



This monograph reviews existing literature on two episodes of forced migration to South Africa. The first is the reception of between 250,000 and 350,000 Mozambicans during that country's civil war in the 1980s. The second is an influx of people from what is now the Democratic Republic of Congo beginning in the early 1990s and continuing to this day.

These two migratory episodes are very different. The Mozambican war refugees were predominantly peasants and arrived during the late apartheid years. Congolese forced migrants, by contrast, are largely urban and middle class, and have arrived to a constitutional democracy.

There is, nonetheless, a disturbing continuity between the two migrations: in both, migrants' *de jure* status has meant little in regard to how they are received by state institutions and South African citizens alike.

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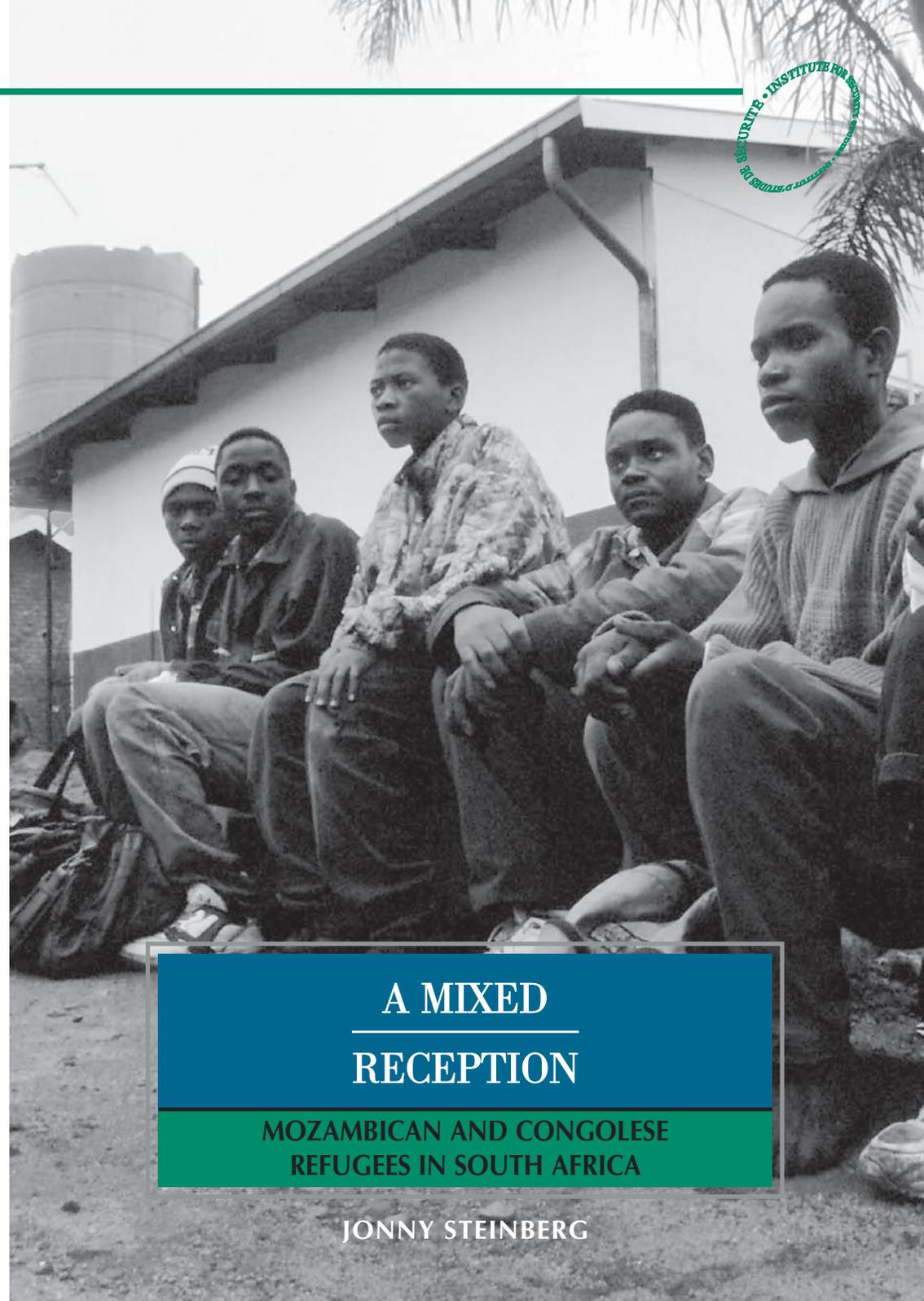


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A MIXED RECEPTION

MOZAMBICAN AND CONGOLESE
REFUGEES IN SOUTH AFRICA

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EXECUTIVE SUMMARY

This monograph reviews existing literature on two episodes of forced migration to South Africa. The first is the flight and reception of between 250,000 and 350,000 Mozambicans during that country's civil war in the 1980s. The second is an influx of people to South Africa from what is now the Democratic Republic of Congo (DRC) beginning in the early 1990s and continuing to this day.

The reception of the Mozambican refugees of the mid-1980s was shaped by a subtle and variegated cocktail of national apartheid politics and local interests and sensibilities. On the one hand, the apartheid government did not offer Mozambicans forced to leave their country by war refugee status. Until the mid-1990s, their presence in South Africa was *de jure* illegal. Yet, in a somewhat complicated gesture of ethnic solidarity, the Shangaan-speaking homeland administration of Gazankulu accepted all Mozambican refugees in its territory and provided them with land and assistance. The refugees thus occupied an ambivalent legal space. Within the borders of severely poverty-stricken homeland territory their presence was *de facto* legal. Yet the moment they crossed the border into South Africa proper, they risked arrest and deportation. In this twilight existence, many joined the very lowest ranks of the (illegal) labour market, working for commercial farmers in the northeastern lowveld, for their Shangaan-speaking neighbours as field labourers and domestic workers, and in the industrial economy of the Pretoria-Witwatersrand-Vereeniging region.

From 1995, the Mozambican refugee population slowly and incrementally began to gain formal legal status. By mid-2000 the majority had permanent residence status, and by the end of 2004, permanent residents had won the right to receive social grants from the state.

Yet a disturbing gap remains between the refugees' status in law and their status in reality of social practice. It appears that state officials, from welfare department agents to law enforcement officers, refuse to recognise their South African identity documents; that refugees occupy much the same place in the labour market they did when they were undocumented; that local government refuses to furnish their villages with infrastructure.

The existing literature is curiously quiet on this disturbing gap between the *de jure* and *de facto* status of former refugees. One possible explanation for this state of affairs, which requires further research, is that local and regional economies became structurally dependent on the labour of undocumented refugees, and thus resisted their legal integration.

Forced migration to South Africa from the DRC appears to be a predominantly young, urban, male and middle-class phenomenon. Nearly one in two forced migrants from the DRC have some tertiary education and fewer than one in 20 was unemployed in the DRC. They are thus a world apart from their Mozambican counterparts, and their motivations and aspirations are very different too. While many no doubt fled in the face of persecution, and others in the face of violent instability, still others left because the DRC is increasingly unable to sustain a middle-class existence.

If the motives of many were indeed to retrieve a middle-class existence, the majority have failed categorically to do so. While 4% of Congolese migrants were unemployed in the DRC, 29% are unemployed in South Africa. A further 50% are in work they describe as unskilled – street vending, cutting hair, washing and guarding cars – while just four 4% are in what they regard as skilled work. If the majority occupied the upper echelons of the Congolese labour market and education system, their situation in South Africa is pretty much reversed. The mean monthly income of Congolese refugees in South Africa is R618 per month; their median monthly income R500 per month.

All qualitative research on Congolese refugees in South Africa has found levels of integration to be frail and insubstantial. Congolese refugees generally cluster in tight-knit, defensive ethnic networks, their relations with other Congolese hostile and suspicious, their relations with South Africans thin and cautious. They thus occupy a social territory characterised by low trust and limited reciprocity, a state of affairs which renders their capacity to be absorbed into the labour market very slight indeed.

Several dozen ethnically constituted associations of Congolese refugees exist in South Africa. Their functions are primarily to assist new arrivals with survivalist strategies and to shore up and preserve their members' cultural and ethnic identities, particularly those of children born on South African soil.

While research has shown that some African immigrants to South African have become reasonably successful cross-border traders, Congolese refugees are not well represented among them. Most are survivalists working in the margins of the informal economy. For reasons the literature has not explored, Congolese predominate in the ranks of South Africa's car guards and street-side haircutters.

INTRODUCTION

The task of this monograph is modest and discrete. It is to review existing literature on two episodes of forced migration to South Africa. The first is the flight and reception of between 250,000 and 350,000 Mozambicans during that country's civil war in the 1980s. The second is an influx of people to South Africa from what is now the Democratic Republic of Congo (DRC) beginning in the early 1990s and continuing to this day.

The existing literature on these two migratory movements is uneven, and this unevenness is obviously reflected in this monograph. The flight of Mozambicans to South Africa during the civil war is well documented and has produced a substantial scholarship. As happens when scholarship accumulates, the literature on Mozambican refugees is permeated by a range of intellectual and political perspectives, and by some scholarly disagreement. This review charts and comments upon some of these perspectives and disagreements. Migration from the DRC to South Africa, by contrast, has thus far been poorly documented. Substantive qualitative and quantitative studies only began to emerge as late as 2003. This review thus reflects the incompleteness of the picture we have.

Differences in the character of the two literatures aside, there appear, at first glance, to be enormous divergences in the nature of the two migratory episodes themselves. The majority of the Mozambicans who fled the war to South Africa were drawn from the rural peasantry. While they did not flee en masse as a single, undifferentiated group, they generally left because the conditions sustaining continued human settlement in their home districts had been severely and violently disrupted. Once in South Africa they settled in some of the poorest and bleakest rural districts in the country; indeed, many of their hosts struggled to keep themselves above the breadline.

The migration from the DRC, by contrast, is primarily a movement of young, well-educated, urban middle-class people. Nearly one in two have some tertiary education and fewer than one in 20 was unemployed in the DRC. The majority have settled in the cosmopolitan inner-city neighbourhoods of South Africa's largest metropolitan centres. They are thus a world apart from their

Mozambican counterparts, and their motivations and aspirations are very different too. While many no doubt fled in the face of persecution, and others in the face of violent instability, still others left because the DRC is increasingly unable to sustain a middle-class existence. The collapse of their country's educational system and the falling away of vocational prospects figure high among the factors that have pushed Congolese people to South Africa.

Aside from differences in the social character of the migrants themselves, the two groups arrived to very different political and legal contexts. The Mozambican war refugees came to South Africa in the late apartheid years. The apartheid government never gave them formal refugee status. Instead, they lived in a juridical twilight zone in the homelands Gazankulu and KaNgwane. Whenever they stepped foot into South Africa proper – and most did, either as migrant workers or as permanent settlers in the greater Johannesburg area – their presence was illegal and they were liable to be arrested and deported without due process.

In contrast, forced migrants from the DRC – particularly those who arrived from the late 1990s onwards – were greeted by a very different legal dispensation. For a start, the country hosting them was a constitutional democracy, one which protected all people, on paper at any rate, whether their presence in the country was documented or not, from arbitrary arrest, detention without trial, and deportation without due process. By the late 1990s South Africa had also signed all major legal instruments relating to the rights of refugees. After the Refugee Act was passed in 1998, it was recognised in statute that refugees were entitled to the same rights as citizens, barring the right to vote. Finally, refugees in South Africa are entitled to self-settle, to work, and to study.¹

There are nonetheless some striking continuities in the experiences of these two very different groups of forced migrants. The continuities consist in the bracingly inhospitable reception foreigners receive in South Africa, whether in the 1980s or 2000s, and whether the hosts are black or white, rural or urban. One of the abiding themes in this monograph is a disturbing gap between law and social practice. Despite vast improvements in the *de jure* status of forced migrants in the late 1990s and early 2000s, many are *de facto* 'illegal' by virtue of the practices of state officials, neighbours and employers. The place of forced migrants and other immigrants in South Africa is lucid and powerful testimony to the impotence of formal rights when social practice refuses to absorb the content of law. Indeed, a disappointment about the existing literature is a widespread reluctance or inability to unearth the wellsprings of an abiding, extraordinarily potent xenophobia.

PART ONE

MOZAMBICAN REFUGEES IN SOUTH AFRICA

Flight and reception

The Mozambican civil war, which began in 1979 but reached fever pitch in the mid-1980s, was remarkable for the depth and ubiquity of its destructiveness. It was quite literally a war of attrition; the infrastructure supporting civilian life was destroyed across swathes of the Mozambican countryside. Between 1979 and 1992 approximately 5.7 million people – one in three Mozambicans – fled their homes. Of these, about 4 million were internally displaced. The remaining 1.7 million crossed Mozambique's borders and became international refugees; they went to Tanzania, Malawi, Zambia, Zimbabwe and South Africa. Malawi was the largest host country, followed by South Africa.²

Of the 1.7 million people who fled Mozambique, between 250,000 and 350,000 came to South Africa.³ Most were from Gaza and Maputo provinces in Mozambique and crossed the border in a steady stream between 1985 and 1987. The majority walked through the Kruger National Park for four or five days – in large groups, where possible, to deter the predatory animals that live in the park – before arriving in the apartheid homelands of Gazankulu and KaNgwane, themselves in an advanced stage of social trauma triggered by a generation of apartheid social engineering.⁴ The reception the refugees received was shaped by an extraordinarily subtle and variegated cocktail of national apartheid politics and local interests and sensibilities. Attempting to distil the various components of this cocktail is perhaps the most prudent place to begin.

From the arrival of the first refugees in 1984 until its demise a decade later, the apartheid government did not offer Mozambicans forced to leave their country by war refugee status. The government did, however, in principle permit refugees to settle in the homeland territories scattered across the northeast of South Africa: Gazankulu, KaNgwane, KwaZulu and Lebowa. Permission to settle in KwaZulu and Lebowa was nominal and meaningless, for the homeland government of Lebowa banned Mozambican settlement outright, and in KwaZulu refugees were barely tolerated. KaNgwane, on the

other hand, did permit limited settlement. And Gazankulu, which stands out for the alacrity with which it received Mozambican arrivals, did not turn away a single refugee. In the mid-1980s, Gazankulu's tribal authorities set up reception centres for refugees throughout the territory, providing them with food, blankets, cooking utensils and agricultural equipment. In dozens of villages throughout Gazankulu, land was set aside for refugee settlement.

The Gazankulu authorities' warm reception of Mozambicans refugees was deceptively complicated. Indeed, the precise nature of the relationship between the refugees and the South Africans who hosted them is the subject of some disagreement among the handful of scholars who have given the matter serious attention. For the moment, suffice it to begin with the very simple: the Gazankulu authorities' warm reception was an act of ethnic solidarity.

In the nomenclature of apartheid South Africa, Gazankulu was the homeland of the Shangaan nation. Pertinently, the presence of Shangaan-speakers in the northeastern regions of South Africa is itself the product of earlier refugee movements. The majority of South African Shangaan-speakers trace their ancestry to groups of refugees who fled conflict in what is today Mozambique in the 1830s, and 1860s and 1890s. Some of this conflict was colonial, but the mainstay consisted in chieftainship succession wars.⁵ Thus, in one version of events, the sudden arrival of many thousands of Shangaan-speaking refugees in Gazankulu in the 1980s not only triggered a sense of ethnic solidarity in their South African hosts, but also rekindled inherited memories of refugee origins; the refugees of a previous century identified with and reached out to the refugees of the present.

According to this narrative – which, as we shall see later, needs heavy qualification at the very least – the pertinence of citizenship and national boundaries was transcended by a deeper sense of loyalty, the pedigree of which preceded the colonial erection of national boundaries between South Africa and Mozambique. In this sense, the Mozambicans who crossed the border were refugees in a qualified and complicated sense: for while they were indeed forced to flee their homes and cross a national boundary, they never left the invisible but no less powerful boundaries of their Shangaan-speaking ethnos.⁶

Indeed, the Gazankulu leadership at the time explained its hospitable behaviour as an expression of ethnic solidarity. In 1984, Hudson Ntsanwini, chief minister of Gazankulu, likened his homeland's acceptance of Shangaan-speaking refugees to the assistance South Africa gave to white Mozambicans

who fled the country in the wake of Portuguese withdrawal and the coming to power of Frelimo in 1975.⁷

There is a sense in which the sentiments of Ntsanwini's account tally with the patterns of flight of Mozambican refugees. Chris Dolan has chastised the United Nations High Commission for Refugees (UNHCR) for characterising the flight from Mozambique as "an undifferentiated mass of people all fleeing simultaneously and without forethought".⁸ Rather, he argues, the process of flight was often planned and staggered, and sometimes extended to a period of several years. For instance, it was typical for young male members of families to go first, crossing the Kruger Park, finding employment in South Africa, and then remitting money to Mozambique to bring family elders to South Africa by road.⁹

For our purposes, another aspect of the planned nature of flight is pertinent: it appears that the destination to which most refugees headed was seldom arbitrary; most made their way towards relatives and acquaintances. Indeed, throughout the 20th century, a small proportion of the hundreds of thousands of Mozambicans who had come to the Witwatersrand as temporary migrant workers settled permanently in South Africa, some in greater Johannesburg, others in Gazankulu. Mozambican migration had thus left faint but permanent traces on the South African landscape, and it was these traces refugees followed as they fled their homes. Many, it seems, sought out particular villages in Gazankulu because they knew people who lived there.

Indeed, a sizeable minority (some estimate 100,000) of the 350,000 or so refugees who came to South Africa ventured further than Gazankulu and into greater Johannesburg, and it seems that many, perhaps most, were following relatives and friends. As an informant of Dolan's commented:

"Most of the people who went to Johannesburg went there following an invitation from people already there or meeting with someone from there. It is very difficult to go there if you don't know anybody. Often people in Johannesburg will pay someone to take a message to Mozambique to their cousins, brothers, etc, to come and join them in Johannesburg. As a result, you find that people from different areas in Mozambique group together in Johannesburg."¹⁰

But the spectacle of Shangaan welcoming Shangaan is only the very beginning of the story. Things appear to get far more complicated. In 1984, the very year in which refugees began to arrive in South Africa in large numbers, a violent border dispute erupted between Gazankulu and the Pedi-speaking homeland

of Lebowa. During the dispute, anonymous pamphlets were distributed demanding that Shangaans employed in public service be sacked and that they and their families be repatriated to Mozambique.¹¹ The implication, of course, was that all Shangaans were cursed with the mark of Cain: even those who migrated 150 years ago remained Mozambican interlopers.

In the arcane politics of apartheid South Africa, Shangaan leaders had played a smart game with Verwoerdian ideology, arguing that they were the leaders of an ethnic nation and ought to govern a homeland of their own. They won this game, provisionally at any rate, and their prize was Gazankulu. But, if the territorial wars with Lebowa are an indicator, their victory was somewhat fragile; if they themselves held memories of their origins as refugees, so did their enemies, who reminded them with some sharpness that their pedigree was not South African. The national boundary between South Africa and Mozambique was of consequence after all, for the territorial claims of the Shangaan-speaking aristocracy were at stake.

The arrival of thousands of Mozambican refugees in the mid-1980s must have been met with a degree of ambiguity, if for no other reason that it gave succour to the toxic arguments of the foes of Gazankulu's ersatz aristocracy, and perhaps to the foes of Shangaan-speakers more generally. As Tara Polzer has pointed out: "The threat of being associated with foreignness can be met in two ways: dissociation from new arrivals, or their incorporation by denying their difference and outsider status."¹²

Polzer argues that from the very beginning, in the mid-1980s, Shangaan-speaking South Africans have overwhelmingly taken the latter route. She gathers a great deal of anecdotal evidence. She points out, to give just one example, that "it was very common for South African families who shared surnames with Mozambican families to de facto adopt refugee neighbours and acquaintances by claiming them as relatives and assisting them to apply for IDs".¹³ Indeed, she comments elsewhere, "soon, shops, churches and crèches were owned and led by integrated former refugees as was much of the district's [Bushbuckridge, a district in the former Lebowa which hosted 50,000 refugees] taxi and car repair industry".¹⁴

These anecdotes lead Polzer to a more abstract commentary, which involves the observation that national boundaries should not be reified since they compete with other demarcations between friends and enemies, and other social processes of consequence. Talking of Bushbuckridge, she places the influx of Mozambicans refugees in the 1980s as just one event in a time bursting with social and political-economic trauma. She writes: "In the

context of the general social upheaval and population movements – where population densities doubled every decade between the 1950s and 1980s because of forced displacement within South Africa – the addition of another 50 000 people, distinguished through slightly greater poverty and lack of documents, was not such an exceptional occurrence.”¹⁵

Polzer is surely right to point out that identity and division are complex matters; that a simple dichotomy between South Africans and refugees must, by its very starkness, fail to do justice to the relationship between the new arrivals and their hosts. Nonetheless, every piece of primary research examined for this review would suggest that Polzer has overstated her thesis. Despite the strong bonds of ethnic solidarity which have tied the refugees to their hosts, former refugees nonetheless constitute a clearly distinguishable underclass, exploited by fellow-Shangaan speakers and whites alike, to this day, two decades after the arrival of the first refugees, and several years after the majority have been granted permanent residence rights. Perhaps what Polzer has missed is that even a rich, vividly imagined ethnos can be imagined and practised as fiercely unequal. Indeed, the durability of their outsider status is perhaps the most arresting feature of Mozambican refugee settlement in South Africa.

To understand the darker side of the reception of Mozambican refugees it is necessary to turn to the political economy of their new context and their situation.

An imported underclass?

Perhaps the most salient feature of the newly arrived refugee population in the mid-1980s was its rightlessness. The South African government, as mentioned earlier, allowed Mozambican refugees to settle in homeland territories, but in South Africa proper their presence was illegal. The 250,000-odd refugees who settled in the northeastern regions of the South African countryside were thus quite literally ghettoised. There is some irony in this. The international community had refused to recognise South Africa’s homelands as independent states, correctly dismissing the Verwoerdian understanding of the South African project as the parallel and equal development of separate nations. Yet for Mozambican refugees, the border between Gazankulu and South Africa proper was quite real: on the wrong side of the border, they were liable for arrest and deportation. It is this, above all, which shaped their experience, particularly in the labour market.

Not only were the refugees ghettoised, but the ghettos to which they were consigned were in a dismal state. As is discussed at greater length later, much of the population of Gazankulu had itself been displaced over the previous generation as part of the grand apartheid project. A significant proportion of the refugees' Shangaan-speaking hosts had, in living memory, been forcibly removed from their grazing and pastoral land and resettled in densely populated villages, undermining a crucial element of their livelihoods, and placing them in a new social context in which they lived at close quarters with relative strangers.¹⁶

None of the literature surveyed for this study includes a thorough socio-economic profile of Gazankulu in the mid-1980s, and perhaps none was available. But approximately a decade and a half later, in 2001, the Bushbuckridge district was in an advanced state of economic decrepitude. South Africa's official statistical agency had placed the unemployment rate at 69%. It also found that two-thirds of households experienced regular food insecurity.¹⁷

Given these conditions of extreme social trauma, it is indeed perhaps a sign of deep ethnic solidarity that the Gazankulu authorities and their subjects welcomed Mozambican refugees as graciously as they did. Perhaps it is also testimony to Polzer's argument, that in the context of a generation of trauma and displacement, another 50,000 new arrivals "was not such an exceptional occurrence".

Nonetheless, there can be little doubt that while Gazankulu's authorities welcomed the refugees, it simultaneously understood their presence as a Malthusian threat, and treated them accordingly. In villages across Bushbuckridge, land set aside for refugees was always discrete and separate from the mainstay of the village. Right from the beginning, and to this day, refugees were allocated separate ground in which to bury their dead. Most refugees were given land for housing only, and were thus unable to reconstitute the herds of cattle they lost when they fled their homes. In many villages, refugees were denied access to infrastructural services such as water and electricity – once again, a state of affairs that in places persists today. In short, the refugees not only found themselves in an economic wasteland, but were stripped of what frugal means the environment had to offer.

Indeed, some reports suggest that there were times when the refugees' hosts actively put down their attempts at self-reliance. Nolan and Nkuna write:

"One refugee told the story of how he collected the stones necessary to wall his vegetable garden, only to come back the next day to find

that a local person had come with a tractor and taken them away. When the refugee complained, the local just said 'U Mupoti, u rilela yini?' ('You're just one of those Mozambicans, so what are you complaining for?')"¹⁸

Some researchers have made much of the refugees' mechanical skills and their aptitude for informal business, suggesting that many managed, through collective cooperation and superior entrepreneurial acumen, to "take over" Bushbuckridge's taxi industry.¹⁹ Yet these observations are casual and anecdotal, and have not been buttressed with social-economic research of any description. It seems prudent to heed Dolan and Nkuna's caution, penned in 1995: "Although Mozambicans are reputed for their manual skills and have in fact set up numerous informal businesses such as panel bearing, vehicle and electrical repairs, their lack of formal status makes it virtually impossible for them to obtain finance with which to invest in and consolidate these businesses."²⁰

Perhaps the most eloquent testimony to their desperate straits are reports throughout the literature that, from the mid-1980s to the present, a significant proportion of refugees have found employment with their South African neighbours as domestic workers and as field labourers. Given that their neighbours are among the poorest of the South African poor, this phenomenon speaks volumes. While there is no record in the literature of how much refugees were and are paid to work in the homes and fields of their neighbours, one can only imagine that it is next to nothing. Indeed, the arrival of the refugees in South Africa appears to have created, overnight, an entirely new labour market segment, created by virtue of its toleration of unprecedentedly low wages. Viewed from the perspective of the labour market, refugees came to constitute the underclass of the underclass: the servants of the underclass.

Nowhere is this phenomenon of the sudden creation of a new labour market segment more graphically illustrated than in the commercial farming districts of the lowveld, an economic sector rapidly and dramatically transformed by the arrival of the refugees.

Refugees and the agricultural labour markets of the lowveld

We have said that the illegality of their presence in South Africa proper confined the refugee population to a ghetto existence; that the ghetto in which the majority settled, Gazankulu, was in a state of extreme economic

decrepitude; that there is evidence that the host population prevented refugees from tapping what few resources the environment offered for strategies of self-reliance. How, then, did they feed themselves? Some, as discussed above, worked in the homes and fields of their hosts, while others established rudimentary micro businesses. Many others crossed the border between Gazankulu and South Africa illegally to seek work, at risk of arrest and deportation. A study conducted in 1995 found that in Gazankulu and KaNgwane between 46% and 58% of male refugees over the age of 19 were migrants labourers.²¹ Some migrant workers went to urban centres, especially Johannesburg, while a great many found work in the farmlands across the homeland border in what was then the Eastern Transvaal lowveld.

In 1998, an in-depth study of the lowveld's agricultural labour market was conducted by Charles Mather and Freddie Mathebula, with particular reference to Mozambican migrants.²² Frustratingly, the aims of the study did not include differentiating the war refugees of the 1980s from other Mozambican migrants, but there is nonetheless sufficient evidence to tell a remarkable story.

Farming in the lowveld is dominated by citrus, subtropical fruit and vegetables, and tobacco, all of which require irrigation. Irrigation farming is classically labour intensive, its labour needs fluctuating and seasonal. It is, in other words, ideally suited to mop up a deluge of desperate and undocumented workers at very low cost.

And mop up the deluge it did. Mather and Mathebula argue that throughout the 20th century, demand for labour on the lowveld exceeded supply. From the 1920s on, farmers' associations were forced to conduct active labour recruitment campaigns in Mozambique and Swaziland. Larger agricultural enterprises set up permanent recruitment stations on the border between Mozambique and South Africa. In 1990s, this generations-long practice abruptly ended. "While farmers have consistently had problems in recruiting labour in the past," Mather and Mathebula argue, "they now appear to have more labour than they need."²³

There is little doubt where this sudden surfeit of labour came from. The authors interviewed 100 randomly selected workers on the lowveld, 67% of whom were Mozambicans who had entered South Africa before 1990; the majority of this 67% had fled the war.²⁴

The labour market Mather and Mathebula describe is three-tiered. The first consists of permanent and semi-permanent workers. They are all legally employed. Most are South Africans, some are Mozambicans who have

been granted permanent residence status, and others are Mozambicans on one-year guest worker contracts.²⁵ The second tier consists of seasonal workers employed for harvesting. All are women. Some are the spouses and partners of permanent workers and live on the farms. The majority live in the former homelands and commute daily to the commercial farms. The third tier the authors designate “temporary workers”. Farmers refer to them as “spare chaps”, or “hands and eyes”. “They are almost exclusively young men between the age of 16 (and younger) and 20, and are hired for specific short-term tasks that require few skills.”²⁶ They are undocumented migrants; at the time of the study, in 1998, they earned between R4.50 and R6 per day, a wage no South African would work for. The authors did not attempt to measure the respective sizes of the three tiers of the labour market, but suggest anecdotally that turnover in the third tier is enormous; one farmer the authors interviewed calculated that he had employed 7,000 young men on his farm over a four-year period.²⁷

The third tier of the labour market, then, has been woven from the existence of a great many young men whose presence in South Africa is illegal. Indeed, perhaps the most interesting aspect of the story is the informal support given to this arrangement by local and regional law enforcement institutions. While employing undocumented migrants is illegal, “not one of the farmers interviewed reported police raids for undocumented migrants on the farms themselves ... Security force attempts to control undocumented migrants are restricted instead to the country’s main roads.”²⁸

Even on the main roads, a semi-formalised code has developed to prevent defence force members from inadvertently deporting a person currently employed on a farm: “Workers on some farms are issued with a ‘farm tag’ that is pinned to their clothes and provides the worker’s name and his or her farm identity number, the name of the farm, and an expiry date. The role of these farm identity cards is to prevent the army and the police from arresting migrants who are ‘economically active’.”

With this security force collusion thrown into the mix, the relationship between undocumented temporary workers and their employers becomes difficult to define: it occupies something a twilight zone between a feudal bond and a modern contract. The temporary worker is not quite a serf, but he is certainly not a proletarian. Indeed, the state of affairs Mather and Mathebula describe has echoes of the relationship between whites and Khoi-Khoi in the early 19th-century Cape. In 1809, the Cape Colony promulgated a law which stipulated that a khoi found travelling without a permit be considered a vagabond and put to work.²⁹

Unfortunately for the purposes of this research project, Mather and Mathebula's study is not of war refugees per se but of Mozambicans in South Africa more generally. They thus did not explore the distribution of refugees across the three tiers of the labour market as things stood in 1998. It is likely that many in the third tier were not refugees from the 1980s but economic migrants who arrived in South Africa after the end of the Mozambican civil war. It is also possible that many of the legal employees in the first tier were 1980s refugees who subsequently obtained permanent residence status in South Africa. It is a pity that a longitudinal study of this question has not been conducted, for it would speak a great deal to the matter of how and whether former refugees have integrated into South African society in the late 1990s and early 2000s. As we shall see later, this question is perhaps more troubling than any other; and yet it has been left curiously under-researched by scholars in the field.

The end of the war and the UNHCR repatriation programme

On 7 August 1992, Mozambican president Joaquim Chissano and Renamo rebel leader Alfonso Dhlakama signed a peace accord in Rome ending Mozambique's civil war. Democratic elections, in which Mozambique's governing party Frelimo and its erstwhile enemy Renamo would contest for power peacefully, were scheduled for late 1994. In September 1993, a little over a year after the Rome Accord was signed, the UNHCR began implementing a programme to repatriate all Mozambican refugees in South Africa who wished to return home. Mozambicans in South Africa who could show that they had arrived between January 1985 and December 1992, as well as those who came to South Africa as contractual labourers in the early 1980s had become refugees *sur place* with the outbreak of war back home, could sign up to the voluntary repatriation programme.

The programme turned out to be one of the UNHCR's less flattering moments. By the time it had ended, the situation of the vast majority of Mozambicans who had fled to South Africa during the war was no better than it had been before.

The first serious problem was the manner in which the wishes of refugees were canvassed. The UNHCR surveyed a sample of 6,348 refugee families in Gazankulu, KaNgwane and Winterveld, a settlement outside Pretoria. The main finding was that 83.7% of those interviewed intended to return to Mozambique. And yet, as Chris Dolan has pointed out, the survey question was in fact far too crude to penetrate the variegated matrix in which refugees weighed costs against benefits, and made choices. The figure of 83.7%:

“Was based on a simple ‘Yes/No’ question ‘Do you intend to return to Mozambique?’ Those who answered the question ‘yes’ were asked where they wished to return to, but not ‘when?’ or ‘under what circumstances?’ Neither were they asked who in the household would take the decision to repatriate, nor whether the whole household would repatriate together or in stages.”³⁰

Indeed, the very manner in which interviewees were assembled and questioned mirrored the carelessness of the survey design: mass meetings were called at which refugee men were lined up in a row and questioned.³¹ In parts of Johannesburg where large numbers of refugees were known to live, such as Alexandra, no canvassing was conducted at all. And in Winterveld, field workers were attacked by refugees who believed that being interviewed might lead to their deportation.³²

In the end, of an expected 250,000 people, only 31,074 enrolled in the voluntary repatriation programme.³³ Scandalously, those who chose to remain in South Africa – which turned out to be about 87.6% of eligible people – were not given refugee identification documentation or any other formal documentation. In other words, the option given to refugees was in reality to return home or to remain in South Africa illegally. As Dolan and Nkuna have suggested, the UNHCR appeared to have structured the choice given to refugees in a manner that would dissuade them from staying in South Africa, rather than promoting their rights and interests in South Africa.³⁴ Indeed, the UNHCR campaigned to reduce an NGO-led food aid programme for Mozambican refugees from R11 million to R4 million in order to encourage refugees to repatriate.³⁵

The resulting situation was bizarrely anomalous. The repatriation programme began in September 1993. Within seven months, apartheid homelands such as Gazankulu would cease to exist, the borders between them and South Africa abolished in statute and in administrative practice. Except as far Mozambican refugees were concerned. For them, the status quo of the late apartheid years would persist. Within the (former) borders of Gazankulu and KaNgwane they would de facto be entitled to live and work. Outside those borders their presence would remain illegal. Nor, indeed, had South Africa’s security forces desisted from targeting undocumented migrants: in the early 1990s they were deporting people at a rate of between 70,000 and 80,000 a year. And so, with both apartheid and the UNHCR come and gone, the refugees remained confined to their ghettos, and as vulnerable to extreme exploitation as they were in the late 1980s and early 1990s. South Africa thus greeted democracy harbouring a population of almost a

quarter of a million people whose *de facto* status was that of spare hands and feet.

Why, if this was the choice, did so many refugees decide not to enrol in the voluntary repatriation programme? A fair amount of thorough research has been conducted in regard to this question and a great many reasons have been proffered.³⁶ Ultimately, the answer appears to be reasonably simple: enrolling in the repatriation programme was perceived by refugees to foreclose options, while staying out of it kept all options open.

For one, early on in the process, the UNHCR stipulated that refugees could only return in family units. Enrolling thus meant being denied the possibility of a single family member returning provisionally to evaluate conditions back home. And matters back home were uncertain. By September 1993, refugees were in no position to make an informed assessment as to whether the Rome Accord would hold; for all they knew, they would be returning to a renewed outbreak of civil war. Second, state services in the Mozambican provinces lay in ruins. Schooling in particular had ground to a halt outside urban centres. In Gazankulu and KaNgwane, on the other hand, refugee children were enrolled in local schools. Indeed, local educators welcomed them, since the increasing numbers qualified schools for increased resources.

Cattle stocks in Mozambique had been decimated during the war and there was little wage work available in Mozambique from which cash could be accumulated to invest in replenishing cattle. As Dolan points out, by 1996 the unofficial minimum wage in Mozambique was the equivalent of R18 per month.³⁷ Thus, even the R4.50 to R6 per day undocumented migrants could earn as “spare chaps” on the commercial farms of the lowveld offered better financial prospects than returning home.³⁸

Added to these uncertainties was that, in the perception of many refugees, enrolling in the UNHCR programme would entail getting locked inside Mozambique; once they were back home, it was believed, the South African authorities would prevent them from returning to South Africa. Thus, Dolan probably has it right when he says that it was not so much “pull factors” that kept refugees in South Africa, but “holding factors”. Refugees did not feel that they ought to be making decisions that were anything more than provisional. Enrolling in the programme entailed an intolerable foreclosure of options. The 83.7% of respondents who told the UNHCR that they intended to return home were probably engaging in an abstract exercise: they were imagining an ideal future somewhere on an indeterminate horizon.

There is another possibility; it was never canvassed with any rigour and thus remains speculative. We mentioned earlier that while schooling in rural Mozambique was in disarray, refugee children in South Africa were being educated alongside South African children. It is possible that some refugees were imagining a scenario one generation into the future; while they had resigned themselves to living in limbo the rest of their lives, perhaps they imagined that their children would reach adulthood as fully integrated South Africans. Perhaps, in other words, some refugees imagined that they were laying down South African roots for posterity.

A succession of amnesties

If the Mozambican refugee population was treated with inhumanity by the apartheid government and shoddily by the UNHCR, the African National Congress (ANC) and the government it formed in 1994 was by no means an unmitigated friend. A presage of the ambivalent status the refugees would have in the eyes of South Africa's new governors came on the eve of the first democratic elections in April 1994, when refugees in Bushbuckridge were told that if they voted they would acquire South African citizenship.³⁹ It is not clear in the literature with what sort of ID documents refugees voted, but the promise was cynical in the extreme. Not only did refugees remain undocumented in the months following April 1994, the South African state's new leaders redoubled efforts to arrest and deport undocumented Mozambicans.⁴⁰ Indeed, by the late 1990s, the South African state was deporting in the region of 150,000 Mozambicans a year, more than double the figure from the early 1990s.⁴¹

Nonetheless, that nearly a quarter of a million people were left in legal limbo at the advent of South Africa's democracy was untenable. In December 1996, in response to a request from the UNHCR, the South African cabinet decided that Mozambican refugees who wished to remain in the country should be given permanent residence status. To be eligible, applicants would have to demonstrate that they were Mozambicans and that they had arrived in South Africa before the end of 1992, the time at which the Mozambican civil war ended. As a sign of the government's lukewarm commitment to its decision, it took three years to implement. It was finally implemented between August 1999 and February 2000.

In the intervening years, though, there were two other amnesties for which some Mozambican refugees were eligible. In 1995, an amnesty gave permanent residence status to Mozambican miners who had settled in

South Africa. And in 1996, an amnesty was announced for Southern African Development Community (SADC) citizens who could show that they had lived in South Africa for five years or more and were gainfully employed, or were married to a South African spouse.

During the five-year period in which these various amnesties were offered, the Mozambican refugee population found that the South African state's relationship with it was manifold and contradictory. On the one hand, deportations continued apace; stepping foot outside the now non-statutory boundaries of the former homelands put one at risk of deportation. And yet the three amnesties seemed to suggest that they were welcome to stay. There is insufficient space here to describe either refugees' documented responses to the three amnesties, or the administrative problems encountered in implementing them. Suffice it to say that refugees were often uncertain whether the hand of the state offering amnesty was indeed the benign hand or the malignant hand in disguise. Throughout all three amnesty processes, refugees remained highly suspicious of any attempt to document or enumerate them.⁴² That the very process of attempting to give them final status evoked such a response is eloquent testimony to the nature of the twilight zone in which their lives in South Africa were lived.

According to one scholar, refugees in Bushbuckridge made sense of these contradictory tendencies in the South African state in a very interesting manner indeed. Then president Nelson Mandela was understood as the leader of a movement which advocated a regional, transnational, African inclusiveness. The Department of Home Affairs, in contrast, was beholden to the Zulu chauvinism of Mangosuthu Buthelezi, who wished to punish Shangaans for voting for Mandela in 1994.⁴³ Refugees thus believed that South Africa was beset by an ideological tussle. Those sympathetic to them controlled the presidency while their enemies had captured the Department of Home Affairs.

By the end of the third amnesty process in 2000, 176,648 refugees had been granted permanent residence status.⁴⁴ A further 60,000 at least had returned to Mozambique. Many of the remaining number had probably been hiding their Mozambican identity for years, so much so that they were unable to prove it when the amnesty application process began. So, in letter at any rate, by the end of 2000 the vast majority of Mozambicans who had fled the war to South African before 1992 had had their status "regularised".

The (now former) refugees won another significant victory four years later. In 2004, the Constitutional Court handed down a judgment – triggered

by litigation initiated by two groups of former Mozambican refugees in Bushbuckridge – rendering unconstitutional the withholding of state old age pensions and child support grants from permanent residents. The judgment itself was split, uncannily resembling the Janus face of South Africa’s attitude to Mozambican refugees during the course of the 1990s. The majority judgment was generously cosmopolitan in spirit. A dissent, penned by Judge Sandile Ngcobo, was, by contrast, positively Scrooge-like in its attitude to permanent residents.⁴⁵

The judgment meant that former refugees now had access to social grants, just as their South African neighbours did. As in all poverty-stricken districts in South Africa, grants are a significant – in places the most significant – source of revenue. The 2004 judgment, then, together with the granting of permanent residence status to the majority of refugees four years earlier, should signify the closure of a chapter. One should be able to concur with Polzer that there has been a change in most Mozambican refugees in South Africa “from fear about whether they would be allowed to stay to confidence in recognition and status”.⁴⁶

Yet, a dispassionate reading of recent research makes that assessment difficult to endorse.

Strangers in perpetuity?

When the scholar Fred Golooba-Mutebi settled in a Bushbuckridge village in March 2001 at the start of an extended field trip, a year after the status of the majority of Mozambican refugees had been regularised, he found anything but an integrated community. Former refugees still constituted “a fairly coherent and easily identifiable group”.⁴⁷ They still lived in a discrete area separate from the mainstay of the village. The refugee section, which Golooba-Mutebi dubs Maputo-sikumo, was visibly poorer than the rest of the village. The refugees did not own cattle, only goats and chickens. Their homes were far humbler than those in the village proper, and were of rudimentary traditional design. There was not much intermarriage, or even active socialising between refugees and others.

As has been pointed out earlier, Bushbuckridge is among the poorest districts in South Africa. In 2002, its unemployment rate was 69%, and two-thirds of its households experienced regular food insecurity. In the midst of this poverty, it is apparent from Golooba-Mutebi’s portrait that in the village of “Tiko” at any rate the former refugee community remained something

of underclass among the underclass. Former refugees were still a source of cheap labour in the village: they were employed as domestic workers, cattle herders, builders and handymen. Their relative poverty expressed itself too in manner in which they buried their dead. While a South African funeral was typically held a few days or a week after the death, former refugees were buried within 24 hours, testifying to the fact that they had no life insurance and could not afford to keep the bodies of those they were mourning in mortuaries.⁴⁸

Most pertinently, both South African villagers and Mozambican refugees behaved as if the stay of the latter in South Africa was temporary, their legal status ambivalent. For instance, refugees were still buried in a separate section of the cemetery and local leaders still refused to have electricity and piped water extended to the refugee settlement. This state of affairs was explained to Golooba-Mutebi on the grounds that refugee settlements were temporary; that the Mozambicans would soon be going home.

Most interesting of all, perhaps, is that at the beginning of his research, Mozambicans, both in Maputo-sikumo and in the main village, were reluctant to identify themselves to Golooba-Mutebi and his interpreter, "not least because of the fear that we could be 'sent by government to establish who they should deport'".⁴⁹

One could choose to emphasise that these observations were made in 2001, only a year after the amnesty for refugees closed, and that the refugees' new legal status had not yet found expression in local relationships. But a field trip to the Bushbuckridge village of Fofuchinha by University of the Witwatersrand master's student Aderito Machava in December 2004 reveals a similar state of affairs nearly four years later. Early in his research, when Machava attempted to map the refugee section of the village, he was threatened by villagers and told to stop. When he asked a refugee leader why he was threatened, he was told that many villagers did not have identity documents and were suspicious of people asking for or making records.⁵⁰

The majority of former refugees still lived in a separate section of the village, and many still worked as domestic workers for people in the main village. Most Mozambicans living in the main village, Machava reports, had arrived in South Africa before the war, were generally integrated into the South African community, and were extremely reticent to acknowledge their origins.⁵¹

Along with difficulties he encountered in mapping the refugee section of the village, Machava's observations about the labour market suggest that many

refugees were either undocumented, or were de facto undocumented. Many of his respondents worked on the commercial farms of the lowveld in super-exploitative relationships akin to those described by Mather and Mathebula. “They put you working hard,” one of Machava’s respondents told him, “and when it is pay day, they just chase you away. If you complain, they threaten you saying that they will call the police to arrest you and take you back to [you Mozambique].”⁵²

What accounts for this state of affairs at the end of 2004? I can think of three possible answers, or a combination of all three. One is that far fewer war refugees gained permanent residence status than the official figures suggest, and that, at very least, a sizeable minority remains undocumented. A second possibility is that undocumented economic migrants have been settling in the refugee sections of Bushbuckridge villages in a steady stream since the end of the civil war in 1992; that they have been accepted into refugee communities but not into main villages; and that in local parlance and practice all the inhabitants of these geographic spaces are regarded as more or less temporary sojourners of dubious legal status.

The third and most troubling possibility is that local communities, state agencies and commercial farmers alike have simply ignored the fact that former refugees have acquired permanent residence status; that former refugees are de facto undocumented because they are treated as such. There is a hint in the literature that this may be so. Tara Polzer points out that in Bushbuckridge, “the permanent residence ID is known as a ‘Mozambican ID’ and because the ID states ‘nationality – Mozambican’ it is seen as worthless by some and only partially useful by others”.⁵³ She cites an example of an elderly woman who was told, presumably by government officials, that her status did not qualify her to register to receive government food parcels. De jure, of course, her status as a permanent resident *did* render her eligible.

Another anecdote, albeit from the Vaal Triangle rather than Bushbuckridge, is particularly striking. Writing of Mozambican refugees who have settled in the townships of the Vaal Triangle, Stephen Lubkemann points out that acquiring permanent residence is no guarantee against persecution:

“The ‘mark of Samora’ [a vaccination mark] is dangerous even for those Mozambicans who have legal South African identity documents obtained in a thoroughly legal manner. The physicality of this vaccination mark makes all Mozambicans vulnerable to corrupt officials. These officials can exploit their position of authority to

destroy the signs of legal South African identity, while their victims cannot destroy a sign of Mozambican identity and origin that is inscribed indelibly on their skin."⁵⁴

These anecdotes, combined with Golooba-Mutebi's observation that Maputo-sikumo was denied infrastructure and services on the grounds that its residents were temporary, together with Machava'a observation that many of his respondents worked on farms and in local homes as if they were undocumented, suggest that the various strata of South Africans with whom former refugees interact may have simply taken the issuing of 'Mozambican IDs' as a re-enactment of the status quo; that in the reality of social relations, the former refugees' status as permanent residents is simply ignored.

Conclusion

In his doctoral thesis on a refugee village in Bushbuckridge, Graeme Rodgers suggests that much of the Mozambican refugee population is committed to staying in South Africa indefinitely and yet maintains unambiguously Mozambican identities. The decision to stay, he argues, is a strategic one: "as history had taught them, they could not afford to invest all their resources in the home areas ..." Remaining in South Africa represents a calculated distribution of risk in a tenuous and insecure environment. Ironically, their continued presence in the villages of the lowveld represents an affirmation, rather than a dissolution, of their Mozambican identities. In Rodgers' words, "they maintained their social presence in exile long after its expiry date precisely by emphasising their belonging and their cultural identities in Mozambique".⁵⁵

But even if this is indeed the case, it does not explain why, a generation after settling in South Africa, Mozambican refugees still live in villages which have never been mapped or named.⁵⁶ Nor it does not explain why, four years after the end of the final amnesty process, South African identity documents are sometimes not worth the paper they are printed on. Indeed, conducting this literature review has been a puzzling experience. Not having done primary research, I am reliant on the perspectives and the data of those who have. Much of this data seems to point to a state of affairs that thus far appears to have gone largely unexamined. I am referring to a trenchant, deep-seated xenophobic impulse, one which transcends racial and ethnic lines, and appears to have rendered people holding bone fide South African identity documents de facto illegal. If this is indeed the case, it is surely among the more interesting and urgent objects of study at present.

In this conclusion, we can do no more than speculate with some tentativeness, and suggest possible avenues for further research. One possible explanation for the “stickiness” of refugees’ illegal status concerns labour markets. It is possible that the arrival of the refugees of the mid-1980s, who had no source of income other than to work on any terms, created new labour markets upon which local and regional economies have come permanently to depend. In other words, the commercial agricultural sector of the lowveld may have become structurally dependent on the “third tier” of the labour market of which Mather and Mathebula speak; that local Bushbuckridge economies became dependent on the domestic and field labour provided by refugees; and that there is thus a powerful interest among stakeholders in regional and local economies to keep refugees de facto undocumented.

There is some precedence for this scenario. During World War I and World War II, Californian farmers persuaded the US government to make exceptions to general immigration policies and provide the agricultural sector with cheap seasonal labour from Mexico. The exception was meant to be temporary, but in fact “had the effect of institutionalising dependence of farmers on 1–2 million Mexican workers, who returned year after year. Farms, railroads and mines soon made business decisions under the assumption that immigrant workers would be available when they were needed.”⁵⁷ By the early 1960s, these migrant workers constituted four-fifths of harvest workers in California’s tomato processing industry. The industry’s dependence on them was only broken with the introduction of accelerated mechanised harvesting methods in the late 1960s.

Has a similar situation developed in northeastern South Africa? In the absence of research about its labour markets it is impossible to tell. Given the high volumes of undocumented Mozambican migrants who continued to come to South Africa after 1992, one would expect that there is a ready supply of cheap, seasonal labour irrespective of whether the war refugees of the mid 1980s participate in these labour markets. The point is that we do not know. Further research is required.

Another possible explanation for the stickiness of former refugees’ illegal status concerns the power of the subjective beliefs of state officials. The notion that foreigners are both responsible for crime and parasite on resources that rightly belong to South Africans cuts deep in South African society. It could be that police officers refuse to acknowledge the South African papers of former refugees, not simply because they benefit from receiving bribes, but because they genuinely believe that giving Mozambicans permanent residence status is abhorrent. Similarly, welfare and health officials may turn

away former refugees because they abhor the idea that resources destined for poor South Africans go to foreigners. In other words, it is possible that the gap between law and popular xenophobia is so large that agents on the ground are simply not prepared to enforce the law.⁵⁸

These are very tentative suggestions. It bears repeating that the question requires and deserves further research.

PART TWO

CONGOLESE FORCED MIGRANTS IN SOUTH AFRICA

The early literature and the early years

The literature on forced migration from what is now the Democratic Republic of Congo (DRC) to South Africa is both smaller and less substantial than the literature on Mozambican refugees in South Africa. Until the early 2000s, all we had were a handful of academic papers, some of them of indifferent quality, none offering an adequate global account of migration and settlement. It is only since late 2003 that work of some substance has begun to be produced. For the first time, we now have reliable quality of life data on the 24,000-strong community of Congolese refugees and in South Africa; the emergence of sound qualitative work on Congolese experiences in the South African labour market and urban environment; and an account of the networks of organisations Congolese migrants have built in Durban, Cape Town and Johannesburg.

This review, then, will move quickly through the early years before settling on the more substantial scholarship of recent vintage.

During the late apartheid years, when South Africa was a pariah state among the community of African nations and had few diplomatic or trade links on the continent, the P W Botha government courted a handful of central African states. Limited diplomatic and trade contact was made with Côte d'Ivoire, Senegal, Rwanda, Gabon and Mobutu Sese Seko's Zaire. In 1988, Zaire was South Africa's second largest trading partner in Africa, second only to Zimbabwe.⁵⁹ In the context of these economic and political ties, South Africa saw a limited amount of elite emigration from Zaire. As Antoine Bouillon has commented: "In addition to the businessmen and politicians who were part of the Mobutist movement, and who came to South Africa with a view to exploring the potential of the country, and the engineers who were sent on assignments to the mines, dozens of Zairean medical doctors and academics found employment in the country."⁶⁰ Several hundred teachers, doctors and other professionals were wooed by various skills-deprived homeland governments. Indeed, until 1986, it was not permitted for black African nationals to settle in South Africa proper. Elite migration from Zaire to South

Africa continued through the 1990s; in the period around the fall of Mobutu in May 1997, South Africa was a haven and a refuge for Mobutuists and their assets.

In the early 1990s, the nature of Congolese migration to South Africa changed abruptly. The change is unfortunately poorly documented, and its precise contours are anything but clear. In the broadest terms, migration from Zaire in the early 1990s can perhaps be characterised as middle-class flight, partly from economic uncertainty, but also from political instability and violence. A mutiny in the armed forces in 1993 saw outbreaks of violence in several parts of Zaire, and civil war in Katanga and Shaba provinces resulted in the displacement of more than a million people.⁶¹ It appears that an entire stratum of Kasai businesspeople and professionals who managed and owned the region's mining industry were forced to leave, and that many came to South Africa.⁶²

Many middle-class migrants seem to have chosen South Africa as a destination for two reasons. First, the preferred destination of most was Western Europe and North America, but the tightening of the immigration policy in those regions during the course of 1980s foreclosed that option for many. South Africa was the next best – the most developed economy in sub-Saharan Africa and on the brink of a new, more open dispensation to boot. Second, a residue of the apartheid government's close ties with Mobutu took the form of free, visa-less access to South Africa for Zairians, until April 1993 at any rate, when South Africa began to introduce hefty visa fees for Zairians.

Kadima and Kalombo estimated that at the end of 1992 there were 23,000 Congolese living in South Africa. They do not tell us how they arrived at their estimate.⁶³ Between 1994 and 1997, Kadima interviewed 139 Congolese living in Johannesburg. He used a snowball sampling method and it is not certain how representative his sample was, but it is of some interest. Many Zairians he spoke to had found a niche in the nascent and exploratory trade links that were developing between South Africa and central Africa. Several exporters Kadima surveyed were exploring trade opportunities in Zaire and had employed Zairian nationals living in South Africa as trade consultants, business advisers and interpreters. Other Zairian nationals in South Africa had entered the international trade market in cruder fashion, filling the boots of their cars with electronic and other goods from South Africa and exporting them to Zaire over land.

Several Congolese in Johannesburg saw lucrative opportunities in the virtual demise of the Zairian telephone network during the latter years of

the Mobutu regime. They invested in powerful radio transmitters and hired out their services to traders and businesspeople wishing to make contact with trading partners in Zaire. In one instance, a Johannesburg suburbanite complained that his neighbour's powerful radio transmitters were jamming his television reception.

Kadima also visited Johannesburg's flea markets, where he found Congolese people selling curios and clothes. Most were professionals ("I met a maths teacher, a person with an honours degree, a former pilot in the Congolese air force, three engineers and several accountants"). Some were making a decent living, and others were not.⁶⁴ Rigorous studies of Congolese traders in South Africa's informal sector would only emerge in the early 2000s.

The Refugee Baseline Survey

The literature of the mid- and late 1990s speaks of another "wave" of Congolese migration to South Africa following that of the early 1990s. Some place the beginning of this wave in 1994, others in May 1997, when Mobutu's regime fell.⁶⁵ But precisely what distinguishes this wave from the last is never entirely clear, and the truth of the matter is that the nature of Congolese migration in the mid- and late 1990s is scarcely known to academic scholarship.

It is really only in late 2003, with the publication of a baseline survey of refugees in South Africa, that we get a clear sense of who is coming to South Africa, why, and how they live once they get here.⁶⁶ The study surveyed 1,500 of the 75,000-odd legally recognised refugees and living in South Africa in 2003, 24,000 of whom were Congolese. The sample was weighted to make it representative of the total registered refugee population.

It should be said that the legally recognised refugee population is not precisely co-terminus with the population of forced Congolese migrants in South Africa, and this for two reasons. First, as Landau and Jacobson point out, the category "ignores the many more who have been refused asylum but fear returning home or who, either out of ignorance or frustration with the government's asylum determination process, have simply not applied".⁶⁷ Second, as some of the literature surveyed below illustrates, there are Congolese nationals in South Africa who are clearly economic, and not forced, migrants, who have applied for refugee status in order to remain in South Africa legally. The result is that baseline survey may well over-represent well-educated refugees as well as those who forged success survival strategies in

South Africa. Those without the means to enter the formal asylum application system would not have been captured in the survey.⁶⁸ Despite these caveats, the baseline survey remains the most illuminating and representative survey of Congolese and other forced migrants in South Africa.

Perhaps the most striking finding of the survey is that Congolese migration to South Africa is primarily middle class, young and male. The average Congolese refugee is 32 years old; 43% are single and a further 23% do not live with their spouses. Congolese refugees in South Africa are extraordinarily well educated; 47% have a tertiary education and a further 33% have matric; 36% were students in the DRC, 20% were skilled professionals, and just 4% were unemployed.⁶⁹ In stark contrast to near ubiquitous prejudice, Congolese refugees in South Africa represent an influx of a solid block of valuable human capital.⁷⁰

These figures immediately tell a rich story. The first is that of the millions of people displaced by the conflict in the DRC, the poor generally do not move very far. Most are internally displaced, or settle in refugee camps in the DRC's immediate neighbours. Those who come to South Africa generally appear to hail from families of means.

That migration to South Africa is young, middle class and male says a great deal about the motives and aspirations of migrants. It suggests – and this is confirmed by some of the qualitative research discussed below – that motives for coming to South Africa have as much to do with middle-class life planning as flight from violence; that the disintegration of the DRC's education system and the falling away of prospects for a professional career are perhaps as important as the immediate dangers of war. South Africa is reputed to have a good education system and a developed economy. It is easier to access than Western Europe and North America, and its legislation is far more welcoming of asylum seekers. It is, from this vantage point at any rate, a natural destination for young, educated men fleeing a war-ravaged economy.

Yet if this is indeed the nature of the planning invested in the decision to migrate to South Africa, the experience is without doubt bitterly disappointing to most. While 4% of Congolese migrants were unemployed in the DRC, 29% are unemployed in South Africa. A further 50% are in work they describe as unskilled – street vending, cutting hair, washing and guarding cars – while just four 4% are in what they regard as skilled work.⁷¹ If the majority occupied the upper echelons of the Congolese labour market and education system, their situation in South Africa is pretty much reversed.

Indeed, the mean monthly income of Congolese refugees in South Africa is R618 per month, the median monthly income R500 per month.⁷² The spectacle of social dislocation is striking: a group of well-heeled young men leave home to find themselves rubbing shoulders with the inner-city poor in a foreign country and in the midst of foreign languages.

Millan Atam's study

It of course takes qualitative research to put some flesh on the bones of this story, and a handful of valuable studies have indeed begun to emerge. Perhaps the most arresting is a student dissertation, researched and written on a shoestring by Millan Atam, a master's student in forced migration studies at the University of the Witwatersrand.⁷³ Atam's study, conducted in late 2003 and early 2004, examines the networks recently arrived Congolese asylum seekers form in inner-city Johannesburg. His subjects had all been in South Africa less than six months, had been granted asylum seeker status, and were waiting to hear the outcome of their application for refugee status. At that stage, asylum seekers in South Africa were not permitted to study or work. (That changed, by statutory amendment, in April 2004.) His primary research question was what newly arrived asylum seekers do to survive in such circumstances.

The typical member of Atam's sample was a young man with at least a junior degree, sometimes a tertiary education. Most had left the DRC because of its moribund educational system and its dismal vocational prospects. None intended to stay in South Africa for good. Most came seeking opportunities to study, some to work. In general, their parents had raised money for the journey to South Africa and understood the fund-raising exercise as an investment in their children's future.⁷⁴

While most had applied for refugee status on arrival in South Africa, "it appeared ... they had not left home because of political persecution. Many understood, even before coming, that they were supposed to become refugees on arrival in South Africa, as a result of advantages that supposedly came with this status."⁷⁵

Indeed, in Atam's subjects' home districts in the DRC there was a great deal of talk about South Africa, much of it from the mouths of silky-tongued entrepreneurs who spoke of South Africa as a paradise where refugees are paid stipends and work is plentiful. Most, if not all Atam's subjects, hired an entrepreneur to accompany them on the land journey south and to facilitate

their applications for refugee status once in South Africa. These entrepreneurs were pervasive enough to have a name: they are called *Tindikuers* – from the Lingala word *tindika*, which means “to push”.⁷⁶ *Tindikuers* are, it appears, a variant of that timeless entrepreneur who works in a twilight zone between beguiling deceitfulness and genuine service. They charge up to US\$300 for the journey, and demand further payment on arrival in South Africa to bribe Home Affairs officials to expedite the process of becoming an asylum seeker.

All of Atam’s subjects knew somebody who lived in Johannesburg, but most did not manage to find their respective contacts within the first days and weeks of their arrival. Some were offered temporary accommodation, for a fee, by their *Tindikuer*, while others made their way to the parochial ethnic networks that characterise Congolese settlement in inner-city Johannesburg. Many ran out of money shortly after arriving and had to make contact with home for a replenishment of funds.

One of Atam’s central findings is that there barely exists a Congolese, let alone a francophone or refugee, identity in Johannesburg. “It was clear,” Attam writes, “that the Congolese did not have a consolidated structure as a community that could offer assistance. None of the respondents could say if there was any formal structure or association that united the Congolese.”⁷⁷ Instead, Congolese refugees moved in tight-knit ethnic networks. People who shared regional, ethnic and linguistic identities lived together in rented rooms and negotiated the city together. None had close friendships with people from other countries, and relations with Congolese from other ethnic groups ranged from the acrimonious to the mutually suspicious. “If a Congolese is aware that you are going to get money from home ...,” one of Atam’s respondents complained, “he may arrange for you to be robbed so he can get a share from the *tsotsis*.”⁷⁸

Atam’s respondents also reported limited contact with South Africans. None, for instance, had ever been to a township. All were essentially ghettoised within the confines of the inner city. Some of Atam’s respondents, however, did have South African girlfriends, and it is unfortunate that Atam did not explore this avenue further. For in the context of the extreme frailty of his respondents’ ties with outsiders, sexual relationships with South Africans must surely count as the most valuable and substantial contact between refugees and locals. Did they “buy into the family networks of the women with whom they live”, as the sociologist Owen Sichone has asked of his Congolese respondents in a separate study?⁷⁹ Unfortunately, this question is left unexplored. Given the preponderance of men among refugees to South

Africa, the heterosexuality of most migrants is possibly their most important asset in forming ties beyond their parochial networks.

Drawing on the work of the American sociologist Mark Granovetter, Atam points out that migrants who develop weak ties with outsiders are for more likely to access the labour markets and services of a foreign city than migrants with only strong ties to insiders.⁸⁰ Given Atam's account of the extreme parochialism of Congolese refugee networks in Johannesburg, and the frailty of their relations with outsiders, it is clear that his subjects suffer dearly from the absence of Granovetter's "weak ties". It is unsurprising, then, that, while most of Atam's respondents did find work shortly after arriving in Johannesburg, much of this work took the form of bleak and tenuous survivalism:

"Quite often [Atam writes] asylum seekers clandestinely take up employment for very low wages. There are employers who take advantage of this vulnerability, but respondents also found them to be useful as no one else would give them the chance ... Others venture into their own little businesses like roadside haircuts, or do petty trading, for example selling fruits and foodstuffs."⁸¹

Interestingly, some of Atam's respondents told him that they would not dignify the survivalist strategies they employ in South Africa with the word "work". (We return to Congolese in the South African labour market later, in a separate section.)

The portrait Atam paints of his respondents resonates with Gotz and Simone's characterisation of central Johannesburg. "The inner city," they argue, "represents a veritable vacuum of belonging, where almost no one presently living there can claim an overarching sense of origin in this place or profess a real wish to stay ... The absence of a plot or a house, the semblance of security embodied in a territorially rooted set of social connections, or the ability to marry and reproduce in lineage – is thus inculcated from nearly the start of immigrant's life ... The actors that do inhabit the inner city do so only in the hope of leaving as quickly as possible. The inner city therefore represents a process of 'running away'."⁸² A vignette of Congolese settlement in the inner city is particularly striking:

"... [A]s Congolese networks began to extend themselves out of the foreign African ghetto of Ponte City – a large cylindrical apartment tower in Berea ... – into neighbouring Yeoville during the early 1990s, the exodus took place in highly visible ways. Up Harley

Street, Congolese drinking clubs, set up in front rooms of dilapidated single-family households, would blare out Soukous music and intonations of Lingala were loud on the street, conveying to all that a Congolese neighbourhood was in the making ...⁸³

Such vigorous and exhibitionist self-assertion, Gotz and Simone argue, is, ironically, a mask that hides an underlying timidity and a sense of dislocation. Later, the authors talk of immigrants' dramatic enactments of close ties as "a parody of belonging".

The tenuousness of Atam's subjects' place in Johannesburg is perhaps best exemplified by their relations with state institutions and private services. Legally, refugees enjoy all rights South Africans do barring the right to vote. In practice, state personnel and institutions exercise pervasive discrimination against immigrants and refugees. Thus, for instance, despite the fact that the Refugees Act of 1998 explicitly gives refugees and their children the right to primary education and healthcare, there is a *de facto* requirement that migrants pay school fees.⁸⁴ A study of Somali refugees in Johannesburg conducted in 2002 suggested that 70% of Somali refugee children of school-going age were not going to school.⁸⁵ There is no reason to believe that the lot of refugees from other countries is much better.

In regard to healthcare, refugees are formally exempt from the R1,800 fee state health care facilities are obliged to charge foreign nationals. Like South African citizens, they are entitled to primary health care free of charge. In practice, however, it is not uncommon for health care workers to deny refugees access to services, to force them to pay fees, or to make them wait for long periods while South Africans are being attended to.⁸⁶ The baseline refugee survey cited earlier found that 17% of those who had tried to access emergency health care had been denied it. Of these, 45% were denied access to treatment by reception personnel at state hospitals, 21% by nurses, and 9% by doctors. In 23% of cases, respondents called ambulance services which never arrived.⁸⁷

Like all other disempowered residents of the inner city, refugees are vulnerable to extortion and blackmail by corrupt state officials. In a later section on the labour market, we show that harassment by law enforcement officials is an abiding feature of work in the informal sector. Here we concentrate only on the Department of Home Affairs, and note that the payment of bribes to process applications for asylum seeker and refugee status appears to have become institutionalised. In the baseline survey, 29% of respondents were asked to pay to submit their applications for refugee

status. The median fee DRC nationals pay was R400. In 75% of cases, it is an “interpreter” who demands fees.⁸⁸ Atam’s subjects speak a great deal about their “interpreters”. All bar one hired one. Interpreters “facilitated possession of ‘home affairs’ papers,” and helped applicants to “concoct” and “rehearse” stories of political persecution.

“Ironically,” Atam comments, “these interpreters are usually from the home countries of the new arrivals and are supposed to assist them with problems of communication. As an attempt to prevent corruption, there are information posters on the walls of the DHA offices that say no one is required to pay money for services rendered and that asylum seekers are allowed to bring their own interpreters. This unfortunately would not be useful for those asylum seekers who do not understand English ...”⁸⁹

How much this bribery is prompted by Home Affairs officials, and how much is the work of interpreters who prey on the ignorance of their co-nationals is under-explored in the literature. One would imagine though, that if Home Affairs officials had the will, they could eradicate the practice without much difficulty.

Institutional incompetence in the Department of Home Affairs plays no small part in creating a state of affairs amenable to endemic bribery. By law, those given asylum seeker status or to be told within six months whether their applications for refugee status have been expected. Yet when a refugee baseline survey was conducted in late 2003, 71% of respondents who had applied for refugee status since April 2000 were still awaiting a decision.⁹⁰ Given that before April 2004 asylum seekers were not permitted to work or study, the stakes were very high indeed.

Finally, banking and credit facilities are almost entirely closed to refugees in South Africa. It takes little imagination to grasp that without credit – let alone an account to deposit revenue – small businesses are seldom able to grow beyond the status of micro survivalist enterprises. Lack of access to banking also exposes refugees to high risks of robbery and theft, since they are forced to hold cash.

It appears that the situation may slowly be changing. In late 2003, having been lobbied by the Coordinating Body for Refugee Communities, First National Bank agreed to begin opening accounts for refugees and asylum seekers. At much the same time, Jesuit Refugee Services and the UNHCR began a modest, small-scale microfinance programme for a group of refugees in Johannesburg.⁹¹

Networks of cultural preservation

Atam's depiction of a highly atomised Congolese community, splintered into a plethora of defensive ethnic networks, is confirmed by the research of Baruti Amisi and Richard Ballard, who have conducted an audit of the public associations Congolese refugees have established in South Africa.⁹² Their primary research question is why Congolese refugees have not forged a common political identity and made demands on the state in their capacity as a distinctive group of rights-holders. One of their answers is that Congolese in South Africa have brought with them a number of legacies from the DRC. "Even before the war of the mid 1990s," they argue, "the failure of the Mobutu state over decades killed the kinds of expectations citizens would normally have of their government. In response, local level ethnic organisation begins to function as ... 'local strategies of resilience'."⁹³ Indeed, ethnic "resilience" networks appear to have a multi-generational history in the DRC: "Some Congolese refugees said that they remember their parents having formal monthly meetings about a range of issues pertinent to their community ... If a person moved to another province within the Congo, they would seek out individuals from their ethnic group and organise a support network."⁹⁴

Finding themselves an ethnic minority in yet another apparently hostile state, Congolese refugees have merely transplanted this tradition to South Africa. The associations Amisi and Ballard studied call themselves "families" or "tribes". The authors found 11 "tribes" in Cape Town, 17 in Durban, and suspect that there are probably more than that in Johannesburg. In general, the tribes are highly organised, hold regular meetings, charge membership fees and have written constitutions. The larger among them have in excess of 500 members.

These organisations appear to serve two functions. The first is survivalist: they help newcomers with accommodation and job-seeking, assist with access to state services, and make contingency plans when a member is arrested and thrown in jail. Their second function is perhaps best described as rearguard cultural defence. It is ensured that young children are taught their native tongue before English or Zulu, and that no child is reared by a non-Congolese. Some respondents spoke of an informal rule which dictated that children only begin to learn Zulu after the age of seven. Ersatz cultural archives such as books of proverbs folklore are produced. Traditions are kept alive through the preservation of songs.

The authors report a great deal of antipathy towards local culture. South

Africans, they were told, were too permissive, and did not respect their elders. Refugees expressed particular distaste for *lobola*, which, they believed, turned women into traded commodities. “Resistance to assimilation,” the authors remark, “... came through strongly as an objective of the networks. Many leaders and members express an extreme dislike for living in South Africa and say that they hope conditions in the Congo will one day allow them to return.”⁹⁵

Congolese refugees in the labour market

There is a body of literature, about seven or eight years old now and associated largely with the South African Migration Project, which has devoted itself to documenting the contribution of informal sector cross-border traders to the South African economy.⁹⁶ One of the explicit aims of the project is to refute the popular prejudice that “non-South African street traders are ‘illegal’, ‘ill-educated’ new arrivals who take opportunities from South Africans and money from the country”.⁹⁷ The project has focused on the veritable explosion of non-South African street traders and small manufacturers who have set up shop in the streets of South Africa’s cities since the early 1990s. All the studies cited above have found that the majority are young and male, are well educated, do not bring their families, and have no intention of settling in South Africa permanently. They are “transmigrants”, “connected to strong informal and formal transnational networks of trade, entrepreneurship, and migration”.⁹⁸

The crux of the project’s argument is that despite their non-recognition and their informal status (most enter South Africa on visitors’ visas), foreign cross-border traders represent an expansion of Africa’s rich and lucrative continental trade networks to the South African economy, creating jobs for South Africans, exporting locally manufactured goods throughout the continent, and stimulating local entrepreneurs to enter the transcontinental trade. Most of the studies have found that cross-border traders use local suppliers, and thus invest in the domestic economy, are significant exporters of electronics, appliances, clothes, household goods and shoes, and, rather than stealing jobs from South Africans, are modest employers of South African labour.

To what extent do Congolese refugees join the ranks of these “formidable entrepreneurs”? The answer must be hardly at all. In the baseline refugee survey discussed earlier, 29% of Congolese refugees described themselves as unemployed, while 50% described themselves as engaged in unskilled work such as watching and cleaning cars and selling goods on the street. It

would be tempting to read “selling goods on the street” as participation in a thriving continental trade. But it appears that the “businesses” of the vast majority of Congolese street traders are not so much dynamic SMMEs as meagre survivalist enterprises.

To be sure, there are exceptions. In a survey of 70 immigrant street traders conducted in Johannesburg in 1996, Chris Rogerson found that “non-SADC traders”, a number of whom were Congolese, accessed deeper and more extensive international trade networks than their SADC counterparts, employed more people, and made more money. But most of Rogerson’s non-SADC subjects were traders before they arrived in South Africa, and capitalised their businesses with funds they had accumulated at home.⁹⁹ Most, in other words, were traders by pedigree and by design, rather than by necessity, as the makeshift traders of the survivalist sector surely are.

More typical of the Congolese street trading experience are the survivalist enterprises reflected in Nina Hunter and Caroline Skinner’s 2001 survey of over 170 immigrant street traders working in the Durban inner city.¹⁰⁰ A quarter of Hunter and Skinner’s respondents were from the DRC, about 20% were Senegalese, and half were from various SADC countries. Perhaps the strongest indicator of the marginality of these traders is that their most common direct experience of state officials was of harassment and demands for bribes. More than two-thirds of respondents did not access state services such as health and education for fear of deportation. Most reported that police officers had demanded money or stolen merchandise.¹⁰¹

The demographic profile of the respondents was similar to that of the baseline survey, but younger and more male; the average age was 27 and 96% were men. Just over three-quarters of respondents had no children and only a fifth lived with a partner.¹⁰² Congolese respondents were overrepresented among those with post-secondary schooling. Of the 40 respondents from the DRC, 14 had a tertiary education. Of the 130 other respondents, nine had a tertiary education.¹⁰³

Judging from their self-reported income, most, perhaps all the respondents, are best termed survivalists. The authors report their findings in this regard eccentrically, but one can get the gist: “Forty percent of foreign traders,” Hunter and Skinner write, “earn profit in a good week of between R101 and R249, while 60% of these traders in a bad week earn less than R100.”¹⁰⁴

Despite the meagre size of their businesses, 25% employ one or more people. Interestingly, even though the unemployment rate among refugees

is high, and despite the fact that relations between refugees and locals are negligible, two-thirds of those who hired employees hired South Africans; 31% of all those employed by the respondents were South African.¹⁰⁵ A piece of qualitative research exploring the relationships between foreign survivalists and their South African employees would be very welcome indeed. One can only imagine that a business making less than R250 a week recruits its employees from the very bottom of the urban underclass.

Most interesting of all, perhaps, is that the immigrant street traders surveyed by Hunter and Skinner sold goods and services South African street traders generally did not. The authors cite a 1997 survey of South African street traders in inner-city Durban which found that 47% of local traders sold food, 20% sold clothing, 4% repaired shoes, and 3% cut hair. In contrast, 32% of Hunter and Skinner's respondents cut hair, 31% sold clothes and leather goods, 15% repaired shoes, and just 2% sold food.¹⁰⁶ This would suggest either that foreign street traders have created services which were underdeveloped, or have come to dominate existing markets. This is another fruitful prospect for social researchers.

Anecdotal evidence suggests that Congolese refugees in Johannesburg, Durban and Cape Town are particularly well represented among car guards and hair cutters. Why Congolese should dominate these two positions in the informal sector is something of a mystery. It is certain that few cut hair or guarded cars in the DRC; indeed, many regard what they do for a living in South Africa as so unskilled as to demean the word "work".

While the genesis of Congolese presence in the haircutting business may be lost forever, Owen Sichone's gentle, but acute narrative about haircutters in Mowbray, Cape Town, suggests why many businesses survive. Describing a Cameroonian-owned barbershop, he describes how, even here, at the very lowest rung of the service sector, foreigners compete with South Africans by offering a cheaper and more rudimentary service. Sichone writes of the barber, whom he calls "CM": "He opened his Mowbray barbershop with three shaving shears, a few mirrors and a sofa that looked as if it had been retrieved from a refuse dump or a Steptoe & Son wagon. There was no washbasin in the room and he did not sell any hair creams. He did not even keep a record of clients as the South African operated hair salons on the same street do."

So, CM's barbershop "appears to be of low quality", but it is "very popular with a particular kind of client" nonetheless. Two types of client, to be precise: those in search of the cheapest haircut in town, and those who are

attracted to CM's barbershop for its cosmopolitan atmosphere. Immigrant men, students of various sorts, young white and coloured men looking "uncomfortable and self-conscious" and "usually accompanied by their mothers or some other woman ..." are the sort of client CM attracts.¹⁰⁷ What Sichone is suggesting, perhaps a little optimistically, is that CM's very foreignness is the secret to his brand, that the cosmopolitanism immigrants bring to the fabric of inner city life breeds a new form of belonging.

Conclusion

We conclude with a study of car guards in Cape Town which captures some of the more remarkable aspects of the presence of Congolese refugees in the South African labour market. Much of the study is essentially a census, conducted in 2003, of car guards along a one kilometre stretch of Kloof Street and Long Street, which straddles two inner city neighbourhoods dotted with restaurants, clubs and bars.¹⁰⁸ The researchers interviewed 53 informal car guards: 17 were South African, 20 were from the DRC, nine were from Congo Brazzaville, six were Angolan and one was Cameroonian. Thirty-five of the 36 foreigners were self-reported refugees or asylum seekers.

The division of labour between South African and immigrant car guards was interesting. Immigrants and South Africans worked together during the day, but at night only immigrants worked. All were embroiled in a noxious cat-and-mouse game with the police and with private security officials: 19 of the 53 car guards had been arrested, some on the grounds of creating a public disturbance, others on no grounds at all. Some were kept in police cells for up to 48 hours. Interestingly, South African car guards had appeared to be hassled by the police more than immigrants: 63% of immigrants reported no police harassment, compared to 18% of South Africans. Of the 19 who had been arrested, 13 were South Africans.¹⁰⁹

The difference in education levels between South African and foreign car guards was as stark as one might expect. Four in ten foreigners had some tertiary education compared to no South Africans. A further 28% of foreigners had completed high school compared to 18% of South Africans. Finally, just 3% of foreign car guards had only a primary school education or less, compared to nearly half of the South African car guards.¹¹⁰

These figures throw into sharp relief the journey many Congolese refugees have taken – from middle-class privilege back home to the very bottom of urban society in South Africa. The story of Congolese migration to South

Africa is not unique, but it is distinctive; it is a story characteristically associated with sudden economic collapse, war and societal implosion. A group of young people, groomed to take their place among the professional classes of their society, have the rug pulled from under their future, and end up living in a foreign land where they cannot access credit, open a bank account, or appeal to the police when in trouble. In these inhospitable conditions, they develop few ties with outsiders, cluster into defensive networks, and negotiate life from the fringes of the urban economy. What sort of sensibility do they bring to this dismal segment of the South African labour market? Sichone interviewed several Congolese immigrants employed as car guards in hospital and shopping mall parking lots in Mowbray. One of his informants, "Mr MJ", spoke of his South African peers among the car guards:

"... South Africans [Mr MJ told Sichone] have a stronger sense of entitlement and are thus more likely to demand higher wages than take on a second job as a means of improving their lot ... He observed that men, in particular, are fond of taking sick leave after a weekend drinking bout and suggested that, after they have received their wages, South African men will disappear for a whole weekend and only report back for duty after their money has run out. They thus do not save and instead live from hand to mouth. They are often surprised to see that foreign Africans who arrive 'with nothing', as asylum seekers, soon have more resources than their hosts ... Mr MJ described how surprised his fellow guards were when they found that he lived in a furnished flat and even had a telephone."¹¹

Stories like these do not tell us why Congolese refugees turned to cutting hair and guarding cars in particular, rather than to other peripheral occupations. But they perhaps do begin to explain why Congolese have come to dominate these sectors. The answer, in all probability, is that these functions are so lowly that South Africans are not prepared to fill them. On Kloof and Long Streets, foreigners have cornered the night-time market because South Africans only work by day. And in Mowbray, if Mr MJ's story is right, Congolese are over-represented among those who manage to turn up to work at the beginning of every shift. The image conjured is both tragic and strangely out of joint: a group of middle-class people bringing their earnest middle-class values of hard work and careful financial planning to the task of guarding cars.

NOTES

- 1 For a commentary on the legal status and rights of foreign nationals in South Africa see L Landau, K Ramjathan-Keogh and G Singh, *Xenophobia in South Africa and problems related to it*, Forced Migration Studies Programme, Forced Migration Working Paper Series No 13, University of the Witwatersrand, 2005, pp 10-16.
- 2 C Dolan, *The changing status of Mozambicans in South Africa and the impact of this on repatriation to and re-integration in Mozambique*, Final report to the Norwegian Refugee Council, 1997, p 8.
- 3 C Dolan, Aliens aboard: Mozambicans in the New South Africa, *Indicator South Africa* 12(3), 1995, p 29.
- 4 For first-hand testimony of refugees who walked through the Kruger National Park, see M de Jongh, Mozambican refugee resettlement: Survival strategies of involuntary migrants in South Africa, *Journal of Refugee Studies* 7(2/3), 1994, pp 220-238; see also Dolan, *The changing status of Mozambicans in South Africa*, op cit. For a fictional account of a refugee's journey through the park see N Gordimer, *The ultimate safari*, in N Gordimer (ed), *Telling tales*, Bloomsbury, London, 2004, pp 269-282.
- 5 See P Harries, Exclusion, classification and internal colonialism: The emergence of ethnicity among the Tsonga-speakers of South Africa, in L Vail (ed), *The creation of tribalism in southern Africa*, University of California Press, Berkeley, 1989, pp 49-81.
- 6 'Ethnos' is usefully defined by Ernest Gellner as "an historically formed aggregate of people who share relatively stable specific features of culture (including language) and psychology, an awareness of their unity and their difference from other groups, and an ethnonym [or proper name] which they have given themselves". E Gellner, *Soviet and Western anthropology*, Columbia University Press, New York, 1980, p 155.
- 7 Dolan, *The changing status of Mozambicans in South Africa*, op cit, p 47, note 120.
- 8 *Ibid*, p 19.
- 9 *Ibid*, p 24.

- 10 Ibid, p 22.
- 11 E Ritchken, *Leadership and conflict in Bushbuckridge: Struggles to define moral economies within the context of rapidly transforming political economies (1978-1990)*, PhD thesis, University of the Witwatersrand, 1995, pp 231-232. For two extraordinary histories of the Pedi, and of the prehistory, history and demise of Lebowa, see P Delius, *The land belongs to us*, Heinemann, London, 1984; P Delius, *A lion amongst the cattle*, James Currey, Oxford, 1996.
- 12 T Polzer, *"We are all South Africans now": The integration of Mozambican refugees in rural South Africa*, Forced Migration Studies Programme, Forced Migration Paper Series No 8, University of the Witwatersrand, 2004, p 7.
- 13 T Polzer, *Adapting to changing legal frameworks: Mozambican refugees in South Africa – an historical overview*, Paper presented at the Wits Workshop on Law and Society: "Constituting Democracy", September 2004, p 6.
- 14 Polzer, "We are all South Africans now", op cit, p 5.
- 15 Ibid, p 8.
- 16 See, in particular, Ritchken, op cit.
- 17 See A Machava, *The importance of social networks for sustaining livelihoods; the case of former Mozambican refugees in Bushbuckridge*, master's dissertation, University of the Witwatersrand, 2005, p 12.
- 18 C Dolan and V Nkuna, *Mozambican refugees – a case study of the effects of withholding legal status on access to employment*, Submission to the Labour Market Commission, Task Group on Migrant Labour, 12 October 1995, p 5.
- 19 See, for instance, F Golooba-Mutebi and S Tollman, *Survival to livelihood strategies for Mozambican refugees in South Africa*, *Forced Migration* 20, 2004, pp 28-29; see also Polzer, *Adapting to changing legal frameworks*, op cit.
- 20 Dolan and Nkuna, op cit, p 5.
- 21 S Tollman, K Herbst and M Garenne, *The Agincourt Demographic and Health Study: Phase 1*, Health Systems Development Unit, Department of Community Health, University of the Witwatersrand, August 1995.
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- 23 Mather and Mathebula, op cit, p 22.
- 24 Ibid, p 19.
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- 26 Mather and Mathebula, op cit, p 18.
- 27 Ibid.
- 28 Ibid, p 31.
- 29 S Newton-King, The labour market of the Cape Colony, 1807-1828, in S Marks and A Atmore, *Economy and society in pre-industrial South Africa*, Longman, London, 1980, pp 171-207.
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- 31 G Rodgers, Structuring the demise of a refugee identity: The UNHCR's 'Voluntary Repatriation Programme' for Mozambican refugees in South Africa, in C de Wet and R Fox (eds), *Transforming settlements in southern Africa*, Edinburgh University Press, Edinburgh, 2001, pagination obscured.
- 32 For a study of Mozambicans and other foreigners in Winterveld see M Reitzes and S Bam, Citizenship, immigration, and identity in Winterveld, South Africa, *Canadian Journal of African Studies* 34(1), 2000, pp 80-100.
- 33 Dolan, Aliens aboard, op cit, p 29. The UNHCR pointed out at the time that another 30,000 refugees made their way home independently.
- 34 Dolan and Nkuna, Mozambican refugees, p 4.
- 35 Rodgers, op cit, pagination obscured.
- 36 See in particular G Rodgers, When refugees don't go home: Post-war Mozambican settlement across the border with South Africa, PhD thesis, University of the Witwatersrand, 2002; and Dolan, The changing status of Mozambicans in South Africa, op cit.
- 37 Dolan, The changing status of Mozambicans in South Africa, op cit, p 30.
- 38 Mather and Mathebula, op cit.
- 39 See, inter alia, Polzer, Adapting to changing legal frameworks, op cit, pp 13-14.
- 40 Dolan, The changing status of Mozambicans in South Africa, op cit, p 39.
- 41 N Johnson, The point of no return: Evaluating the amnesty for Mozambican refugees in South Africa, Southern African Migration Project, Migration Policy Brief No 6, 2001, p 3.
- 42 See especially Johnson, The point of no return, op cit.
- 43 Polzer, Adapting to changing legal frameworks, op cit, p 11.
- 44 Polzer, "We are all South Africans now", op cit, p 20.
- 45 *Khosa and others v Minister of Social Development and others*, CCT 12/03.
- 46 Polzer, Adapting to changing legal frameworks, op cit, p 12.

- 47 F Golooba-Mutebi, *Witchcraft, trust, and reciprocity among Mozambican refugees and their South African hosts in a lowveld village*, Forced Migration Studies Programme, Forced Migration Working Paper Series No 9, University of the Witwatersrand, June 2004, p 4. Golooba calls the village “Tiko”, a fictitious name.
- 48 Golooba-Mutebi, *op cit*, p 9, note 20.
- 49 *Ibid*, p 4, note 7.
- 50 Machava, *op cit*, p 27.
- 51 *Ibid*, p 42.
- 52 *Ibid*, p 36.
- 53 Polzer, *Adapting to changing legal frameworks*, *op cit*, p 19.
- 54 S Lubkemann, The transformation of transnationality among Mozambican migrants in South Africa, *Canadian Journal of African Studies* 34(1), 2000, pp 58-59.
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- 56 *Ibid*, pp 84-86.
- 57 M Weiner, A Bernstein and J Hudson, *People on the move: Lessons from international migration policies*, Centre for Development and Enterprise, Johannesburg, 1997, p 8. See also P Martin, *Guest worker policies: an international survey*, in A Bernstein and M Weiner (eds), *Migration and refugee policies: An overview*, Continuum, London and New York, 1999, pp 45-83.
- 58 I am grateful to Antony Altbeker for discussions on this theme.
- 59 See, *inter alia*, S Peberdy and J Crush, *Trading places: Cross-border traders and the South African informal sector*, Southern African Migration Project, *Migration Policy Series No 6*, 1998, p 10.
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- 62 A Simone, *African migration and the remaking of inner-city Johannesburg*, in Morris and Bouillon, *op cit*, pp 167-168.
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- 64 Kadima, op cit, pp 90-111.
- 65 See Bouillon, op cit, for the 1994 version of the wave, and Kadima, op cit, for the 1997 version of the wave.
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- 67 L Landau and K Jacobsen, Forced migrants in the New Johannesburg, Forced Migration Studies Programme, Forced Migration Working Paper Series No 6, University of the Witwatersrand, 2003, p 1.
- 68 I am grateful to Loren Landau for this observation.
- 69 Belvedere et al, op cit, pp 40-50.
- 70 Oddly, the authors do not provide a gender profile for each national group of refugees. The global gender profile of the entire sample was 83% male, 17% female.
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