

NO DOCUMENTS,

NO RIGHTS?



Exploring agency and
vulnerability in the experiences
of irregular migrant women from
Zimbabwe in South Africa

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This study has been carried out within the framework of the Minor Field Study (MFS) Scholarship Programme, funded by the Swedish International Development Cooperation Agency (Sida).

The MFS Scholarship Programme gives Swedish university students the opportunity to carry out fieldwork in low- and middle income countries, or more specifically in the countries included on the DAC List of ODA Recipients, in relation to their Bachelor's or Master's thesis.

Sida's main purpose with the MFS Scholarship Programme is to stimulate the students' interest in, as well as increasing their knowledge and understanding of development issues. The Minor Field Studies provide the students with practical experience of field work in developing settings. A further aim of Sida is to strengthen the cooperation between Swedish university departments and institutes and organisations in these countries.

The Department of Human Geography at Lund University is one of the departments that administer MFS Programme funds.

Abstract

This research draws attention to the way irregular migrants in South Africa experience their journey towards a better life, the vulnerability they face, and their capacity to adapt and to be agents of change. Qualitative interviews were held with 10 irregular migrant women, which were analyzed through an analytical framework of vulnerability and agency, while keeping a focus on their illegal migrant status (irregular migrant). The research showed that their experience was highly affected by the irregular status, and the precarious and vulnerable situation they lived in. Not having a passport or permit to work impacted their journey into the country, their living- and working conditions and their own physical and psychological well-being. The integration into the South African society was shown to be difficult, as many irregular migrants didn't feel welcome and were afraid due to the xenophobic attacks, which occurred in 2008. Despite their vulnerable situation, the research also found that they used strategies, as seeking asylum and finding work, which showed that they were active agents of change, trying to improve their difficult situation.

Key words: irregular migration, agency, vulnerability, Zimbabwe, South Africa
Words: 14 700

Foreword

As someone said, a smooth sea never made a skilled sailor, and I am truly happy for this overwhelming experience of living in South Africa, researching immigrants in a context that has been outside my comfort zone. My perspectives and insights from the beginning of this journey, when the idea came up to write about migrant life stories in South Africa, to the final thesis, have changed significantly. Far from it being only an academic journey, this experience has deepened my knowledge and understanding, sometimes in an incredibly painful way, about the experience of being a foreigner in a new place.

This research would have never been possible if a series of events hadn't occurred. If I had not had the opportunity to intern at the International Labour Organization (ILO) for six months, many of the interviews and connections for this research would have been impossible. A special thanks goes to the Director, Vic van Vuuren, who gave me this opportunity, and to all the colleagues who in different ways supported this work.

My friends Janet Munakamwe and Ethel Musonza, who believed in my idea, helped me find people to interview, guided me in Johannesburg, took me to new places - you were a great source of joy during my time in South Africa – thank you. I cannot express how much I am in debt for the time and effort you put into helping me with this research.

Finally, I also wish to thank classmates, friends and family who took time to read or discuss parts of this research. Thank you for the support and encouragement when I was ready to give up. A special thanks to Ellen Hillblom, who has given important insights and comments to the drafts, and to Josipa Bićanić who took time to proofread my thesis.

To all the migrants that I met during my time in South Africa, this is for you. There is no doubt that you are the protagonists of this research, and I am thankful that I had the opportunities to listen to your stories. I hope that we one day meet again, that your journey becomes what you expected it to be, and that you find what you were looking for.

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1 Introduction

“They don’t want to see you, they shout, go back to your country, go back to Mugabe, you are dirty.” (Thelma)

“We were afraid, we slept on the roof, they took people who didn’t speak Zulu and killed them.” (Nomsa)

The xenophobic attacks in 2008 where 62 people were killed in South Africa (Monson and Misago 2009:25) shows the urgency for more research on the experiences of migrants in South Africa. Research shows that migrants are targeted in a systematic way in the South African society by xenophobic attitudes (Crush and Ramachandran 2009) and that the rights of migrant workers are systematically violated in South Africa at different levels and places (HRW 2006:22, CoRMSA 2010).

The current research and debate about irregular migration is predominantly focused on the destination countries in North America and Europe. Yet, most of the migration on a global level is south-south migration (HDR 2009). Since the end of apartheid, South Africa has become one of the major recipients of migrants in the region (Ramamurthy 2006:40). Three interesting facts make this research relevant to the debate on irregular migration. First, there has been a significant increase in irregular labour migration from Zimbabwe to South Africa (Crush and Williams 2010:20). Second, an estimated one to five million irregular Zimbabwean migrants live in South Africa (Polzer 2008:1). And third, more women are migrating independently to South Africa (Crush and Williams 2010:21),

This research focuses on the experiences of irregular migrant women. Irregular migrants are those who enter or work in countries without legal authorization, and are often labelled as illegal, clandestine or undocumented (ILO 2004:11). In this research I explore a group of women in irregular status that face precarious working conditions, abuse and live on the margin of society (Sager 2011). While focusing on the individual experience, I will draw attention to the macro structures affecting migrants, e.g. migration policies and laws (Khosravi 2010:5). With this research, I also aim to challenge the state-centered approach on

irregular migration, where it is mainly seen as “illegal” and “dangerous for us” (Wæver 1995) by showing another perspective – the story of the migrants.

1.1 Aim and Purpose

There is a great amount of debate regarding the benefits and costs of migration for receiving countries, but far less from the perspective of migrants themselves (Bloch 2006:2). The experience of being "illegal" is not an abstract one, but takes form in very concrete constraints in the daily lives of migrants (Sigona 2012). The aim of this study is to explore how irregular migrant women from Zimbabwe perceive their situation and their future, in terms of vulnerability, agency and undocumented migrant status. The research uses a phenomenological approach, where I aim to understand the world from the woman migrant perspective, arguing that what people perceive to be important is of interest (Kvale 1996:53). The benefits of doing qualitative research are clear here, as I am able to "work out the logic of the relationship between the individual and the situation" (ibid:103).

I aim to explore the following research questions (from here on, RQ):

- How does an irregular migrant perceive her situation during the migration process and in the integration into South African society?
- How can their experiences be interpreted in terms of vulnerability and agency?

Within the broader picture of the issue of irregular migration, this study focuses on the living and working conditions of one of the most vulnerable irregular migrant groups in Johannesburg, South Africa – Zimbabwean women migrants.

The research, therefore, contributes to the wider discussion regarding the definition of refugee-migrant, the implications of migration policy on individual migrants and how being “irregular” impacts the life of migrants. It also contributes to the debate on agency/structure and vulnerability among irregular migrants by discussing findings within these theoretical perspectives.

In the “Background” chapter, I give a context by describing the historic background and the situation of migration policy in South Africa. In “Methodology” I clarify the methods

undertaken for this research. I also describe the informants basic commonalities, how the interviews were conducted and analyzed, and examine my own role as a researcher. “Previous Research” is the starting point for the theoretical discussion in the “Analytical Framework” where I discuss irregularity, vulnerability and agency. The core of the thesis is the empirical part, where I show the findings and analysis. Chapter 6, “Journey Towards a Better Life” describes how it is to arrive to South Africa. Chapter 7, “No documents, no rights?” mostly describes working conditions and the role of documentation and Chapter 7, “More Borders to Overcome” outlines how the irregular migrants adapt in South African society and what difficulties they face. The last chapter, “Concluding Remarks” is a summary on main findings and outlines suggestions for further research.

2 Background

Migration policy in South Africa during Apartheid was on the basis that immigrants could assimilate into the white population, which followed the logic of Apartheid, where the white race was seen as superior to black. However, workers from other parts of Africa were employed on a temporary basis according to bilateral agreements with neighbouring countries, mainly in the mining sector (Crush 2008). The immigration policy was extremely restrictive, and the borders were enforced by electric fences impeding any unregulated migration (Cambell 2006:6).

The need for a new Immigration Act arose as the migration patterns changed in the region with the end of the wars in Angola and Mozambique and as the economic and political situation in Zimbabwe became more and more in crisis (Crush and Williams 2010). The turning point came with the fall of apartheid in 1994, and in 1996, South Africa signed the UN Refugee Convention¹ and in 1998 a national legislation regarding refugees was signed. The migration policy became liable to constitutional review by 2002, which made it obligatory to reform the immigration legislation (Landau and Segatti 2011:38). Ending up in a close to 10-years process, South Africa adopted the Immigration Act no.13 in 2004, making it one of the more difficult political processes for the new South African government (ibid).

The aim of the South African Immigration law from 2002 is to promote skilled labour migrants, academic research and exchange and foreign investment in the country (Preamble Immigration Act 2004:2). Regarding irregular migration, the Immigration Act restricts the movement of irregular foreigners in South Africa by making it illegal to help or assist anyone in that status, giving immigration officials the power to arrest without a warrant and be deported, assuring that no illegal migrants are employed (Immigration Act 2004).

The Immigration Act controls the entry of foreigners in South Africa, although there are other regulations that are applicable to migrants (also irregular migrants) in their conditions as

¹ <http://www.dfa.gov.za/foreign/Multilateral/inter/unhcr.htm>

workers, e.g. the Company Act or the Citizenship Act. The Constitution states that: “[...] South Africa belongs to all who live in it, united in our diversity. [...]” (Constitution Law, Preamble).

Related to labour rights, South Africa ratified the eight core conventions², which are also implicitly stated in the Constitution. These rights apply the same for migrant worker as for South Africans, no matter the documentation status of the migrant. However, the consequence of using the Labour Law in case of a violation in labour conditions will ultimately be deportation, which discourages reporting abusive situations in the labour market (Key Informant, LHR).

2.1 Zimbabweans in South Africa

Zimbabwe has been in a long-running economical and political crisis for many years, impacting in a significant way the migration movements to South Africa. The political violence in the country, the "state sponsored violence", have displaced people from their homes, as well as tortured, killed and injured those opposing the ruling party (IRIN 2008). This situation has been emphasized by the economic crisis, with economic distress marked by hyperinflation and decreasing living conditions (Wines, New York Times, 7 February 2007). This situation has caused a migration towards Western Europe, Australia and the rest of Africa (Crush and Tevera 2010:6).

Zimbabwean migration to South Africa has been traditionally male labourers that worked in the region's mining and agricultural sectors (Mlambo 2010:72). The current migration movement to South Africa includes a growing number of highly qualified professional people (ibid.), who encounter difficulties to find jobs in their own sector (Key Informant, Union). There is also an increasing movement of women migrating from Zimbabwe (ibid.), something that follows the regional and global trend of an increasing number of women migrant workers (Crush and Williams 2010).

²http://www.ilo.org/global/about-the-ilo/press-and-media-centre/news/WCMS_007909/lang--en/index.htm#note1

The migration to South Africa from Zimbabwe is often described as a “mixed migration flow” (Landau and Segatti 2011:17), which means that refugees and economic migrants come to a country through the same channels and often encounter the same situations as asylum seekers (Polzer 2008:1). The characteristic of the phenomena of mixed migration makes policy options more narrow and complicated, where one solution won’t fit all (ibid:6). Since 1990, more than 3 million people have been deported back to their countries, the vast majority (90%) coming from Mozambique and Zimbabwe (Crush 2012:16).

Zimbabwe was the only country that didn’t have access to free visa-entry until recently, and the difficulty to acquire a visa made it almost impossible to enter South Africa legally (Polzer 2008:6). The Department of Home Affairs announced in 2009 its intention to create a “special dispensation permit” for Zimbabweans. It is based on the Immigration Act, section 31 (2)(b), which included a 90-day free visa for Zimbabweans and a moratorium on deportations have been implemented (CoRMSA 2010). This response to the Zimbabwean migration was called the Zimbabwean Documentation Process (ZDP) and reached around 275 000 migrants. For many, it was seen as a step towards more comprehensive migration policy (Crush 2012:19). However, the process has also been criticized, since the process didn’t reach all Zimbabweans migrants because of the lack of information and clarity on the terms and conditions (CoRMSA 2010). During the implementation of the ZDP, the Department of Home Affairs changed conditions on what was needed to receive the documentation, there was a lack of clarity and information and stories of corruption in the process were common (Key Informant, CoRMSA). NGOs also raised the concern that deportations will still take place, despite the fact that migrants may be in the process of receiving regular status (ibid., CoRMSA 2010).

3 Methods

3.1 Starting Points

This research uses a qualitative method to grasp the reality of a complex phenomenon in South African society (Creswell 1998:15). The ontological position of this research is social constructionist (Bryman 2008:366), where reality is created by humans and continuously recreated in the minds of people through language and actions (Wæver 1995, and Buzan, Wæver -and De Wilde 1998). The epistemological position is interpretivism, where I aim to understand the world through the eyes of the research subjects (Bryman 2008:365).

Although this research is mainly empirical, I acknowledge that traces of normative and constructive research will exist (Mikkelsen 2005:127). This is due to the fact that talking about “rights” and “labour rights” is a normative question (Bader 2005:1), and interviewing the actors involved often meant talking about how to reach better labour rights for migrants (a highly constructive question).

3.2 Data Collection

Interviews were conducted with 10 irregular migrant women, all coming from Zimbabwe, who had lived in South Africa for at least one year. With some of the informants, I had a longer interaction and was able to have several shorter interviews and informal opportunities to understand more about their situation. Using “snowball” sampling (Bryman 2008) and then using semi-structured interviews served well the purpose of the thesis (ibid). In Annex 1 there is a complete list on the women occupation and ages. All the names in the research have been changed.

The informants of this research were all undocumented, or had experienced recently not having a valid permit to stay or work in South Africa. Although identifying themselves as "undocumented", a distinction needs to be made between those who had a Zimbabwean

passport and those with no ID documentation at all. The majority were from a lower socio-economic situation in Zimbabwe, something they said themselves and their education level and previous occupation in Zimbabwe reveals. The majority of informants were living in the inner-city of Johannesburg or in places surrounding Pretoria and Johannesburg. In terms of occupation in South Africa, some of the women worked as domestic workers, others distributing or selling goods. Three women were selling sex, and two women begged on the street. The common feature of the occupations were that all, except two, were working in insecure and/or in the informal labour sector.

One group interview was done, rather than a focus group discussion, since the topic was broadly about their experience as immigrants, the interest was in their story as individuals rather than the interaction as a group (Bryman 2010:473-4) and finally, the groups were small enough to let everyone answer to almost every question.

The information gathered from the interviews were triangulated with four other sources: reports and research from similar contexts, interviews with fifteen key informants, interviews with other groups of migrants without regular status and direct observations. Since the context is crucial for this research (Creswell 1998:63), being able to use different sources increase the reliability and validity of the research (Bryman 2008:379).

The key informants (Annex 2) were people working directly or indirectly with migrants or refugees, and represented organizations that are involved in the South African debate on migration issues. Most of them were migrants or refugees themselves, and could provide information not only as experts in their field (as lawyers, researchers or activists) but also through their personal experience. Their major contribution was to provide a direction to the research at an early stage, to identify gaps of current research, and to give an updated analysis of what it is happening in the field.

Direct observations were also important to understand the context of the research. The first opportunity for direct observation arose at a symposium for migrants in Johannesburg. I could interact and talk to people in the setting and that way also could set up interviews (Bryman 2008:410) with some of the participants. In the second setting, a celebration of the international migrants' day held by several organization, I was a complete observer (ibid). Finally, I was also able to see where a group of the informants lived, in the inner-city of

Johannesburg, something that provided great insight in the living situation of this group of migrants.

The interviews were all recorded, except two were the informants asked not to be recorded, and partially transcribed. Kvale (1996) discusses how transcription freezes a setting that is aimed to be a living, vivid conversation. Therefore, I took time to listen through the interviews several times during the categorization in themes, and the analysis of the material. The analysis of the interviews were done through “meaning categorization”, were the themes arose during the analysis (Kvale 1996:192).

There are several limitations to this research. Although I discuss the limits between being a refugee and economical migrant, there are no people who have been granted refugee status in the research. I also acknowledge that the experiences of migrants differ in different areas of South Africa, making this research limited to understand the experiences of being an urban migrant in Johannesburg or Pretoria. Irregular migrants are often treated as they are a homogeneous group of people despite the fact that their characteristic differ extensively between country context and stories of irregular migrants. They are often labelled from the illegal status they are in and other characteristics as their ethnicity, nationality, religion, native language, cultural background are overlooked (Helmesoet 2011:662). This tendency to group people might create serious injustice not only in policy making but also in research (Helmesoet 2011:663) and simplifies a highly complex reality and a very diverse group of people into one category - “being undocumented”. Therefore, it is important to state that this research only offers one perspective of "being undocumented" and it is not representative of all migrants living in South Africa. However, it offers a “thick description”, providing various details to make it easier to identify if the case can be generalized to other contexts and therefore be externally reliable (Bryman 2008). Internal validity is achieved through an extensive triangulation of methods. The external reliability of the research is difficult to meet in this case, since it is impossible to 'freeze' a social setting and the circumstances of qualitative research (Bryman 2008:376). Being alone as a researcher, the internal reliability is achieved by keeping notes and recordings for future research.

3.3 Limitations

My own perceptions and circumstances have influenced the work in different ways, despite my attempts to keep an objective perspective. Bryman (2008:131) discusses the way politics might interfere in the research and from the beginning I have clearly taken the side of migrants and their rights. Although I was working for ILO as an intern during the data collection time, the research was done mostly through contacts with an organization called African Diaspora Workers Network. Both groups wanted to influence in the negotiation at an early stage about what to study and how to study it (ibid). Yet, the independency of my research was clarified at an early point, and I made that all the decisions regarding topic, interviews and data collected wasn't influenced by their interests.

Due to the history of South Africa, marked by colonolization and apartheid, being white can be associated with power and being the oppressor. Coming from Europe is often associated with access to economic resources. It would be naive to think that these factors didn't influence the relationship between researcher and informants. The distance between the informants and my own cultural and socio-economic background might have been my weakness, to not fully understand the cultural or socio-economic background of the informants. But it can also be seen as one of my strengths, as Kvale discusses how ties to the informants can jeopardize the independence of the research, ignoring some finding or emphasizing others (Kvale 1996:118). Being a white, young, 'rich' European might therefore offer the possibility to see new perspectives and connections and emphasizes my role as outsider and independent (ibid). I am, for example, convinced that my own experience of being a foreigner in South Africa made it possible to discuss certain areas with more liberty than if I were South African.

Something that made the research possible, was that I met key people from Zimbabwe who in an early stage trusted me helped me access groups of people, which would have been impossible to meet otherwise. They were also important in the clarification of cultural aspects since we built a relationship over time and could ask aspects that I didn't understand at first.

The ethical risks of researching irregular migration can be seen as both social risks and psychological/physical stress (Düvell, Triandafyllidou and Vollmer 2009:229). These risks are increased by researching vulnerable groups about sensitive topics (ibid). Therefore the clear information about the purpose of the research and keeping the confidentiality of their information has been important to avoid above mention risks and deception (Bryman 2008:118).

4 Previous Research

This section aims to connect the analytical framework to a broader understanding of theories and concepts that are related to irregular migration. To understand and explore the experiences of irregular migrants becomes relevant when arguing that the concept is not fixed, but a social construct created by human discourse and action. This is reviewed in the chapter "Construction Irregular Migrants". The chapter "Complex definitions" outlines the different concepts of economic migrant and refugees, and why there are complications with the distinction between them, something important to understand the reason why people migrate and seek asylum in South Africa. Finally, the chapter "Human Rights for All" describes briefly the approaches on rights for irregular migration, where I argue that irregular migrants have rights that need to be protected. With this in mind, it becomes relevant to explore which rights are not protected and how irregular migrants experience this.

4.1 Constructing Irregular Migrants

As Foucault observes, in his characteristic style that so elegantly states the obvious, "the existence of a legal prohibition creates around it a field of illegal practices"

(Foucault 1979:280 cited in De Genova 2002:422)

The concept of irregular migration is complex, and the complexity arises since most definitions show ontological positions and, in the end, they also depend on political orientation (De Genova 2002:421).

The public discourse about the phenomena of irregular migration is argued to create a notion that "illegal migrants" are a natural concept rather than a socially constructed one (Allegro 2010:174). One of the reasons definitions become important in the research of irregular migration is because the negative and criminalized notions "illegal alien" or "irregular

migrant" are argued to be part of a broader discourse (Wæver 1995, Buzan et al. 1998). Some scholars argue that it is the State which is the problem rather than the migrant, something widely explored in the concept of "migration without borders" (Pécoud, de Guchteneire, 2007). Portes argues that the reason for this is that researchers often have been aiming to serve the policy-makers, and therefore not being critical to the basic assumptions of the research (Portes 1987). De Genova goes further by exploring how immigration policies create and legitimize this situation. He states that:

"Undocumented migrant labour has been criminalized as "illegal" and subjected to excessive and extraordinary forms of policing. The undocumented have been denied fundamental human rights and many rudimentary social entitlements, consigned to an uncertain socio-political predicament, often with little or no recourse or any semblance of protection from the law."

(De Genova 2002:439)

Carens (2008) states that there is a divide between those who take the perspective of the State, where irregular migrants are not following the rules and it is the obligation of the State to enforce the rule of law in the appropriate ways (Carens 2008:164). The other extreme is to only argue for the migrants' perspective, where they are seen as victims in a politico-economic system that exploits workers only because they lack documentation (Allegro 2010:174). Researchers like Brettell and Hollifield (2000:2) describe the dichotomy in approaches for research, where some researchers use a top-down approach, focusing on migration policy and responses to migration, and the opposite, where the approaches have been to put the migrants interest is in the centre.

4.2 Complex Definitions

Migration theories have tried to describe why 3% of the world is not living in their country of birth (HDR 2009). The neoclassical migration theory, one of the best known, explains migration as a part of economic development, where the difference in labour demands and supply among countries motivates people to move, despite restrictive migration policy and laws (Massey, Arango, Appraisal, Kouaouci, Pellegrino and Taylor 1993:433).

This theory does not explain why people move despite the fact that the prospects of finding jobs in the new place are more difficult than at home. Harris and Todaro (1970) argue for a migration model where people migrate to urban areas even though the urban wages are lower than in rural areas. In their model, the crucial assumption is that the expectation of jobs and opportunity in the urban areas, creates a rational choice of migrating - although the basis of the choice seems irrational (Harris and Todaro 1970). Others have argued that the social networks create these expectations and enforce them, by representations of the promise land (Khosravi 2010:37). Massey et al.- (1993:448) also argue for this view, where they state that networks reinforce migration patterns.

The most common way to categorize the reasons why people move are the "push and pull" factors. Push factors mean those reasons that are tied to the home country, as lack of opportunities, persecution from something, natural disasters or other things (HDR 2009). On the other hand, pull factors are tied to the immigration country such as the expectation of better jobs, better opportunities of other things that would create a better life abroad (ibid).

Migrants are often categorized according to the reason why they move and based on how voluntary the decision to move is. The Refugee Convention from 1951, determines that a refugee is someone who is forced to flee his or her country because of persecution, war, or violence (UNCHR 2012). An economical migrant is on the other hand defined as someone who moves voluntarily for economical reasons.

The dichotomy between refugee and migrant worker has been prominent in the last decades where people are seen to move in either in a legitimate way as refugees or illegitimately as irregular migrants with no need of protection (Betts 2010:362). This dichotomy is acknowledged and more comprehensive frameworks are developing, but with difficult to define new concepts. New situations, like when people are forced to move because of disaster created by climate change have challenged traditionally concepts and created a new need for further redefining of concepts (ibid). Scholars have argued that the idea of separating forced migration from economic migration, or categorize migration as involuntary to voluntary is problematic and difficult in a real-life context (Turton 2003 and Khosravi 2010). Irregular migration might also occur because of rejected asylum, and on the other hand, refugees might not apply for asylum and therefore be considered irregular migrants (Ghosh 1998:8). Nyasha Bloch (2008) presents insights into the debate, by showing how

women don't see themselves as refugees, don't apply for asylum despite having reasons to do so (Bloch 2008:5).

Patrick A. Taram (2008) defines this dichotomy as “Indivisibility of Rights vs Contemporary Protection Regimes” where many people are displaced in search for better opportunities but are not protected since international law only recognize victims of certain violations to need protection (Taram 2000:28). He claims that there is no protection to those who need to flee from violation from socio-economic rights, which created “irregular migration”. Still, as seen above, there are protection measures in International Law, although not always recognized to cover “irregular migration” (ibid).

Alexander Bett (2010) argues for a new term in migration studies "survival migration", as it gives a definition for people who fail to complete the requirements of the 1951 Refugee Convention and yet are not voluntary economic migrants (Betts 2010:364). It is not a new phenomenon and has been labelled by others as "externally displaced people", "people in distress", "distress migration" and "vulnerable irregular migrants" (ibid). Two problems arise with using “survival migrants”. First, the term is not yet recognized by states or international organizations even if it is increasingly being part of the debate. Secondly, it can undermine the Refugee Protection regime, that up to date has protected an important amount of people fleeing from persecution. The important part of this discussion is to recognize the difficulty of defining the movement of the people and to remain as clear and concise despite the need to categorize different types of migration.

4.3 Human Rights for All

There are two important perspective related to the rights of irregular migrant workers. The first approach is to see migrant rights as a citizenship right that is highly regulated by the state (Ruhs 2010:262). In that perspective, the irregular migrant is not entitled to any rights, as it is violating the basics of the state: the sovereignty of the borders (Carens 2008:164). Although this has been debated widely in a normative discussion by scholars (ibid), most of the states follow the distinction between citizen and non-citizens when distributing rights.

The second approach is to see migrant rights as human rights (Ruhs 2010:260). Wickramasekara (2007) argues that three components are the basic of the rights that all migrants, also irregular migrants, are entitled to:

1. Universal human rights instruments, which apply to all persons including migrant workers
2. Instruments that deal with migrant workers rights in a specific way;
3. Labour standards (outlined by ILO) which apply to all workers in the workplace including migrant workers.

(Wickramasekara, 2007:260)

The Universal Declaration of Human Rights, adopted in 1948 in the United Nations General Assembly³ was non-binding and therefore the International Bill of Human Rights⁴ was adopted and has been widely ratified around the world.

The Conventions that address the concept of irregular migration, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICPMW) and the ILO convention The Migrant Workers (Supplementary Provisions) Convention (No. 147), 1975, are not ratified by most states, including South Africa (NORMLEX, ILO).

³ For the complete document, view: <http://www.un.org/en/documents/udhr/>

⁴ Composed by the Universal declaration of Human Rights, the Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)

5 Analytical Framework

The analytical framework is based on the research questions, where three central concepts arise. The first is “irregular”, and here I use a conceptual framework that outlines key concepts to a successful integration (Ager and Strand 2008) and what an irregular status implicates. I argue that the social structures that constrain the actions of irregular migrants are palpable and concrete (Sigona 2012) and that this can be understood by the particular conditions that irregular migrants face (Khosravi 2010). Two other important concepts in the research question are ‘Vulnerability’ and ‘Agency’ that will serve to answer the second research question. The weakness with the concept of vulnerability is that it creates a notion where people are victims of the structures in the society (Sager 2011:130). Agency, on the other hand, enhances people’s decision making, where people are seen as agents of change. The one-sided approach have created a dichotomy between the "victims coercions" and the "agent's consent" (Briones 2010). This is the reason why this analytical framework uses two concepts that complement. The structures that surround irregular migrant often victimize and create a vulnerable situation for irregular migrants, but irregular migrants shouldn’t be seen only as victims, but as agents.

5.1 ‘Irregular’

Ager and Strang (2008) offer a conceptual framework for the integration of refugees that is interesting in the debate about the integration of irregular migrants. In their framework, displayed in Figur 1 the foundation of any integration is citizenship and rights (Ager and Strang 2008:170). I use this framework to understand why citizenship and lack of protection regarding rights matters for the migrants, and what domains of integration they acquire despite not being citizens. The conceptual framework links the foundation principles of citizenships and rights with the markers integration: employment, education, housing and health (ibid:177), and I approach the labour conditions of the informants and how they differ from nationals to understand to what extent they become integrated. Acknowledging that the

links can be understood as social capital (ibid) I further will explore how the three central concepts are perceived by the migrants: social bounds with family and other Zimbabweans, social bridges with the South African community and social links with the structure of the state (Ager and Strand 2008). Language, cultural knowledge and safety and stability are all facilitators for connecting the markers and means with the fundamental rights and citizenships (ibid). Although the conceptual framework is meant to understand the integration of legal refugees into the host society, it is useful to understand why certain things become important in the narrative of irregular migrants, most of all the protection of rights and citizenships.

Figur 1

A Conceptual Framework Defining Core Domains of Integration



Source: Ager and Strang 2008:170

The reason integration is not often discussed when it comes to irregular migrants, since integration is often based on citizenships and rights (Ager and Strang 2008:170). However, I think it is useful to understand how irregular migrants, despite the views from some that they are not entitled to be integrated, use existing channels in society. It also explains why the relevance of documentation is connected to what degree their legal status constrains the relationships and actions within the state (Coutin 2000). To what extent the documentation matters for an irregular migrant is therefore influenced by how much it affects their daily life. Irregular migrants are excluded from the regular labour market and other social welfare institutions, which forces them into the informal market and creates difficulties to access basic social rights (Khosravi 2010:95). Irregular migrants are also excluded from the political

system and yet they interact widely with other actors (Coutin 2000). This makes the conceptual framework relevant to discuss in what way irregular migrants interact with South African society. However, acknowledging that irregular migrants are able to live with other channels than with the regular political system, do not deny that the fundamental institutions in the society and of the state are important for the functioning of social transactions (Cvajner and Sciortino 2010:398). Strong evidence for this is that being irregular is difficult, and most people are not able to live in that situation for too long (ibid, Khosravi 2010a).

Nando Sigona bases his arguments that fear of deportation and lack of trust is specific for irregular migrants and shapes their daily life on a study of 75 irregular migrants in the UK (Sigona 2002:62). His findings are based on De Genova's theoretical concept "deportability", where being deported is more than an action, it influenced the perception and life of the irregular migrants (De Genova 2002). The fear of being deported forces irregular migrants to live invisible to authorities and causes a spatial fear and sense of constant surveillance (Khosravi 2010b:95). This "deportability" is embedded in the daily lives of irregular migrants, meaning that it influences the spaces where irregular migrants move (Cvajner and Sciortino 2010:398), the working conditions (Blustein et al. and Marfleet 2011) and the way irregular migrants perceive their situation.

5.2 'Vulnerability'

"Vulnerability refers to exposure to contingencies and stress and means for coping with them. Vulnerability thus has two sides: an external side of risks, shocks and stress to which an individual or household is subject and an internal side which is the means for coping without damaging loss" (Chambers 1989)

Abuses of human rights of migrants are often associated with their vulnerability that arises at the country of destination (Bustamante 2002:339). Most research shows that migration is a process where the individual is empowered in economic and social terms (ILO 2004). Yet, it is also argued that a migrant worker will often end up in a situation with more vulnerability than a national, because of the embedded power structures in the culture (Bustamante 2002:339). Being an irregular migrant means, therefore, to be exposed to the social structures

of the host country, where the duality of being a foreigner and having irregular status often means being at the bottom of the same structures (ibid).

Chambers definition of vulnerability is used in this research, as it provides a framework to study the concept in terms of internal and external vulnerability (Chambers 1989). External vulnerability refers to the more general effects or factors like economic or political circumstances. Internal vulnerability touches upon people's ability to respond to those factors, the resources available and the outcome in terms of poverty or adaptation to those factors (ibid).

Busumtwi-Sam explains that analyzing vulnerability makes it possible to link what to offer protection from and who is in need of protection (Busumtwi-Sam 2008). The way to make this is by looking at three factors: exposure, sensitivity and resilience. Exposure measures the spaces and times through which threats can cause harm. Sensitivity means to what extent there is responsiveness to a threat and how much that threat would affect the person. Resilience measures what means exist to cope with the threat before and after it happens (ibid). Adapted to the situation of irregular migrants, exposure would be the places where they perceive there is a threat that can harm them, or where it has been a threat that has harmed them. Sensitivity refers to how much impact that threat would have in that situation, or what impact the threat had on the individual. Resilience shows the capacity to react and cope with that threat before and after it happens.

The vulnerability of migrants is often emphasized (ILO 2004, Blustein et al. 2011) and serves well to understand the situations and threats that irregular migrants face. In the analysis, I will look into how exposed the migrants are to threats, and the sensitivity and resilience of the irregular migrant to cope with the same threats (Busumtwi-Sam 2008). Vulnerability to threats can be seen as something that is dependent on external factors and therefore enhanced or diminished depending on these factors. Therefore, the concept of irregularity will be one of the factors that impact vulnerability to external threats.

5.3 ‘Agency’

“Agency” stands for the freedom of the contingently acting subject over and against the constraints that are thought to derive from enduring social structures.

(Barnes and Loyal 2001:507)

Agency is traditionally described as the capacity of human beings to act or to cause change in their current situation. The person who does this change or shows this capacity is called an agent (Barnes and Loyal 2001:507). The ability to act is crucial to understand why the irregular migrants in this research are agents and take actions in the face of their perceived vulnerability.

Agency can also be defined as “the capacity for social actors to reflect on their position, devise strategies and take action to achieve their desires” (Bakewell 2010: 1694). Agency therefore includes reflection and strategies of the action. Human beings have agency if they are able to act independently against or despite structures, and they lack agency if they don't exercise choice over their situation and let social structures dictate the outcome of an event (Barnes and Loyal 2001:507). To be an agent also includes relational capital and ability to impact social relations to some degree (Sewell 1992: 20).

Agents and their actions don't stand on their own but are part of a broader structure, which can both facilitate and constrain the action (Giddens 1984:292). The structure becomes the “medium” of an action, or in other words, the context and the premises upon which agents engage in social practices. At the same time, the structures are also the “outcome” where social structures can be created, changed or perpetuated by agents' actions (ibid).

Another determinant to take into account is the information available, and the ability of agents to use that information in their actions. Agents are able to act upon a certain level of “knowledgeability” (Giddens 1984:21) where the opportunities and constraints for an action are taken into account. The ability to know depends on consciousness of the action created, but also of others' actions and therefore “unintended consequences of action” can occur (ibid). The classical agency problem of asymmetric information arises in most human interactions, since we know ourselves mostly better than others (Shapiro 2005:263).

Agency can be understood as a concept where an agent "could have acted otherwise" (Giddens 1976 cited in Barnes and Loyal 2001:513). The power in agency is defined by Giddens what they actually do, not only what they intent to do (Briones 2009:114). In this research, I will look both when agents "could have acted otherwise" and when they act. Although I agree that the acts have more importance than the intended acts, but it is equally

interesting to look at intended acts (e.g, the aim to seek asylum, but never do it) and why the act is not done. I therefore use Bakewells definition on agency when analyzing the data, by looking at how the agent reflects upon an act and devises strategies (Bakewell 2010:1694).

6 Towards a Better Life

Chapter 6 discusses how the *Decision Making* in the migratory process can be interpreted as decisions done because of the agency the informants showed (RQ2). The *Journey* describes the travelling to South Africa, where many informants were vulnerable to threats (RQ2) and how the amount of documentation and money impacts on their experience (R1).

Chapter 7 will discuss on the situations irregular migrants face at work and what strategies they use to diminish that, and Chapter 8 addresses the difficulties to adapt to South African society.

6.1 *Decision making*: There is no way to send kids to school

Expectations are important in the migratory process and most of the informants had the idea that South Africa offered more opportunities and jobs than Zimbabwe. However, the expectations were seldom based on knowledge, but on stories from others. **Lilian** was surprised that South Africa was so different from what she heard: “*Even how people spoke about South Africa, it was like I didn’t expect what I am seeing now*”. Migrants are not only victims of poverty and conflicts, but also take decisions based on their desire to enter a modern lifestyle and industrialized society (Khosravi 2010:37). However, in the idea of South Africa, transmitted through personal networks, there is no place for discrimination, racism or other harsh realities for migrants (ibid). As Harris and Todaro (1970) argue, the expectations of jobs and opportunities, implies that the decision to move is rational and accurate, although the information it is based upon unconfirmed beliefs.

The interviews also showed that family, in particular children and close dependants, had a crucial role to influence the decision to come to South Africa. Most of the informants were able to send remittances, but in an adhoc manner depending on income possibilities (Lilian). For some, the most disappointing and frustrating part of the experience was that they were

never able to send any money back home due to the fact that their income was barely enough to survive (Nomsa, Thelma). An important reason for migrating was their own children:

“The situation in Zimbabwe is hard, there is no food, no way to send kids to school.”
(Lilian)

The decision of migrating despite having dependants in Zimbabwe can be seen both in terms of vulnerability and agency. The reason to migrate to ensure the survival of the family and to improve the situation of family members suggest the agency of the women to reflect on their situation and take action to reach their desires (Bakewell 2010:1694).

Traditionally, women are more likely to migrate to join family members (Kofman 2008). From the informants, only Ellah explained that she left Zimbabwe because she wanted to follow her husband:

“He came before me. I was following him, you know men, when they come to SA they forget about us, so I decided to follow.”

But the original reason was that it was impossible to survive as a farmer in Zimbabwe: *“the white people were told to leave, but no one knew how to run the farms, and then the droughts came and we had nothing”*. Also, Lilian said that her reason to migrate was directly connected to the political situation since she worked for the government and did not get any salary during the last months before migrating. Nomsa claimed that the reason to migrate was *“the economical and political situation in Zimbabwe, I was afraid and couldn't stay”*. She was not the only one who said that it was the political and economical situation in Zimbabwe that made her take the decision. Turton (2003) discusses the problem of separating the forced migrants from migrants in general in both methodological and ethical terms. The methodological problem arises, as also shown in this research, that most migrants *“make their decision in response to a complex set of external constraints and predisposing events”* (Turton 2003).

6.2 *Journey*: I came to South Africa through Limpopo

Until 1994, when apartheid ended, the borders of South Africa were more difficult to cross due to an electric fence that prevented, in a more “effective”, way the entry of irregular migrants (Cambell 2006:6). This fence is not in use today, but there still are obstacles to enter the country as an irregular migrant.

For those informants who used the Limpopo River to enter South Africa, it was described as a dangerous and uncertain area to cross. They also described how they used that channel because entering legally to South Africa requires documentation or economic resources. Despite the dangerous journey, some of the informants had made the journey several times to see family and friends in Zimbabwe. Thelma, who had been back four times, had always used the same path to be able to see her children in Zimbabwe. Tabeth, blind from birth, crossed the river with help from others, and had several other friends with disabilities who also made the journey. In the interview, she described the fear during the journey, saying she was proud of the successful trip. Crossing this border was the only option to enter South Africa, since a passport was too expensive and impossible to get. In Thelma’s words: *I came here to SA, and I came through the Limpopo River. I don’t have any passport.*

Nyasha's story illustrates the extreme danger that borders encompass for those who choose to transgress them. The border politics of the borders are marked by the aim to expose migrants to death, rather than use the power to kill (Khosravi 2010:27). For Nyasha, the decision to migrate was equal to choosing to cross the border with her baby, since she didn’t have any money or documents: *To have a passport from Zimbabwe, you need money, and I didn’t have, you need 2000 Rand.*

She paid 50 rand to a *maguma-guma*, a term used for those who facilitate the border crossing (Rutherford 2008:38) and that Nyasha described as “those who take everything and take you over the border”. *Maguma-guma* are motivated by economic factors, and the word can loosely be translated as “to get something by no effort” (Crush and Tavera 2010:265). The word can also be understood according to one of the informants as onomatopoeic deriving from the sound of pigs eating (Ellah). Khosravi (ref) further argues that “the vulnerability of the border is best demonstrated by their ‘animalization’ ” where the terminology often refers to animals, for example in Mexico “coyote” for those who help them cross the border and “pollos” (meaning chickens) for the migrants. He argues that the dehumanization of migrants, using animals that are sacrificed in ritual, shows the vulnerability often connected to irregular migration.

Nyasha crossed the Limpopo River, and then walked through an area with bushes where she was raped by eight men. Nyasha managed to come to a hospital, where they told her she had been infected with the HIV virus and was pregnant. Her story is not unique in the Zimbabwean-South African border (Lefko-Everett 2010) and it is replicated in borders between North Africa and Europe (MFS 2010) and Mexico and the United States (Falcon 2007:203). These stories illustrate the extreme vulnerability of women that cross borders illegally, and how it is increased by the lack of documents that forced Nyasha to cross in a dangerous path.

The rape at the border illustrates how borders become gendered and sexualized (Khosravi 2010:40). The academic debate regarding migration and gender are often limited to trafficking for the sex industry (ibid). The case of Nyasha shows the vulnerability of women in the borders, where the assault is a consequence of a dangerous migration path chosen as no other possibilities remain to migrate. Crush (2010) argues that the interaction between border-crossing and sexual violence can be seen as a "shameful by-product of a draconian, but ultimately pointless and ineffective border controls in Southern Africa". He stretches the argument into a question if the borders serve as something else than being a "sexual and material gratification for those, including male agents of the state, who prey on disempowered migrant women?"(Crush, 2010).

The vulnerability to threats during the entrance to South Africa were directly influenced by how much money you had and to what extent you were documented. With money, you could use a taxi (which is a minibus used as local transport in most parts in Africa) from Zimbabwe to South Africa, and bribe by paying four or five times more for your ticket (Ellah, Portia). Bribing a driver to enter costs around 1500 Rands (around 150 Euros), crossing through the river cost 50 Rands (5 Euros). If you had a Zimbabwean passport you were able to cross safely, without bribing the driver of a taxi, according to the informants (Brenda).

6.3 Discussion

Connecting the analysis to the first research question, the situation as an irregular migrant did not seem to influence the decision to migrate, but influenced in a high level the journey to

South Africa. Depending on how much money and how much documentation they had available, the safety of the journey was increased. Those who had a passport, could easily pass thanks to a visa-free entry, and those without had to bribe their way into South Africa. Therefore, for the women who didn't have enough money or a passport, the situation was difficult when crossing the border and connected with a high level of risk.

Exploring agency and vulnerability in the stories of the women, it seems like the decision to migrate can be understood with the concept of agency. The women in this research had different reasons to migrate, where the decision to migrate was influenced by a complex set of factors (Turton 2003), and due to expectations in South Africa (Harris and Todaro 1970). The decision to migrate to be able to provide better opportunities for their children was something that the informants reflected upon and acted on in order to change their situation (Barnes and Loyal 2001:507). The expectation of South Africa, as country of economic opportunities points towards what Giddens argues is the “knowledgeability” of action, where the asymmetric knowledge about what opportunities and constraint influence the final action. In this case, the informants took decisions with “unintended consequences” (Giddens 1984:21) as their expectation was not based on accurate information. Harris and Todaro (1970) discuss that this gap between expectations and reality, something that applies well to the situation of the women interviewed.

The interviews showed both the vulnerability of migrants that crossed the border in an irregular way, but also the agency of migrants who do this, despite knowing the danger and risks. However, crossing the border, it is better understood by exploring the vulnerability at the border. Coming to South Africa includes a high level of risk and a vulnerability to threats during the journey to enter the country. The example of Nyasha, who crossed the border with terrible consequences, shows the double vulnerability that women face when they are not able to cross in a regular way. Not only do they face vulnerability to threats as irregular migrants, as women they are also more exposed to sexual violence and assault (MFS 2010).

7 No documents, no rights?

In this chapter, I explore in what way being without documents influences the rights the everyday life of migrants, and their integration into South Africa (RQ1). I start by outlining the difficulties to find a job (*Work*), and how this increases the vulnerability amongst some migrants (RQ2). I also argue that the situation of irregular migrants is more vulnerable to abusive working conditions (RQ2) but also that they have strategies they use to improve their conditions (RQ2). Since the irregular *Status* is to influence the abusive working conditions, I look at the act of seeking asylum as a strategy to decrease this vulnerability (RQ2) that is used due to the fact that no other option is available.

7.1 *Work*: They pay us less because we are foreigners

“When I came I thought I was going to find a job, but it is almost the same here as in Zimbabwe, because sometimes I can’t afford to eat. Some ladies sell their bodies, because it is better to survive. Some people didn’t come, others marry.” (Patience)

The difficulty to find a decent job is something that all the informants shared, as well as the disappointment of the difficulties to find a job as an irregular migrant. Portia was unemployed for almost a year, surviving by doing hairdressing. The difficulties to find a job created a situation of vulnerability to end up in abusive working conditions. One example for this is the story of Thelma:

I didn’t have any place to stay and don’t know anybody here. I asked the other ladies, and she stayed in a church. There I saw the other guy and he said he loved me. He said, I give you 20R for all night.

Thelma perceived her vulnerability towards threats because she didn't have documentation and because she was alone in a new country: *"You see, I was all alone, I slept outside, so I went to his room"*. The decision to follow him was a direct consequence of external

vulnerability where she was exposed to contingencies as being alone outside with no protection (Chambers 1989).

In this situation, it seems like she was not able to act independently against or despite social structure (Barnes and Loyal 2001), and became victim to a situation due to her vulnerability of being an alone women. However, that would be to simplify the situation as a researcher. She also showed resilience to an outside threat, and minimized the risk for an assault, when she took the decision to accept the offer. She explains it like this:

We enjoyed sex all night. And I am very happy, because since I came to South Africa is the first time I have money, because I get 20R. It is better to do this job because I am going to do this life safely.

The double side of this story, where Thelma sees herself as both a victim and as an agent (Briones 2009:6) shows the complexity in many migrants' lives. Thelma and Nyasha said that they would like to have more means to improve their situation, continuing selling sex. By having perfume and better clothes, they would be able to enter better nightclubs and find clients that can pay more. This was in contradiction to their own statements in the same interview, where they wanted help to exit the situation, and where they described a highly abusive daily life.

Nomsa had more internal vulnerability in terms of means to cope with damaging loss (Chambers 1989). Nomsa's story also included coming alone to South Africa and trying to find employment without success, which made her beg on the streets. Begging outside created an exposure to threat, especially as a women in a country with a high level of crime (BBC 17 May 2010). She was trapped by five men who raped her under a bridge and left her with serious health problems, including infecting her with HIV/AIDS. Her view on it was that: *There is no hope. They took all hope when that [being raped] happened, and now I just survive (Nomsa)*. The vulnerability to violence was high, since the exposure of the threat was enhanced because of the time of day (night) and the place (outside in an area known for crime). I would also argue that the exposure to the threat was increased because of her gender, and her being alone. The sensitivity to the threat was maximal, as she had no way to defend herself or call for help. And finally, the resilience to the threat is also minimal, as she had difficulties to cope with what had happened.

Most of the informants saw it as an integrated part of their experience as migrants to be more exposed to abusive working conditions. Sager argues that the external exclusions (with borders and migration regimes) need to be connected with the internal structures of exclusion (Sager 2010:81). The internal structure of exclusions goes beyond migration policies and borders, and includes language, discrimination, racism and xenophobia (ibid). For Portia, the internal borders at the working place were difficult to overcome: *"The way they looked at me, like I am a foreigner, even how they call you. I have a specific name: lacosta, crocodile."* Portia felt discriminated in a very concrete way, not only with a specific name, but also with less salary, and with worse working conditions than her fellow South Africans.

The view that because a person is an irregular migrant, he or she has to take what you get, and are therefore constraints into a structure (Giddens 1984:292), was prominent among informants:

"We foreigners just take job where there is no money, because South Africans just take jobs where there is money." (Ellah)

"They pay us less because we are foreigners." (Lilian)

From the perception of the informants, they were more exposed to abusive working conditions and discrimination at work for being foreigners. The exposure to more vulnerability to abusive working conditions is therefore increased by their undocumented worker status. The particular vulnerability of irregular migrants is their status as "illegal", where employers can exploit them to a degree that would rarely be acceptable for a "legal" person (Blustein et al.2011: 383). A very concrete example of this was when farmers called the Department of Home Affairs to report their own "illegal workers" when the season was over and they had not paid the salary. However, this has changed and today they workers can claim unpaid wages in case of deportation (Key Informant, LHR).

The women felt vulnerability related to the employer, and a fear to be reported to the police, since the employer was aware of their situation. The connection between employers and police was the key to their fear of the employer: *"Sometimes, most of the time, businessman in SA are friends with the police. So they just go to the police."* In this statement by Ellah, the fear of deportation is stated, something that influences the irregular migrant experience in a significant way (Khosravi 2010:99).

None of informants had a written contract, and few of them even a vocal one, with the consequence that the labour conditions were precarious. Grace had a job that she lost when she became sick and could not go for a few days. She said that since she didn't have any contract, and she had irregular status, it was impossible for her to claim any payment for the unpaid days, or claim her work back when she was healthy again. Not having a working contract created a situation where they felt that their working conditions were dependent on the employer and vulnerable to the exploitation from the same. The power dynamics were unequal between the employer and the migrant, and due to the lack of legal status, the inequality is enhanced. For Ellah, there was no doubt that the vulnerability to abusive working conditions was directly connected to her status as an irregular migrant:

“The problem is that I don't have any documents. If I am abused I don't have any documents. If you have them you have the right to do anything. If you don't have documents, South Africans want them to work for them. “

This quote from Ellah resembles the arguments by Anthony Giddens, where structure is a constraint for action, and can equally be constructed and reinforced by the action (Giddens 1984:292). The structure of “being irregular” is a constraint for claiming rights or changing the conditions. Ellah felt trapped in her condition of being irregular, but is also part of constructing that structure by working for them in an irregular status. She could have turned to a Union, to an NGO, to friends or family, for help, and yet she decided to continue within the social structure she is within and somehow strengthening it by not claiming her rights as a worker (Wickramasekara, 2007:260).

However, in some cases, irregular migrants also took direct action against the precarity of the working conditions. Ellah explained how she went to work despite fever and sickness; since she knew she would lose her job if she did not come. Melody had worked for a lady as a domestic worker, but was not satisfied with the working conditions, so she left the work. Despite being vulnerable to end up in a precarious situation, she took the risk. She later found another employer, where she now is very happy as due to better working conditions.

A survey by ACMS looked into vulnerability among non-nationals in Alexandra (a township in Johannesburg) and the inner-city of Johannesburg. They researched to what extent irregular migrants were vulnerable to insecurity due to the actions of state representatives. They found that non-nationals far more often were stopped or visited by the

police or military (55% compared to 21% among South Africans). The reason was often to check immigrants status, in comparison to South Africans who were stopped because of criminal investigations (Misago, Gindrey, Duponchel, Landau and Polzer 2010:35). Patience described her frustration over abuse and exploitation from authorities, which are closely connected to the fear of being deported. Her situation as an irregular migrant makes her vulnerable to abuse from officials, directly connected to the fear of being deported (Khosravi 2010:95).

"There are areas where they abuse immigrants, only immigrants. When they abuse you, you are afraid, and you pay them. There are many ladies, police women, who abuse. They make business. The social workers don't take south African children, only immigrants' children." (Patience)

The fear from Patience to be abused is seen as a way to make money, as a business. She shows how the condition of being irregular is more than an abstract concept.

The authorities, like the police, were seen as dangerous by the informants. Lilian, for example, would never think about going to the police. She worked in a phone company with an informal contract and no documentation and the fear to report was connected to the fear of being deported. She was concerned that she didn't know if she was abused or not, as she didn't have any means of going to the police.

The fear of the police, and being deported, was not only a structure impossible to overcome. Nyasha for example, who was a sex worker, told how she went to the police to report the abuses by a client, who later was convicted. Nyasha therefore faced the risk of being deported by reporting the abuse, and showed agency in her action of going against the structure of irregularity (Barnes and Loyal 2001:507). This experience was however marked by previous experiences of trying to do the same:

"When you go to the police, they ask where you come from, and if you say that you are from Zimbabwe, they say –go, go, go back to Mugabe"

That she reported the incident was an action of agency against a social structure of the fear of deportation (by directly going to the main source of fear, the police). In relation to vulnerability, resilience measures what means exists to cope with the threat after it happens

(Busumtwi-Sam 2008). Nyasha shows that she has the means to cope with the threat of being assaulted, by reporting to the police.

7.2 *Status: We need ID, that is the problem*

We need ID, that is the problem. We can't access anything here without ID. (Tabeth)

The Immigration Act in South Africa makes it very difficult to acquire a permit as an individual unskilled and semi-skilled worker (Crush 2011:22). For irregular migrants, especially in informal sectors, the possibilities to acquire a work permit are minimal due to the restrictions and the skill-based Immigration Act (ibid). There are several reasons for this: South African employers needs to show that no other South African can take that job (Immigration Act 2002 19[a]), many times, the reason to employ a foreigner is their vulnerability of being irregular (Blustein et al.2011: 383) and the language and bureaucratic barriers to apply for a work permit makes that option inaccessible for most migrants.

South Africa has a Refugee Act that gives asylum seekers the right to work (Refugee Act, ch. 5 27(f)). In a recently launched research with almost 500 Zimbabwean migrants, over 50% of respondents were holding asylum or refugee permits, despite the fact that only 4% said they had come to South Africa to escape political persecution, which is not enough (Crush, Chikanda and Twodzera 2012:38). Around 35% of all refugee applications in South Africa come from Zimbabweans (Crush and Williams 2010:24), and Jonathan Crush asked himself, in light of the previously mentioned research, to what extent many are labour migrants using the asylum and refugee system to stay in the country (ibid). The example of Patience illustrates something similar:

It is difficult to know how to seek asylum, job permit. First I didn't know, but later when the police used to go door to door, I went to seek asylum. I apply, they asked me how many children did I bring and how many did I left home. What was happening in Zimbabwe, people were beaten. I managed to get asylum seeker permit. (Patience)

The act of seeking asylum is here labeled as a strategy to decrease the vulnerability to harassment from police and other assaults from officials. In the meaning "I managed to get asylum seeker permit" she suggest that an asylum seeker permit is equal to work permits and

a legitimate way to stay. Patience was aware that it was not permanent to be an asylum seeker, but said it was the only way she felt she could stay in South Africa. At the same time, she also said how impossible it was for her to stay in Zimbabwe, and that she felt forced to come to survive.

Szczepanikova discusses the same strategy of labour migrants' in the Czech Republic, where the use of the asylum procedure as a way to legalize illustrates the adjustment of strategies to changes in the context (Szczepanikova 2011:798). She also discusses that labour migrants apply for asylum to avoid constant changes in the labour market or to avoid danger (ibid:795), which Patience illustrates.

The concepts migrants, refugee, asylum seeker and illegal were continuously interchangeable among the informants. A few had first been asylum seekers, but later applied for a work permit when they had a job (Brenda) or obtained work permit through the Zimbabwean Documentation Process (Doreen) after starting by seeking asylum (and implicitly have reasons for refugee status). Doreen was open with her intention in the case she would have had an interview to acquire asylum:

" I would have gone there and ask for it until I get refugee status. I came to find better opportunities and I would have begged to be able to stay" (Doreen)

The contradiction in her statement says something about the perception on asylum and refugee status. She sees herself as an economical migrant ("*I came to find better opportunities*") and at the same time claims refugee status, believing that begging hard enough would get her the refugee status. This example shows the misperceptions about the asylum system, and perhaps about the asymmetry in information and how agents act upon the "knowledgeability" they have (Giddens 1984:213). It further shows the agency of using all possible means to stay despite a social structure that impedes it (Barnes and Loyal 2001:507).

Seeking asylum is not an easy process, and Patience explained the cost if she didn't extended it and the difficulty to access the Department of Home Affairs. The implementation of the Refugee Act has shown to be complicated, marked by systematic failures where most asylum seekers faced difficulties when applying for refugee status (Scheiden 2009:6). The stories about the long queues to Refugee Offices, of corruption and abuses at the queue and the loss of documents at the Refugee Offices are predominant in the South African

context(ibid:10). Patience explained how she spent days in the queue to be able to apply. Ellah gave up as she didn't have resources to spend days in the queue or pay the fees. Brenda told how her documents had "disappeared" after applying and how her employer through personal contacts, tried to find them to be able to give her a work permit.

Studies show that there is no adequate protection for asylum seekers (Landau 2006:318). This made that the strategy might not be as successful as expected by migrants, mostly because the corruption and abuse from police and officials. Patience was disappointed that it did not ensure protection against deportation, as the asylum seeker permit was not taken seriously:

The asylum seeker permit, does it give any protection? It gives no protection, because right now if the police ask you for money, you say, no I am asylum seeker. But they say that it is not the one, it is not the correct. They are taking advantage.

7.3 Discussion

For migrants, the situation of not having documentation creates a precarity in legal, social and economic exclusion, as they do not have the right to be in the territory where they reside (Khosravi 2010b:99). Although they are entitled rights according to international human rights (Wickramasekara, 2007:260), the perception of the migrants were that they could not access those rights because of their undocumented status. Documentation, to answer the first research question, was perceived by the migrants to be a crucial factor in the working place. In all the interviews, the situation of being undocumented was central when asking about what would improve their wellbeing. Their experience was marked by being dependent on the goodwill of the employer, and feeling a high level of insecurity at work. However, it is difficult to think that documentation – on its own – would create a major difference in terms of better living conditions. Loren Landau explains how documentation is not an end in itself since it will not ensure the protection of rights (Landau 2006:309). The idea that documentation provides protection of their rights is also challenged by the experiences of some migrants who, despite having an asylum permit, still struggled with abusive working conditions and fear of deportation. On the other hand, documentation is still central to the perception of the migrants, since they perceived that with documentation they would be able to claim their rights in a more effective way.

To answer the second research question, the conditions in the working place was a direct consequence of their vulnerability as irregular migrants. The fear of being reported and the inability to turn to state representatives in case of abuse were pointed out as reasons for this vulnerability in the working place. However, the informants also showed that they were able to devise new strategies in case of working conditions that weren't satisfying enough.

For the informants, the act of seeking asylum was a strategy to protect themselves from abuses and insecurity, by being granted a temporary legitimate reason to stay. Irregular migrants are often accused of creating problems in the asylum system, by using the asylum system as a “back door” to legalize their stay in the country (Landau 2006:310). But as this research shows, the impossibility of migrating in a regular way for non-skilled Zimbabweans, and the problems to the protection of human rights in case of being irregular migrants, created a situation where seeking asylum becomes the only action that can decrease their vulnerability to threats. Therefore, the act of seeking asylum can be seen in the way that the migrants show agency by devising strategies to acquire a more desirable status – better protection of their rights (Bakewell 2010).

From the perspective of "survival migration" the claims that the informants made can also be seen as legitimate. Most of the informants would not qualify as refugees according to the 1951 Refugee Convention and yet they are not voluntary economic migrants either (Betts 2010:364). Nomsa explained that: “*Nothing in Zimbabwe, there is no work and no way to find solutions.*” (Nomsa). The vulnerability of not being a refugee according to the 1951 Refugee Conventions, since you then are seen as an irregular migrant without protection (Betts 2010:362). Sometimes, seeking asylum might have been without a proper understanding of the requirements needed to claim refugee status, but from their own perspective, they saw it's legitimate. The fear of a country in economic distress, political instability and, the most important of all, without ways to provide education and food for their children, were reasons enough for the migrants to claim that they were refugees.

8 More borders to overcome

Chapter 8, discusses how the irregular migrants had difficulties to adapt to the South African society and how this was affected by their irregularity. In *Integration*, the focus lies on how the informants perceived attitudes and actions from South Africans and how it was to be a foreigner in South Africa. I explore the social connection with the host country, by outlining the social bridges with the South African community and social links with the structure of the state (Ager and Strand 2008). In *Family* I continue by exploring how the social bounds with Zimbabwe are and how they affect their daily life in South Africa.

8.1 *Integration*: If you are a foreigner, then you are alone

"I thought I had experienced all the possible kinds of borders. I assumed that there would be no more borders ahead to be crossed. However, I had a new kind of border to tackle" (Khosravi 2010:75)

The perception of being excluded from social interactions with other South Africans was common among informants. Two reasons were often mentioned: the xenophobic attitude of many South Africans and the fear of being reported to the police made them more suspicious towards South Africans. Ager and Strang (2008) points out the importance of social connection in their conceptual framework for the integration of refugees. Lilian mentioned how she interacted with South Africans: *"Some friends are from here, but you have like a place, there is no one who want to be friend with you in a proper way."* Others, as Nomsa and Thelma, told that they didn't have any friends or interaction at all with South Africans. Migrants with regular status from Zimbabwe recognized that the interaction with South African can be hard, and after twenty years is still often filled with a lack of trust (Key informant, 03 March 2010). Research from the Southern African Migration Project reinforces this with a survey among South Africans, displaying highly xenophobic attitudes towards foreigners (Crush 2008).

Nando Sigona discusses in his study among irregular migrants in the UK, how the additional component of being irregular, with the fear of being disclosure, interferes with the relations with people from the UK (Sigona 2002:55). This research enforced that view:

“The most difficult thing to adapt to is other South Africans – they can be cruel and when you are a foreigner, you live with other South Africans, they are very cruel and brutal. When you don’t have an ID, they can do what they want, and you are not safe. Most of my friends are from Zimbabwe “ (Ellah)

Ellah perceived the vulnerability to social exclusion as a direct consequence of being a foreigner. Safety and stability is important for the creation of social bridges with the host community (Ager and Strang 2008). For irregular migrants, the lack of documentation, effectively erases that stability, and as Ellah says, creates the perception of South Africans being cruel and brutal. Portia further exemplifies this: *If you are a foreigner, then you are alone, until you have your papers*. In her perception, being without papers means that you are alone, and with documents you have a legitimate reason to interact with South Africans.

That irregular migrant’s feel excluded from a social structure does not mean that they are passive in that situation (Sigona 2002:55). For example Lilian said that since she spoke Ndebele, that resembles the local language Zulu, she was able to get a job in a store with mostly South Africans⁵. For some, the resistance of South Africans did not matter so much *"Since there are so many of us here, you go anywhere and you meet Zimbabweans all over the place" (Portia)*. The construction of social interaction, despite the attitudes of South Africans, showed agency as they were able to impact their social relations to certain degree (Sewell 1992: 20).

None of the migrants had asked for any help from the government, due to their status, and none of the migrants had, therefore, received any assistance. That irregular migrants avoid contact with authorities is natural due to the clandestine condition they are in (Khosravi 2010:95). Some of the migrants said that they would turn to friends or family if something serious happened (Brenda, Doreen). Others had more difficulties to answer what they would do, as no direct person came into mind in case of emergency. Other mentioned the help

⁵ Ndebele is a language spoken in Zimbabwe that is similar to Zulu, one of the official languages in South Africa.

received from the Central Methodist Church, and in particular Bishop Verryn. The perception was that the Central Methodist Church as the only place to receive help. The church opened its doors in the inner-city of Johannesburg for homeless, mostly migrants, a few years ago, and became highly controversial for this matter, as well as a symbol of the struggle of Zimbabwean migrants' adjustment in the country. The vulnerability in terms of lack of social connection became clear during the interviews, as it was a serious difficulty if something happened. A few of the migrants that I met looked at me with surprise when I mentioned that there are organizations who concretely aim to improve the lives of migrants. The perception among the informants was that no help exists since they were irregular migrants.

During the xenophobic attacks in 2008 the fear was more prominent, and many of the irregular migrants stayed indoors, or even slept on the roofs. The informants perceived that during this period of time, the vulnerability to violence and attacks increased, since their exposure as migrants, and in particular irregulars, made them targets of many attacks (Busumtwi-Sam 2008). *"They could beat you anywhere, we were afraid. It happened to a friend."* (Doreen). The xenophobic attacks were mostly directed towards foreigners in areas in lower socio-economic conditions, as townships, and directed mostly towards foreign national from other parts of Africa (Crush 2008).

Tamlyn Monson and Jean-Pierre Misago argue that the prejudice against foreigners is structurally embedded in how the state treats foreigners and citizens in different ways. They further show how the response to the xenophobic attacks in 2008 was influenced by structural prejudice against foreigners, and the states bureaucracy towards citizens (Monson and Misago 2009:26). This is related to the notion that irregular migrants are socially constructed by discourse and action (Allegro 2010:174) and that states by discursive actions enforce the notion of "illegal immigrants" (Wæver 1995, Buzan et al. 1998). It further shows that the vulnerability towards structural violence and xenophobia is embedded in the structure of the State, of which irregular migrants are victims.

"I feel threatened. Two weeks back, they were talking about Zimbabweans that they are taking our jobs..." (Ellah)

"Sometimes in the taxi or on the street, when I answer my phone in Shona, people laugh or say bad things about me." (Brenda)

As showed by the above quotes, for some of the informants, the fear from that time was still predominant in their daily life. This threat, abstract and at the same time tangible, constrained their life in a significant way. Their fear is not imaginary; at least one attack on foreign nationals has been reported every month (CoRMSA 2011). The exposure to a threat makes them vulnerable, for being foreigners (Busumtwi-Sam 2008) and in need of extra protection.

8.1 *Family*: I miss them so much

The reality of being away from their nearest can be extremely difficult for the migrants. Franzén explains the psychological aspects of moving to a new country, were losing a close family members often creates a normal crisis. In the situation of migration, she explains further, you lose almost all nearest family members, something that can create a crisis (Franzén 2009:61). Brenda, who otherwise was happy with her transition to South Africa, explained how the most difficult thing was to be away from her two children. Ellah, who left three children in Zimbabwe, described her situation as this:

“A grandmother is a grandmother, but you must stay with your kids. They miss you a lot. When I got money I go and see them. It is a must to come and live in Zimbabwe again. South Africa is not my country.” (Ellah)

“If I raise money at call centre, I would like to go back to school and back home. I don’t intend to stay here more than 10 years“ (Lilian).

Khosravi argues that the separation from family is an expected consequence of migration, and that the consequence is irreversible: *“Migration without document is a one-way road, and there is no turning back once you step upon it.”* (Khosravi 2010:22). His study involved irregular migrants in Europe, where the distance between host country and destination country is larger. The proximity, and perhaps the porous borders, between South Africa and Zimbabwe made this argument not valid in this context. The informants in this research challenged this, by visiting Zimbabwe with regularity. However, there was no doubt that being irregular was one of the factors that creates more difficulty to return home to visit. Economic resources were the second factor that constrained returning home more often. No

doubt, the family back home was one strong reason not to see the migratory process as permanent. Research further suggests that the majority of migrants from the region do not want to and are not living permanently in South Africa (McDonald 2000).

For Nyasha, however, the decision of migrating caused the consequences Khosravi pointed out (Khosravi 2010:22). The decision to migrate without papers created and perpetuated a circle of vulnerability with no possibility to go back home, as she did not have enough money (Nyasha). The lack of money was a factor why Lilian or Brenda could not go home as often as they wanted to, whereas Patience was impeded by her status as asylum seeker. For Thelma, who did not have any documentation at all, the only way to see her child was to do the difficult border crossing through the Limpopo River. The choice of doing that, despite the danger and in contrast to Nyasha who was in the same situation, shows agency. Common for all mothers, was that the time between visits were more than a year, and for many it had taken several years before they could see them again after the first journey.

Family, and in particular their children, occupied most of their thoughts about the future. Lefko-Everett's findings, based on interviews with Zimbabwean women living in South Africa strengthens this view *"The prospect of leaving family members, including young children, behind is one of the most difficult aspects of deciding to migrate"* (Lefko-Everett 2010). In the conceptual framework on integration, Ager and Strang argue that the social bonds with family and/or like-minded ethnic groups were important to feel "settled" (Ager and Strang 2008:178). In this case, the irregular migrant were marked by the lack of this social bond, as they didn't have their family close. Some had links with the Zimbabwean community, but none of the informants had a strong connection to Zimbabweans when arriving. Portia stated that: *You know, people change, you come here and those who you think were your friends [other Zimbabweans] disappear and don't help you.* This could explain the difficulties to adapt to South African society, and the vulnerability many felt when coming alone to a new country.

8.2 Discussion

The integration into South African society has shown not to be easy, marked with barriers of xenophobia and fear of deportation. Attitudes from South Africans were perceived to be

closely linked to the status of the informants. Ager and Strang (2008) argue that citizenship is the foundation for integration, something that the findings support in the findings of this research. Not having documentation is important in how they perceive their situation as migrants (Khosravi 2010a), as it deprives them of the possibility to see their family as often as they wish, and they become more timid in their interaction with South Africans.

Being a foreigner seems to be a factor that increases your vulnerability in South Africa, since you face xenophobic attitudes by South Africans. These attitudes were predominant during the attacks in 2008, but are still part of the fear that many irregular migrants feel even today. The structural vulnerability of migrants in South Africa regarding xenophobic attacks has been widely researched (Monson and Misago 2009:26).

Family was important to understand the experience of irregular migrants. It was not only one of the main reasons to migrate, but also the most mentioned reason that they wanted to return to Zimbabwe. Several of the women showed that they were able to cope with abusive working conditions to improve the conditions of their children. When it was not possible to send remittances, they were frustrated and angry. It shows that they were agents and had reflected on their situation in Zimbabwe, devised strategies and taken action to acquire their desire to provide better opportunities for their children (Bakewell 2010). They all stated, if they had children, that their children were what they missed most, and that their hope was to be able to return to Zimbabwe.

9 Concluding remarks

The experiences of migrants who come to South Africa are complex and heterogeneous, yet there are traces of commonalities among the stories of the informants in this research related to the fact that they are "irregular". Their perception of being irregular is linked to the sense of insecurity and a fear of external threats.

This research showed that the documentation of the migrant played a crucial role in determining what way to enter South Africa, and in consequence, what danger and risk the journey entailed. It also showed that the experience in South Africa was marked by not having regular status, in terms of work, family life and connection with South Africans. This research showed that the lack of documentation, or the idea of what it would mean, was seen as a major constraint for a better life (Coutin 2000).

The stories of the migrants can also be understood both with the concepts of agency and vulnerability, which complement each other to give a more nuanced picture of the experiences of the migrants. During the journey the migrants experienced a high vulnerability to violence, assaults, sexual violence and rape from criminals. Despite the danger to cross the border some did the journey several times, showing agency and doing an act "against a structure" (Barnes and Loyal 2001:507).

The vulnerability at the working place was connected to their situation as irregular migrants (Blustein et al.2011), where the migrants felt discriminated and in the hands of the goodwill of the employer. They also faced abuses in their daily life outside, by authorities and by other people, but they perceived that the biggest difficulty was to handle the xenophobic attitudes targeted against them. When facing a situation with no protection, the irregular migrants interviewed had the capacity to reflect on their situation and devise a strategy and take action (Bakewell 2010:1694). Therefore many migrants tried to apply for refugee status, and in the waiting process, ensure protection of their rights and be able to work. The act of seeking asylum can be identified as a strategy to decrease the vulnerability to harassment from police and other assault from officials. However, most informants felt it didn't have

enough protection, as the asylum system in South Africa is marked by difficulties in proper execution of the laws guiding asylum procedures (CoRMSA 2010).

The stories of the migrants presented in this research only grasp upon what it really means to be an irregular migrant in South Africa today. Deeper ethnographic and sociological research is needed to fully understand what being an irregular means in the South African society of today. A comparative study with other irregular migrant's experiences in other countries would also shed light on the specifics of the South African context. The situations in which irregular migrants exercise agency, moving against social structures, is an interesting theoretical debate that can be further explored (see Briones 2009). The vulnerability of irregular Zimbabwean migrants, compared to other groups facing similar challenges, is also an interesting point for further research.

Having said that, it is my strong belief and opinion, that what is needed is perhaps not more research, but rather action. Action is needed so that we may not hear again:

I thought I was nothing, I lost hope.

Will anyone take that challenge?

10 Annex

10.1 Informants

Age	Work	Education	Children	Partner
39	Begging	Secondary school	Children in SA	Partner in SA
40	Domestic work, adhoc	Secretary	Children in Zimbabwe	No partner
50	Begging	Blind school, basic primary	Blind, Children in Zimbabwe	No partner
38	Domestic Worker	Secondary education, Sewing	Children and Husband in Zimbabwe	Partner in Zimbabwe
34	Sex Work	Basic primary school	Children in Zimbabwe	No partner
42	Sex Work	Basic primary school	Children in Zimbabwe	No partner
24	Sex Work	Basic primary school	Children in SA	No partner
28	Call center, selling cell phones	Started education to be a book keeper		No partner
40	Domestic work adhoc	Basic primary school	Children in Zimbabwe,	No partner
35	Yes, distribution of commercial pamphlets	Basic primary school		Partner in Zimbabwe
33	Laundry	Yes	Children in	Partner in SA

	Shop, temporary		Zimbabwe	
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10.2 Key Informants

Organization	When	
Key Informant, LHR. Lawyers for Human Rights	2/02/2012	www.lhr.org.za/
Key Informant, CoRMSA. Consortium for Refugees and Migrants in South Africa	15/12/2011	www.cormsa.org.za/
Key Informant, Union	12/01/2012	
ACMS, African Centre for Migration and Society, Wits.	15/12/ 2011	http://www.migration.org.za/
African Diaspora Migrant Network	30/10/2011	
African Union Organization Youth	2/02/23012	
Doctors without Borders (MSF)	18/01/2012	http://www.msf.org.za/
ZIWISA, Zimbabwean Women in South Africa	26/01/2012	
Global Zimbabwean Forum	26/01/2012	
Human Right Watch	24/01/2012	www.hrw.org

10.3 Structure for questions

About the respondent

What is your nationality?

What is your country of birth?

What is your religion?

Do you have partner?

Where is your partner/spouse from?

Where does your partner/spouse live?

Do you have children?

If yes, How many?

What ages?

Where are they born?

Arriving in South Africa

When did you arrive in South Africa for this stay?

How did you enter South Africa?

Before coming here, where did you live?

What occupation did you have there?

What was the reason to come to South Africa?

Documents

Do you have documentation?

What kind of Visa do you have?

When did you acquire the papers?

How long time did it take to receive them?

How did you feel during the process?

How did the one issuing it treat you?

What was your experience?

**If no,
Have you tried?**

Why not?

**Yes:
When did you start the process?**

How do you feel about this?

How did the one issuing it treat you?

What was your experience?

Education:

At what age did you finish your full-time education? 21yrs

What is the highest educational qualification, diploma, degree, etc. that you have?

Describe your mayor subjects?

Where did you get this qualification?

Do you feel that this is recognized in South Africa?

Accommodation:

What type of accommodation do you live in?

How many rooms?

How many people live with you?

How many of these are members of your family?

Overall, do you like your accommodation?

Why yes/no?

Employment:

Are you working now?

Where?

How far is it from where you live, and how do you travel?

What is your main job?

How long have you been there?

How did you get your present job?

What do you do there?

What do they do?

Do you have a contract?

When you started, did you have a training period?

Did you have any training about Occupational and Safety in the working place?

Are you a member of a Union?

Why yes/no?

How do you get your payment?

Have you had any problems receiving your pay?

Have you ever felt discriminated working in South Africa?

How many jobs did you have since you came to South Africa?

Do you have more than one job?

How many weeks do you work per week?

State benefit

Do you receive any benefits from the state?

Experience in South Africa

What was the most difficult when you came to South Africa?

Why?

What do you miss more from Zimbabwe?

What is the best part of living in South Africa?

Experience of the Immigration Law and Labour Laws

What do you know about the SA legislation regarding migrants?
What do you think about it?

How is it implemented?

Rights

Do you feel that you have rights in SA?

Do you know what rights you have here?

Do you have any strategy to claim your rights?

What do you think other immigrants do?

Discrimination and xenophobia

Have you ever felt (in South Africa):

- Verbally abused Yes

By who? How often? Where?

- Discriminated against?

By who? How often? Where?

- Physically assaulted?

By who? How often? Where?

- Other

Have you been victim to a crime?

If yes, did you respond to it?

Where you here in 2008?

How did it affect you?

What was the response from your friends from Zimbabwe?

Other

What improvements to services would help your community?

Have you used services from NGOs?

Which one?

In what case?

Do you have friends/family in your situation?

What do you see as the most important issue regarding migrant workers in SA?

Is there enough support to migrant workers in SA today?

If something would happen, for example you got robbed in the street, who would you ask for help?

Future

Do you want to stay in South Africa?

Why yes/no?

Do you want to go back to Zimbabwe?

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