophobia in South Africa is a direct effect of particular kind of politics, a particular kind of state which was forged in opposition to the manner in which the apartheid state interpellated its subjects. In the post-apartheid state, politicians and state institutions have their parts in the making of a culture of xenophobia, and this has filtered down to the whole of society.

This statement echoes as well in Belvedere (2008) who problematised the state as a key player in reproducing xenophobia. To Belvedere, xenophobia is the effect of the ongoing and contradictory process of state formation in contemporary post-apartheid South Africa. In this process, two ideologies are at work: on the one hand, the affirmation by the South African ‘state’ of its existence and sovereign character, and on the other hand the definition of a national identity for itself both in relation to ‘inside’ others (including civil society groups) and those perceived to be ‘outside’ others (including undocumented migrants and refugees). Klaaren (2008) too concurs that permanent residence, which finds its starting point in 1986 with the abolition of Influx Control Act of 1986, is arguably the paradigmatic migration status for South Africa. What the above views suggest is the centrality of migration in the attribution of the resident status in the formation of South Africa as a state.

Some analysts have argued that social reactions to immigration, especially irregular migration of foreign African nationals, have been shaped by the political discourses on immigration (see, for example, Neocosmos, 2006). The tone of the discourses is to a large extent anti-immigration while a great deal of uncertainty and speculation surrounds the real magnitude of undocumented migrants. The public’s perceptions on irregular migration remain driven by rumour, mediatised news, unrelated criminal activities or concerns over invasion by outsiders or aliens. The state sponsored media have been often criticised for propagating some negative perceptions about African migrants.
by systematically portraying most of them as illegal migrants or reporting speculative information on their involvement in criminal activities. The positive contribution of migrants to the economy of South Africa rarely surface in the news. Such a negative reporting has tended to fuel xenophobia within South African Society [Waller, 2006]. This feeds back as well the official discourse with regards to immigration as Government takes it as a public criticism toward its policing of migration. The persistent anti-immigration climate has resulted in South Africa’s being ranked the most xenophobic country in the world as it transpired from a cross country comparison to rank national attitudes to immigration around the world. From that global study, it emerged that South Africa has “the highest level of opposition to immigration recorded in the world” (Mattes, cited in Belvedere 2008). Xenophobia is not unique to South Africa. What makes the South Africa’s situation peculiar is the expression of corporal violence that comes with in the post-Apartheid political regime. The popular manifestation of xenophobia, accompanied by violent and deadly attacks on immigrants from the rest of Africa is a phenomenon that has become so common. Crush (2001) argued that the rise in xenophobia over the past years found root in the strongly entrenched negative stereotyping of foreigners (reflected in the use of amakwerekwere, a derogatory term used at the grassroots level) as persons with a certain propensity to get involved in criminal activities, a tendency to displace jobs “deserved” to locals, to “poach” local women and to bring in diseases. The negative stereotyping does not make distinction of migration status (whether legal or illegal) when the individuals of concern are of African origin. Nor did it differentiate the type of contribution –positive or negative-arising from immigrants. Waller (2006) noted that “the average South African could not probably differentiate between the various categories of foreigners”. This persistent high level of xenophobia hinders the social integration of foreigners because of the constrained interaction between locals and them. Xenophobia finds root in the lack of popular understanding about the different types of black foreigners coming into the country Belvedere (2008).

This ignorance is compounded by the scanty reliable information about their socio-economic impact and the positive contributions that they could make to the growth of South Africa’s economy. From some survey results, it emerges that the majority of South Africans consider that irregular migration is “bad” for them and exhort government to curb it by enforcing repatriation and penalising employers that hire irregular migrants. Grievances have been growing across various social groups, even among the most educated segments and the youth that African immigrants have no place in South Africa. The overall dynamics is that of growing social intolerance toward immigrants, particularly those residing in the townships across South Africa. Frequently black foreigners are victims of xenophobic attacks orchestrated by members of the local communities living in the townships. Long before the eruption of recent xenophobic violence of May 2008 that killed 62 migrants, there were many similar cases of black foreigners being killed in xenophobia-related assaults. Such cases included three Senegalese nationals thrown out of a moving train in 1998, attack amongst black foreigners in the township of Alexandra in 1994 and Johannesburg throughout 1997, the use of presumably undocumented Mozambicans as live bait for police dog training exercises in 2000, arson of homes to perpetrate violent attacks against Zimbabweans in the township of Zand sprint in 2001. The number of lost lives was in most cases considerable though obviously underestimated as other cases went under reported. In 1997 alone, 30 asylum seekers were killed throughout South Africa. This provides some indications of way in which the intolerance of African immigration echoes violently at the community level. The May 2008 xenophobic attacks turned out to be the most mediatised because of those pictures of killings and burning persons (Mozambican migrants) that travelled around the world. Some foreigners, victims of these attacks have alleged the involvement of community-based organisations such as taxi drivers or shop owners in the initiation of assaults against them. In some situations, the local police have been accused of supporting mobs’ actions to pull the migrants out of the townships and loot their properties. Migrants have very few choices
as to where to settle once in South Africa. The already existing spatial and housing segregation makes it difficult to settle outside the impoverished and violent townships. The concentration of African immigrants, legal or irregular in some locations within the townships, increase their visibility and make them easy prey for impoverished South Africans looking for escape goats to blame for their social deprivation. At the grassroots level, the access to basic services is generally associated with the right to entitlement for citizens and foreigners as seen as competitors in the welfare system. This has found echo in the discourse of some local politicians that purposefully use it to attract voters. In township foreigners fiercely compete with local residents over the meagre resources (space for housing, petty and casual jobs and basic services). The perception is high amongst South African citizens that foreigners (with legal or irregular status) are the major beneficiaries of social delivery whilst most of them are left out. The perception of social injustice around service delivery in townships is alleged to have triggered the recent eruption of xenophobia-related violence perpetuated by township-based mobs across the country.

Allegations that some immigrants may undeservedly benefit from public services are sometimes justified, but this happen when corrupt practices are used. What tend to be obscured is that other migrants may be entitled to services because they have been granted permanent residence or citizenship. The South African constitution provides the same rights to citizens and permanent residents. As stated earlier, the public does not make any distinction between, say, African migrant with a status of permanent resident from that has not it. Thus ignorance prevails amongst the public as to what category of foreigners is entitled to social services. The same attitude is observed in regard to the issue around unemployment. In some sections of the population, the belief is strong that the presence of immigrants and refugees increases unemployment among South Africans. Mediatised events associated with clashes involving African migrants around to the benefits associated with social services delivery have exacerbated this misperception. According to Oucho and Crush (2001), the public has no other sources of information documenting the positive contribution of foreigners to the national economy through different ways (skills, experience, job creation, cultural diversity). At times, senior officials and executives (including the Minister of Home Affairs) have in many occasions called on government service departments to “request the identity documents or passports of all foreigners requesting services and in this way ensure that they (irregular migrants) do not gain access to services in short supply to the people of South Africa” [Douglas, 1997]. This view calls therefore for a denial of rights to irregular migrants, exposing them to some undignified or less favourable living conditions. This could be one of the reasons why some of them resort to fraudulent methods in order to gain access to social services.

On the front of human rights, the SAHRC together with the Lawyers for Human Rights, a civil society organisation, have endeavoured themselves to this task of providing some protection of the rights of irregular migrants. This however occurs when they are detained in the Lindela Detention Centre. The monitoring of detainees and the management of the centre have however become matters of concern. According to the reports produced by the SAHRC, the record keeping of Bosasa, a private company managing the centre, is of poor quality. For example, the numbers of detainees as communicated to the department of Home Affairs are supposedly incorrect and prone to over enumeration in order to increase the payments received from the state.

Zimbabweans are not however the only group of foreigners for whom the increasing number is generating intolerance within the South African citizens is in the rise. Somalis and DRC asylum seekers, also showing a strong presence in most of the major cities of South Africa, are also experience similar public opinion. The situation of Somalis in Bellville examined here single out in this section is a case, among others, of mounting intolerance of the so-called “outsiders” by “insiders” faced by foreign communities excluded from South African citizenship. Bellville is one of the northern suburbs of the city Cape Town in the Western Cape Province. Intolerance does not confine itself...
to Bellville. Nor did it affect only Somalis. Its occurrence is widespread across the country and the manifestation of intolerance reported here may apply to any other urban setting where Somalis or other African migrants have settled. African immigrants face numerous obstacles in their local integration in South Africa as no proclaimed policy is in place. So far there has been inappropriate political responsiveness to xenophobia directed to these displaced persons in urban settings. Perhaps the use of the label “immigrant” may not sound applicable to Somalis as they all claim to be refugees or asylum seekers. The least one can say is that there is great deal of mixed-migratory (economic migrants and asylum seekers) patterns in the process of their moves to South Africa. Compared to some other non-south African settlers, their migration is relatively recent in the post apartheid South Africa. This recent settlement put aside, the community has experienced rapid growth which has stemmed resentment from the locals and (even) from other immigrants due to friction over trading space in many urban locations. Cape Town, as most of the other major or secondary urban centres across South Africa, hosts a large community of Somalis. For some motivations not well elucidated, Bellville is one of their preferred locations. The exact number of Somalis in Bellville is unknown but according to one of the community representatives, the estimated figure may be between 5,000 and 6,000 Somalis (as of February 2008). This estimation is indisputably below the real figure. Hundreds of new applicants for refugee status are daily recorded in the Bellville Home Affairs department. The prima facia status of refugee is automatically granted under the Refugees Act of 1998. The South African legislation on refugees and asylum seekers excludes the establishment of UN or state-assisted camps for displaced persons on the national territory. Asylum seekers find their own accommodation, usually through co-ethnic members. Although the right to work is granted, Somalis are all self-settled refugees and heavily rely on religious and clan-based networks to find accommodation and secure livelihoods in the urban setting. A migrant economy has shrived in the CBD with co-ethnic businesses (mostly clothing selling shops) providing means of living to members of the community. In the Central Business District (CBD) of Bellville, shops owned by these refugees have expanded in what is now known as “Little Somalia” area. But this has not come without some side-effects for the local dwellers and traders in that space. The establishment of “Little Somalia” has displaced the residential habits of locals (mainly white and coloured people) who used to live in the area because of the cheap rental accommodation. To describe the rapid change affecting the CBD, one representative of a local NGO dealing with street people said: “almost all the business premises in the area have been taken over by Somalis. They will simply arrive and claim the space as their own. I’ve had to chase them off our property on numerous occasions”. The size of the business community has considerably grown up due to induced migration (family members from Somalia), creating additional demand for space to trade. One community leader interviewed during fieldwork informed: “we come to South Africa because there are opportunities here. It is a civil society that allows us education, trade and travel”.

The expansionist behaviour of Somalis in the Bellville CBD is also a source of tension as Somali traders have had also clashes with the city police that have increasingly become intolerant towards their growing presence in the CBD. Frequent incidents involving Somalis and police staff are reported in the local press (see, for example, Tygertalk, 14 February 2008). The concentration of conflict is not only confined to the Bellville CBD where Somalis trade, but it is at the greatest level in the townships where many of them live under the permanent threat of being killed by locals. As one Somali refugee put it: “Somalis are easy prey in the townships” where some areas, not accessible to the police, are sites of pervasive violent crime and xenophobic attitude towards “non-south African” citizens from other parts of Africa. For example, some months ago before the eruption of xenophobic attacks against foreigners in May 2008, residents in the township of Motherwell in the Eastern Cape systematically looted more than a hundred Somali businesses in the area. Goods were taken from shops owned by Somalis and their property destroyed. It was reported that
400 Somalis fled the township without their belongings to seek refuge in a mainly colour-
red township [Mail & Guardian, 2-8 May 2007]. In township, the Somalis do not live in enclave. They are dispersed within the community. What could have been a pattern of effective local integration has frequently turned out in life threatening situation. The growing presence of these traders from outside is the source of animosity, rivalry and re-
sentment amongst the local business men who also own shops in those impoverished areas. Allegations are occasionally made by Soma-
lis that South African shop owners orchestrate attacks to forcefully removed Somalis from the township. Some of these allegations may find some justification in the local politics. Taking again the township of Motherwell as an illustration, it was observed that prior to the looting mentioned above South African shop owners collectively issued a call for the removal of all Somali shops. This call came in support of the harassment from the police on Somalis suspected to be in possession of illicit drugs and illegal weapons. From a broader perspective, violent attack against Somalian refugees in the townships is one of the tactics used to keep enterprising Somalis out of the area. The view expressed by a re-
sident in the township in the days that follow the attack summarise perfectly the views of many township dwellers:

The approach of the Somalis to come and just settle in our midst is wrong. Soma-
lis should remain in their country. They should not come here to multiply and in-
crease our population and in future, we shall suffer. The more they to South Africa to do business, the more the locals will continue killing them. But may be if they stop thinking they are cleverer than local South Africans, the killing will stop. These words amply resonate in the inten-
tion expressed collectively by a professional organisation-NAFCOC (National African

CONCLUSION

The foregoing discussion of some of the pro-
minent traits of the discourses on the immi-
gration policy in post-apartheid South Africa points to some similarities and differences. In reference to the Apartheid, the discourse was constructed around the political concern of recruiting foreign labour, not necessarily skilled, to meet the demands of the mining

Federated Chamber of Commerce and Industry)-calling for Somali purge in Kha-
lyetscha, one of the densely populated townships in Cape Town (reported in the
Mail & Guardian, September 5 to 11, 2008). The organisation-made of South African businessmen- sent letters in September 2008 to 200 Somali traders warning them to close their shops or face physical violence. As the representative of NAFCOC puts it:

The Somalis fight civil wars in their own countries and they come here (South Africa) and take away our livelihood. Maybe we should start a civil war so that they will leave our communities. These Somali tra-
ders are Arab and they're in our country illegally. Why can’t they be kept in refu-
gees camps?

The reasons behind the letters are related to the Somali traders’ business practices (low prices, long opening hours, co-ethnic sup-
port, well organised supply networks, etc). According to NAFCOC’s members, these practices are disadvantaging the local tradi-
ers. Put in the words of the NAFCOC’s secretary (same source as above):

We [local traders] can’t even do busi-
ness with these people because today he
calls himself Abdul and tomorrow he is
Mohammed. During the day, Shoprite [a network of supermarket stores] takes
our business and during the night, it’s the
foreigners. Somali traders are Arabs and Muslims and those countries have lots of
money. Our own country and democracy,
which we paid so dearly for, does nothing
to help us.

The city authority negatively and lawfully reacted to this resentment among local tra-
ders toward Somali traders. But this expres-
sion of intolerance towards African migrants is well entrenched in the communities, and
it will take a while for it to vanish. A sound policy for an effective integration of African foreigners is more than ever needed.
industries. Foreign workers, mainly poor rural dwellers from the Southern African region, were given incentives to move in South Africa and work on mines and farming estates. The recruitment of foreign Africans was regulated in consideration of some situations of tension both in the domestic labour markets and political spheres. The Alien control act of 1961 and the policy of internalisation of 1974 served as institutional framework for regulating and controlling the movements of African foreign workers admitted in the country. There were however irregular migration but not much as it is in the present days. The terrifying apartheid regime indirectly deters migration to the country, but it showed flexibility in regard to labour on mines and farming estates.

In the post apartheid South Africa, foreign workers are no longer in high demand on the mines as the country has to tackle its own growing unemployment. In this context, the political discourse is increasingly focused on curbing irregular migration and facilitating (not attracting) skilled foreign professionals. The migration discourse has become strongly selective, discriminatory and biased toward skills. Concurrently, to some candidates to move, irregular migration has emerged as the most viable option for moving into this country regarded by many Africans and other nationalities as a land of money-making of opportunities. The doors to enter Europe are nearly closed to this migration from the south, thus South Africa emerges as a viable destination for the thousands of candidates to migration.

The deportation of detected irregular migrants has considerably increased in numbers as the country faces influxes of migrants of all types (including forced migrants) from within and outside Southern Africa. The measures aimed at curbing irregular migration are not really effective. This type of migration adds on the effects those resulting from legal and forced migration. Echoing the government alarmist discourse on immigration, the perception has been growing within the South African nationals that there are too many foreigners of African origin in the country. This perception has at times found expression in xenophobic attacks against foreign expatriates from other African countries. South Africa, as a receiving country, gains a lot from the migration of skilled persons, and this may also compensate for the loss caused by the brain drain of its domestic professionals (mostly whites) to such countries as UK, USA and Australia. Skilled immigrants are drained from all over the world, with a substantial representation of citizens from other parts of Africa.

To what extent are state institutions fuelling the culture of xenophobia in South Africa? This is a question that requires further research. What has been established in this paper is the political shift toward a greater focus on irregular migration while there is some continuity in the restrictive, discriminatory and selective measures of the apartheid ages. It is certain that the country has become more hospitable to migrants, but a large fraction is made of a handful of migrants with the skills needed by the modern economy. A looming question is how to accommodate those migrants in irregular situation, but who may happen to have the skills needed by the informal (second economy) and formal sectors? The answer to this should be central to the challenges and questions policy makers must address in managing migration in the post-apartheid South Africa.

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