

Exploiting the exodus

Mining the labour of Zimbabwean refugees

The government's immigration policy and practice appears corrupt, chaotic and inhuman. But, argues **Steven Gordin**, there is method in this madness and South African unions should be at the forefront of protecting these workers.

On a ridge overlooking the majestic Limpopo River, a clear silver line of razor wire and high voltage marks the border between South Africa and Zimbabwe. Despite its imposing nature, the four-metre fences are punctured with patched-up holes betraying the weakness of a flawed migration policy.

Although the government has increased police and army patrols, it has been helpless to halt the flow of economic refugees crossing illegally into South Africa. Even President Thabo Mbeki admits that his administration is unable to stem the influx of Zimbabweans fleeing poverty and repression.

This failure is not the result of government inactivity. According to the Department of Home Affairs, the first six months of 2007 saw almost 100 000 Zimbabwean 'illegals' deported from South Africa. Unconfirmed accounts from the border indicate that currently more than 4 000 Zimbabweans are repatriated every week.

Before deportation, many people are detained at Lindela ('wait here' in Zulu and Xhosa), a sprawling mass of dull buildings tucked behind high walls in a field about 30 kilometres west of Johannesburg. From this centre

many reports of physical abuse, corruption and sexual assault emerge.

Despite this ill-treatment, most Zimbabweans are not discouraged and the authorities handling the deportations have many repeat customers. It seems that the current Zimbabwean exodus is an inevitable consequence of Zimbabwe's political and economic turmoil. Unless the situation in Zimbabwe improves, the mass exodus will continue regardless of restrictive immigration policies.

South Africa is the destination of choice for Zimbabwean refugees. According to unofficial estimates there could be as many as two million living and working here. Most have come to live the so-called South African dream.

By the strict standards of our Refugee Act, these people are not 'refugees' but rather 'economic refugees' fleeing starvation rather political persecution. Economic refugees are guaranteed no protection under South African law and the majority live here illegally.

RECIPE FOR ABUSE AND CORRUPTION

The majority of South Africans do not welcome foreigners, especially those from other African countries.

They draw lines of inclusion and exclusion. An intense struggle has emerged among the numerous segments of society over access to resources and jobs at a moment in history when levels of unemployment and poverty are high.

The pursuit of employment, health and education in such an environment has placed a high premium on the South African identity card. For many South African people citizenship is a valuable commodity, which must be protected from foreign trespassers. This 'defence of citizenship' sometimes shows in appalling acts of violence.

Few words are more derogatory in modern South Africa than 'amakerre-kwerre', a popular name for unwanted immigrants. In recent years, episodes of widespread violence against the 'kwerekwere' have hit the media which have highlighted the xenophobic nature of our post-apartheid society. The killings of Somali shopkeepers last year was one incident that hit the media in a growing pattern of violence against foreigners.

This intolerance is almost encouraged by our immigration regime. Contemporary legislation echoes the popular xenophobic

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A Zimbabwean hawk sells beaded flowers on a Cape Town street.

view that migrants are linked to crime, disease, HIV/AIDS and other social ills. The legal requirements and restrictions on asylum and refugee status are deliberately rigid, complex and confusing. Law enforcement officials are encouraged to take hard-line action on immigrants and they are empowered to take people who are unable to prove citizenship on demand into custody. The Department of Home Affairs is deeply afraid of the prospect of permanent foreign settlement and is possessed by a search and seizure mentality.

Home Affairs officials often identify 'migrants' by using racial profiling, for example black Zimbabweans are thought to be darker than black South Africans, and cultural markers such as language or dress. This combined with their powers of arrest mean that our contemporary immigration regime can be compared to the old apartheid pass laws. Home Affairs still embodies this culture and the apartheid era's obsession with "influx" control. An institutional culture of indolence, totalitarianism and arrogance still thrives.

In a similar manner to the apartheid bureaucracy, the current system breeds abuse and corruption. Restricting the movements and opportunities of political and economic refugees has created fertile ground for thousands of officials to abuse and exploit those struggling to navigate their way through a complex system.

Home Affairs seems to support a burgeoning industry of false documentation and bureaucratic fraud that allows economic refugees to circumvent legal barriers to employment and residence. In this underground economy, asylum status can be bought for R500 and new identity documents for R1 200.

Because migrants are marked by questionable legal status many fear to report abuse or maltreatment at the hands of the authorities.

The immigration system has become a form of institutionalised corruption. The failure of the pass laws is an instructive lesson - you cannot legislate the movement of economically desperate people. Where there are attempts to do so, the problem is simply driven underground. Instead of controlling the influx of immigrants, Home Affairs has succeeded only in channelling many into subterranean criminal networks.

PURPOSE BEHIND IMMIGRATION SYSTEM?

But maybe there is a rationale behind this chaotic and corrupt system. These *economic* refugees serve an *economic* purpose in South Africa. The weaker a group is in terms of political resources, the lower its labour costs. As economic refugees are denied access to political asylum or legal status, they are marginalised in terms of state protection. Cut off from South African labour law and fearful of the authorities, these refugees toil in sectors of the economy where work is underpaid, insecure and unregulated.

The illegally employed Zimbabwean has become a feature in restaurants, on construction sites, in domestic service, on farms and in private security firms. And there are

certain economic incentives to see this status quo continue.

The experiences of these hyper-exploited workers resemble those of many migrant labourers that suffered under the apartheid era system of homelands. The poverty and lack of opportunities in the designated 'homelands' forced millions of black South Africans to seek work in 'white' South Africa. These migrant labourers formed a subterranean class of workers, constantly under threat of expulsion and detention by a corrupt authoritarian bureaucracy. Under the old system, employers seeking flexible, low-cost labour made use of these workers and their desperate situation to reap huge profits.

In democratic post-apartheid South Africa, the old system is reborn. Illegal migrants from Zimbabwe and elsewhere are the unofficial replacements for the workers from former homelands. The brutality of this past system was legitimised by the racism of apartheid propaganda, which characterised 'black' South Africans as inferior. The racism of the old state apparatus finds its echo in the xenophobia of Home Affairs' current migration legislation and also in the popular media.

In other words, economic refugees provide cheap labour without the inconvenient necessity of adhering to any kind of labour standards or laws. At a time when

the private sector and government is looking to encourage flexible labour practices and lower labour costs, these hyper-exploited workers serve as a bulwark against the progressive aims of organised labour in certain sectors of the economy.

The result is a dual labour market containing a privileged class of workers operating within a progressive set of labour laws and an underclass of workers excluded from any form of legal protection. This acceptance by the authorities, as well as the racism and violence of its enforcers, sets the tone for popular xenophobic perceptions and treatment of immigrants among ordinary citizens. This results in a vicious cycle in which citizens call on government to put greater restrictions on the migrant 'threat' which in turn increases the isolation and exploitation of immigrants.

TRADE UNIONS AND THE NEW MIGRANTS

Under apartheid's oppressive migrant system, the South African trade union movement concerned itself with the plight of migrants. The labour movement created a climate of solidarity that overcame ethnic and organisational barriers that existed between migrants and black workers who had won permanent rights to reside in the city. Migrant workers were a core part of the anti-apartheid struggle and the labour movement, participating in mass actions that assisted in bringing down the apartheid state.

During this period of activism, the trade union movement became the caring representative and protector of the nation's working class, regardless of ethnicity, race, religion, creed or perceived legal status. The union leaders of the time

understood that only through unity could South Africa's diverse working class be united in pursuit of their common goals.

However in the current period, trade unions' position towards economic refugees has been apathetic. Their involvement in larger campaigns for the rights of these refugees has largely been confined to mild criticism of contemporary migration legislation.

This disinterest by trade unions in the plight of foreign migrant workers has created the impression that these workers do not belong to the working class. This has led to their extreme vulnerability to exploitation and abuse. The labour movement has, however, the potential to end the abuse of these migrants and refugees through the use of their strong organisation. In fact, if trade unions were willing to commit themselves to defending these workers it would contribute greatly towards a more progressive stance on economic refugees in the region.

IN CONCLUSION

Immigration controls are not instruments of protection and security for workers, but instead

divide workers into 'legal' and 'illegal' categories. This makes it difficult for trade unions to recruit illegal workers and to build solidarity. Yet the ideological heart of international trade unionism lies in all workers being equal regardless of petty legal barriers. The restrictive immigration laws do little more than force economic refugees into very precarious legal and economic positions. The laws and bureaucracy that govern the lives of economic refugees is fundamentally immoral.

The dream of unity and solidarity between workers across all borders may go against the grain of contemporary South African politics. But it is useful to remember that this dream of worker unity was the bread and butter of the trade union movement that achieved so much in a previous era. LB

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Zimbabweans seek refuge at a Methodist church in Johannesburg.

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