

**THE IMPACT AND MANAGEMENT OF ILLEGAL IMMIGRATION
INTO THE VAAL TRIANGLE (1994 -2008)**

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DECLARATION

I declare that this is my own work and that all the sources that I have quoted are acknowledged by means of a completed reference.

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12378240

DEDICATION

This dissertation is dedicated to the following:

My late mother Priscilla Belinkie Olifant

My husband Mkhulu Ben Twala

My three lovely children Nkosinathi, Mbalenhle and Sandile Twala

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ABSTRACT

The aim of this research was to investigate that whether the Department of Home Affairs has a proper, effective management skill to deal with the impact of illegal immigrants in the Vaal Triangle Region, since the Department of Home Affairs regional offices has the institutionalized procedures and mechanism to process and deport illegal immigrants.

For the purpose of this study, the hypothesis was formulated that “the Department of Home Affairs in the Vaal Triangle is currently unable to manage, regulate and facilitate the influx of illegal immigrants into the region, due to absence of an effective management framework at governmental level”. To test the hypothesis, empirical research was undertaken to obtain valuable information through questionnaire and interviews. The findings from the literature review and the empirical research support the central statement. Findings indicate that the Department of Home Affairs has not managed on continuous bases to improve performance on rendering service, there is lack of experience and proper training among departmental officials, has not empowered the Departmental of Home Affairs border post personnel as a unity, the are complicated legislation, inappropriate infrastructure and lack of central planning. For that matter, stakeholders need to engage all procedures and processes that will lead to reduced influx of illegal immigrants.

Through research, it was observed that the high number of illegal immigrants currently in South Africa suggests that the Department of Home

Affairs, through its regional offices, is unable to deal effectively with the processing and deportation of illegal immigrants.

The research offers valuable suggestions and recommendations to improve the challenge. It is recommended to further explore the possibility of a comparative analysis with other developing countries in order to understand the internationally accepted procedures to control the influx of illegal immigrants. The comparative study may assist individual countries to implement the best possible prevention measures based on the social, economic and political environment of their countries.

LIST OF ABBREVIATIONS

ANC African National Congress

BC Boarder Control

CDE Centre for Development and Enterprise

DBSA Development Bank of Southern Africa

DHA Department of Home Affairs

GDP Gross Domestic Profit

GN Gauteng News

HRC Human Rights Commission

HRW Human Rights Watch

ID Identity Document

NE National Expenditure

SADC South African Development Community

SANDEF South African National Defence

SAPS South African Police Services

SC Statistics Canada

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CHAPTER ONE

ORIENTATION AND PROBLEM STATEMENT

1.1 ORIENTATION AND PROBLEM STATEMENT

Immigration is a process of entrance into a foreign state. It has to do with the purpose of establishing permanent residence in the target state. Reasons impelling immigrants to leave their native lands include economic distress, religion, as well as academic and political persecution. Immigration can take place legally or illegally (Cohen, 2003: 17).

Many African immigrants are compelled to immigrate as a result of political turmoil and socio-economic instability in their own states. For this reason they are also drawn to South Africa in the expectation of freedom, stability, wealth and job opportunities (Whitman, 2000: 18). The majority of illegal immigrants into South Africa come from neighboring states such as Mozambique, Zimbabwe, Swaziland, Botswana and Lesotho. Others come from African states such as Uganda, Kenya, and Angola. There are also a significant number of immigrants from Asia and Eastern Europe (Whitman, 2000:19).

Estimates of the number of illegal immigrants currently in South Africa range from two to eight million (<http://www.iss.co.za>). The South African government recognizes many problems associated with the influx of illegal immigrants. These problems include rising criminal activity, lack of infrastructure, and scarcity of jobs (<http://www.queensu.ca>).

To effectively deal with these problems the National Department of Home Affairs has institutionalised procedures and mechanisms to process and deport illegal immigrants. The procedures and mechanisms have been decentralised to the regional offices of the Department (Anonymous, 2000: 11).

The high number of illegal immigrants currently in South Africa suggests that the Department of Home Affairs, through its regional offices, is unable to deal effectively with the processing and deportation of illegal immigrants. According to the Sowetan (Anonymous, 2000: 11) this ineffectiveness can, amongst others, be ascribed to the following weaknesses in the Department of Home Affairs:

- Lack of personnel;
- Lack of funding;
- Complicated legislation;
- Infrastructure;
- Lack of expertise; and
- Lack of central planning.

The aforementioned weaknesses are also present in the Regional Department of Home Affairs in the Vaal Triangle (Vereeniging Branch). These weaknesses hamper the ability of the Department to control and process the influx of illegal immigrants into the region.

The purpose of this research is to establish whether procedures and processes of the Department of Home Affairs in the Vaal Triangle region are effective to improve the processing and deportation of illegal immigrants.

1.2 HYPOTHESIS

According to Aaker, Kumar and Days (2004: 52) a hypothesis is a possible answer to a research question. In reference to this definition the research hypothesis of this study is:

The Department of Home Affairs in the Vaal Triangle is currently unable to manage, regulate and facilitate the influx of illegal immigrants into the region, due to absence of an effective management legislative framework.

1.3 RESEARCH QUESTIONS

With reference to the problem statement, the study attempted to find answers to the following questions:

- What is the definition and causes of illegal immigration?
- What are the South African Government's policy and legislative guidelines for managing illegal immigration?
- What are the critical challenges and impact of illegal immigration into the Vaal Triangle?
- What recommendations can be offered to streamline the management of illegal immigration into the Vaal Triangle?

1.4 RESEARCH OBJECTIVES

Flowing from the problem statement and research questions, the objectives of the research study included the following:

- To give an exposition of the concept and causes of illegal immigration.
- To describe the South African Government's policy and legislative guidelines for managing illegal immigration.
- To provide an overview of the challenges and impact of illegal immigration into the Vaal Triangle.
- To provide a set of recommendations that could contribute to the streamlining of management of illegal immigration into the Vaal Triangle.

1.5 RESEARCH METHODOLOGY

The research utilised qualitative and quantitative methods in order to obtain relevant data and information. The following methods were utilized:

1.5.1 Literature Study

The primary and secondary sources of information for this research were books, international journals, articles, Government legislation and internet sources. The data bases that consulted were EBSCO, Google, JSTOR, SAGE Publication, and NEXUS.

Against the background of the outcomes of the literature study, empirical research was conducted to gather comprehensive information and an understanding regarding illegal immigration and related matters thereof.

1.5.2 Empirical Research

Structured questions were formulated and questionnaires were distributed among the following sub- populations within the Department of Home Affairs:

- 10 office managers dealing with illegal immigration within the National Department of Home Affairs.
- 10 managers heading specific units dealing with illegal immigrants in the national immigration services centre

The responses were analyzed and interpreted to achieve the objectives of the research.

1.6 OUTLINE OF CHAPTERS

The outlines of chapters would be:

Chapter 1: Orientation and Problem Statement

Chapter 2: Exposition of the concept, causes, and impact of illegal immigration

Chapter 3: An overview of the governmental guidelines for managing illegal immigration into South Africa

Chapter four: Empirical Study: To gather data about the management of illegal immigration into the Vaal Triangle

Chapter 5: Findings, conclusion and recommendations

1.7 CONCLUSION

In this chapter the problem statement, research objectives, hypothesis and method of investigation were outlined. The next chapter explores the meaning of concept illegal immigrants in a comprehensive manner. The chapter further discusses the causes and impact of illegal immigrants in South Africa especially in the Vaal Triangle region as the focus point of the research.

CHAPTER TWO

THEORETICAL EXPOSITION OF CONCEPT, CAUSES AND IMPACT OF ILLEGAL IMMIGRATION

2.1 INTRODUCTION

The aim of this chapter is to explore the causes and impact of illegal immigration in South Africa in the Vaal Triangle region as the focus point of the research.

2.2 MEANING OF THE CONCEPT IMMIGRATION

Immigration concerns the movement of people from a foreign state with the intention of settling in another state. Another term frequently used is non-citizen. The term non-citizen refers to the number of foreign born people who are in a state temporarily or permanently, legally or illegally (Faini, 1998: 12).

The immigrants are classified into various categories based on reasons *per se*.

2.2.1 Immigration categories

Immigration can be divided into two categories namely documented (legal) and undocumented (illegal) immigration. Legal immigration is the case where a person had been issued with a temporary work permit and illegal immigrants are people who have not received proper documentation from the state the without valid documents (Anonymous, 2000: 7).

2.2.1.1 Documented immigration

Documented immigration refers to foreign migrants who hold passports or emergency travel documents that give them the right to reside legally in a state (<http://www.hrw.org>).

2.2.1.2 Undocumented immigration

Human Rights Watch (2007: 51) refers to undocumented immigrants as foreigners who lack the legal permission to work or to be in a state. They “do not have a valid permit or other necessary documentation to be in a state legally” (Maharaj, 2004: 31). According to Maharaj (2004: 31) there are three categories of undocumented migrants:

- The first category refers to those who enter a state without documents;
- The second category refers to migrants who enter a state legally but stay after the expiry of their permit; and
- The third category refers to refugees and asylum seekers who generally have documents or their documents are being processed and they have a legal right to be in the country.

2.3 THE ESSENCE OF ILLEGAL IMMIGRATION

Illegal immigration refers to all foreign migrants who enter a state without the documents required by the immigration law of that state (Klotz, 1996: 173). Push and the pull factors explain the aspects that are responsible for the influx of illegal immigrants in general.

2.3.1 The Push Factor

Push factors refer to those factors that attract the interest of immigrants to migrate to the state or are factors that cause people to leave their current area of residence for another location (Higgins, 2008: 1). Push factors encourage people to leave their points of origin and settle elsewhere. Push factors help people make the decision to emigrate. In the case of economic migration (usually labour migration), differentials in wage rates are prominent. Poor individuals from less developed states can have a far higher standard of living in developed states than in their originating places. Escape from poverty (personal or for relative staying behind) is a traditional push factor (<http://wikipedg.org>).

A large number of immigrants may settle on permanent basis, leading to the creation of growing and often highly visible minority communities within a state. A variety of push factors existed during the early decades of the 19th century that had motivated residents to move elsewhere. Non-economic push factors include persecution (religion and otherwise), continuous abuse of women and children, ethnic cleansing and even genocide and risks to civilians during war (Higgins, 2008:1).

2.3.2 The Pull Factor

Pull factors refer to those factors that attract people to move from their current area of residence to another location. They attract migrants to new area because of the availability of jobs. Pull factors help migrants to decide to be an immigrant to a certain state (Higgins, 2008: 2). According to Gedder (2003: 5) “natural disaster can amplify poverty driven migration flows. Education is the primary pull factor (although most international students are not classified

as immigrants, but may choose to do so if they refuse to return). Demand for education particularly higher education, has traditionally been driven by expectation of its ability to raise the economic and social status of the graduate. Pull factors operate within a host state to make that state relatively attractive to international students. Some, although relatively few immigrants justify their drive to be in a different state for cultural or health related reasons”.

2.4 CAUSES OF ILLEGAL IMMIGRATION

The causes of illegal immigration may vary from country to country based on the social, economic, political and other situational circumstances. The section explores some of the common causes of illegal immigration that include war, poverty, political and economical factors.

2.4.1 War

War is defined as the use of armed forces between the states of rival groups (Hawkins, 2000: 964). Many of these (illegal immigrants) brought political climate change to the state. The two to three million Iraq Kurds, who escaped persecution and repression by sheltering in neighboring Iran and Turkey, are testimony of this phenomenon. Another case is the former Yugoslavia where disintegration, civil war and the redrawing of boundaries have created an internal hem changing and are resulting in the release of large number of immigrants to both Hungary and Germany (<http://www.iss.co.za>) .

In Africa, civil strife in, for example Angola and Mozambique, has displaced thousands of people. This also underlines the central role which political

factors play in the movement of the region's people. In 1990, for example it was estimated that between 600 000 and 1000 000 people had died in Mozambique and that three million had been dislodged. In 1992, a United Nation's report revealed that, besides those killed in the civil war, an additional 1.4 million Angolans (out of population of ten million) are suffering material loss, in the form of destruction of crops and homesteads and the loss of employment opportunities, and personal loss in the form of deaths of family and friends, as a direct result of the civil war (<http://www.iss.co.za>).

2.4.2 Poverty

Knight (2004:1) regards poverty as “being poor with the inability of attaining a minimal standard of living”. The important reason for illegal immigrants to move to another state is to escape poverty. Natural disaster can amplify poverty driven migration flows. Sometimes the person moves over the border because the wage labour ratio is much higher in the neighboring state, as is the case with the illegal immigration to the United States from Mexico. People from poor countries are attracted to the rich states in order to benefit from their higher standard of living. When they arrive in a new state they are faced with many uncertainties including finding of work, where to live, new laws, new cultural norms, language or accent issues, possible racism and other exclusionary behavior towards them and their family (Knight, 2004:1).

Unaccompanied child migrants detained by South African officials are held in police cells with adults, contrary to both domestic and international standards relating to the detention of minors. Deportees alleged that police on deportation-trains sometimes assault and steal money from them. People may also be kidnapped or tricked into slavery to work as labourers, for example in

factories. Those trafficked in this manner often face additional barriers to escaping slavery, since their status as illegal immigrants makes it difficult for them to gain access to help or service (Zimmerman, 1994: 10).

2.4.3 Political factors

The decision to immigrate may be influenced by a range of political factors in the homeland and host state. Politically motivated immigrants are likely to be more engaged in politics during their extended stay in the host state. The politically motivated immigrants are likely to remain very interested in homeland politics, insofar as events that continue to have a bearing on their lives of friends, family and other related minority or citizens groups (Argun, 2003: 102). However, once living abroad in a liberal democracy, immigrants have often used the relatively open civil society as a means to more freely discuss politics in the homeland and even mobilize opposition against oppressive forces. Political factors can act to shape one's outlook for settling permanently in the state. Many politically motivated immigrants hold more long term outlooks regarding their stay in the host state. Instead of meeting short term objectives, their goals are often to establish a new existence in an environment guaranteeing them greater rights and freedom (Argun, 2003: 1102).

2.4.4 Economic factors

Bade (2003: 200) regards economic factors as a science of the production or distribution and consumption of goods. "Modern communication and information technology continuously transmit an image of a more prosperous environment in the west, to those in the impoverished regions of the world" (Bade, 2003: 200). Kollapen (1999: 17) notes that the majority of illegal

immigrants in the 1990s are motivated by economic considerations, this is the primary cause of the westward movement of people from the former Eastern bloc states, as well as the main cause of the movement of nations, Mexicans and El Salvadorans into the United States and the movement of North Africans into Western Europe. Immigration is “influenced by economic conditions in both the homeland and the host state, leading in most cases to the movement from less developed to more economically advanced regions” (Bade, 2003: 227).

Factors like structural unemployment, underemployment, or poor prospects for upward mobility in the homeland as well as improved wages, increased prestige, or states along with the relative generosity of the modern welfare state in the host state are decisive in influencing an individual to immigrate. Economically motivated immigrants will remain largely focused on material and status gains in the host state, leaving many quite detached from and disinterested in politics (Treibel, 1999: 43). Several waves of immigrants to the Federal Republic of Germany (FRG) have been primarily motivated by economic concern. By far the largest and most influential of these groups are the former guest workers and their families who emigrated from countries of Southern Europe and the Mediterranean basin (Turkey, Italy and the former Yugoslavia) during the period of guest worker recruitment and family immigration. Many economic immigrants arrive in the host state with a short term outlook associated with the realization of certain material goals. Once these goals have been met, many economic immigrants return home to be reunited with friends and family (Arbeit und Sozialordnung, 2002: 156).

2.5 IMPACT OF ILLEGAL IMMIGRATION

Illegal immigration can have impact on terrorism, crime, cultural, education, disease, jobs, economic cost, and infrastructure, discussed in the following sections.

2.5.1 Impact of illegal immigration on terrorism in South Africa

Terrorism has been referred as the systematic use of terror (such as bombing, killings, and kidnapping) as a means of forcing some political objective. When used by a government, it may signal efforts to stifle dissent used by insurrectionist or guerrillas, it may be part of an overall effort desired for political change (Vadi, 2004: 51). One of the impacts of illegal immigration on terrorism in South Africa has directly harmed a great number of people, many were racially assaulted and others were abused.

2.5.2 The impact of illegal immigration on crime in South Africa

A high percentage of illegal immigrants in South Africa are criminals involved in various forms of crime, like street hawkers operating illegally not paying the Government tax (Anonymous, 2000: 4). This has an impact on Government's money that is needed for delivery of services.

2.5.3 Impacts of illegal immigration on women in South Africa

The South African state has seen a large influx of immigrants, both legal and illegal from states whose values are opposed to the right guaranteed by South Africa's Constitution. Specifically there are large numbers of immigrants coming from the state that are misogynistic. These accord women with little to no rights and the idea of violent crime committed by men against women and

children is not unusual. Rigid culture and patriarchal attitudes which devalue the role of women, result in the wide spread occurrence of violence against women (<http://www.africa.upenn.edu>).

2.5.4 Impact of illegal immigration on education in South Africa

Many legal immigrants to the state are highly educated something that is highly desired in an immigrant. In contrast most illegal immigrants are very poorly educated. The number of illegal immigrants since 1994 is predominantly unskilled, and those who were accepted in South Africa in the first half in 2002 were documented. Illegal immigrant had no access to education. Even documented migrant workers, refugees, asylum-seekers are often unable to enroll their children in public school on the claim that they do not have adequate documentation (Van Rooyen, 2000: 27).

2.5.5 Impact of illegal immigration on diseases in South Africa

Illegal immigrants had put strain on the health services of the South African state. Illegal immigrants found it hard to have access to health even to emergency cases. They are denied access to hospital either straightforwardly or on the claim that they do not have adequate documentation (Solomon, 1996: 8).

2.5.6 Impact of illegal immigration on jobs in South Africa

Many legal and illegal immigrants are also exposed to exploitation at jobs. Many of them are paid below the legal minimum wage, they work for longer hours than authorized by law, without obtaining necessary break and leave with no limited access to compensation for injuries and occupational hazard and diseases, etc. This strengthens migrant workers vulnerability because of

their precarious legal situation. Most of the time, illegal immigrants can not claim their rights nor seek redress as these would expose them to the risk of being arrested and deported (International Federation for Human Rights, 2007: 2).

2.5.7 Impact of illegal immigration on economic costs in South Africa

The economic impact of illegal immigration covers a wide stratum, including the cost for the collateral impact of crime traffic, education, health care and infrastructure. Illegal immigration brings in a tremendous number of poor, unskilled and uneducated people along with their inherent problem (Freilich and Guerotto, 2006: 20). Economic variables also play a role on the migration of people from the neighbouring States such as Mozambique, Lesotho, Angola and Zimbabwe to South Africa. South Africa particularly serves as a magnet to those seeking employment, a higher living standard and a brighter economic prospect (Freilich and Guaretto, 2006: 23).

2.5.8 Impact of illegal immigration on infrastructure in South Africa

The large concentration of illegal immigrants in the state, places an inordinate burden on the state decreasing its capacity to deliver impoverished South Africans from their misery. The presence of illegal immigrants has adverse effect on the capacity of schools, hospitals, parks, roads, water and sanitation system, among others to improve the life of ordinary South Africans (Solomon, 1995: 3). The Reconstruction and Development Programme (RDP) is affected due to the increasing influx of illegal immigrants. These made clear by the strain that illegal immigrants place on health services, unlawful squatting, high crime rate and unemployment. The hostel dwellers and inhabitants of informal settlement in the state are illegal immigrants who

affected the services. Housing is often another difficult aspect of illegal immigrants' life. Many illegal immigrants live in particularly precarious conditions, with little space, little or no comfort and privacy, sometimes with no or little access to water, electricity, heating, and other facilities. Access to education is similarly very limited (Solomon, 1995: 3).

In order to deal with the issues related to illegal immigration in South Africa, the Department of Home Affairs implement relevant policies and programmes through its regional offices.

2.6 AN OVERVIEW OF THE DEPARTMENT OF HOME AFFAIRS

The Department of Home Affairs is situated in Gauteng that is “the smallest of South Africa’s nine provinces, measuring 17.010 square kilometres. The province is also the most densely populated province in South Africa with approximately seven million inhabitants. It has a multicultural population comprising African (70%), white (23%), coloured (4%) and Indian / Asians (2%). The language spoken groups are English, Afrikaans, SeSotho, Sepedi, Setswana and Zulu. The rate of urbanization is 97%. The three main cities in Gauteng are Pretoria, Johannesburg and Vaal Triangle” (Development Bank of Southern Africa [DBSA], 2005: 3). Gauteng is the economic hub and financial centre of South Africa. About 37, 7% of the country GDP is generated in the province. The province is highly urbanized and industrialized, thus between 2001 and 2004 there was a migration, of 75,000 individuals in the province. The population of the province increase drastically due to illegal immigrants. Illegal immigrants caused poor communities that has implication

for poverty indicators and places an additional strain on service delivery (DBSA, 2005: 4).

The Department of Home Affairs in its Strategic Plan (2009: 33) states the vision, mission, value statement and goals of the Department to achieve effectively. The *vision* of the Department of Home Affairs is to contribute effectively to the development of a safe and secure South Africa where its entire people are proud of, and value their identity and citizenship. The *mission* states that the Department of Home Affairs service for the efficient determination and safeguarding of the identity and status of citizens and the regulation of migration to ensure security, promote development and fulfil the international obligation. The value statement includes organisational decision making; adopt and live a clear common set of value that aligns with the principles of Batho Pele; build the future and strengthen current action; discipline; diversity; representative; responsive; and honest and integrity. The goals are to: provide secure, efficient and accessible services and documentation to citizen and lawful residents in accordance with national priorities; establish and maintain secure, effective, efficient, accurate and integrated data system; facilitate and regulate the secure movement of people into and out of the Republic of South Africa through Ports of Entry; determine the status of a asylum seeker and to regulate refugee affairs in accordance with the Constitution of the Republic of South Africa's national legislation and international protocol; and advance cooperation with other government Departments and relevant civil society organizations on matters with a focus on improving services delivery and the state corruption.

The aim of the Departmental Strategic Plan (2009: 34) is to lay a foundation on which a Department can execute its mandate and achieve its objectives.

2.6.1 Organogram of the Department of Home Affairs

Organogram is how the management structure is formulated from top to bottom so as to protect and regulate the interests of the inhabitants of the Republic of South Africa, in respect of their identity and specific rights and to promote support services (DBSA, 2005: 4). Illegal immigration is a problem that is faced by the South African Government and is a big challenge in Gauteng province. The Department of Home Affairs in the Refugee Affairs in the Gauteng Province provides immigration services through three regional offices that are situated in Pretoria, Johannesburg and Vaal Triangle (Department of Home Affairs, 2008:17).

2.6.1.1 Pretoria Regional Office

Pretoria is a city in Gauteng province that hosts the largest residential University in South Africa, the University of Pretoria and the largest correspondence university in world, the University of South Africa (UNISA) (Projects in South Africa, 2004: 1). In Pretoria Regional Office, Directors at management level and officials are appointed at the Asylum Seeker Reception Centre and Immigration Central and Admission at Marabastad as it is equipped to deal with asylum seekers and refugee in a humane manner. The Centre's function is to ensure that the asylum permits are issued in one day and refugee determination is done within six months (Department of Home Affairs, 2008: 24).

2.6.1.2 Johannesburg Regional Office

Johannesburg is a city in Gauteng Province known as the gold capital of the world. Although the province is highly urbanized and industrialized, it contains wetlands of international importance such as Blesbokspruit (Projects in South Africa, 2004: 1). In Johannesburg Regional Office, Deputy Directors at management level and officials are appointed at Immigration Control and Admission Sub- programme levels. The objective is to issue enabling documents and provide core services according to specific time frames as captured in the estimates of National Expenditure (Department of Home Affairs, 2008: 25).

2.6.1.3 Vaal Triangle Regional Office

Vaal Triangle has a strong manufacturing sector (that is mining) which plays major role to boost the economy of the region. In the Vaal Triangle Regional Office, Deputy Directors at management level and officials are appointed at Admission and Immigration Control Unit with a goal to issue of enabling documents [temporary and permanent residence] in accordance with set standards (Department of Home Affairs, 2008: 12). The number of illegal immigrants in the Vaal Triangle, who have to be returned to the states of origin has been increasing dramatically due to its large population and the demarcated municipalities. The Vaal Triangle is divided into three local municipalities that are Emfuleni, Lesedi and Midvaal. The alarming numbers of illegal immigrants from neighbouring states are flooding into the Vaal Triangle in particular (Anonymous, 1995: 9).

2.6.1.3a Emfuleni Local Municipality

Emfuleni Local Municipality is located in the western part of Sedibeng District Municipality. It is the largest of the three municipalities in terms of population, but small in terms of geographical area. It was previously called Western Vaal. Major towns in the area include Vereeniging, Vanderbijlpark, Evaton, Bophelong and Boipatong with the population of 1 668 422 (Statistics South Africa, 2008: 7).

2.6.1.3b Lesedi Local Municipality

Lesedi Local Municipality is located in eastern part of Sedibeng District Municipality. It is the second largest of the three municipalities. It was previously called Heidelberg municipality but has been re-named as Lesedi. The major towns include Heidelberg, Devon and Ratanda with the population of 100 000 (Statistics South Africa, 2008: 7).

2.6.1.3c Midvaal Local Municipality

Midvaal Local Municipality is located in the middle part of Sedibeng District Municipality and Emfuleni. It is the smallest of the Sedibeng local municipalities in population but largest in terms of area. It was previously called Meyerton municipality. Its major towns are Meyerton, Eikenhof, Walkerville, De Deur, Henly-on-klip, Randval, Rissiville, Suikersbosrand and informal settlement which includes Sicelo and Silahlwe, with the population of 64 642 (Statistics of South Africa, 2008: 11).

2.7 PROBLEMS FACED BY THE DEPARTMENT OF HOME AFFAIRS IN THE VAAL TRIANGLE REGION

According to Hawkins (2000: 347) a “problem is something that has to be done or answered in order to get a solution. It is something difficult to deal with or understand”. The Department of Home Affairs in the Vaal Triangle region has many illegal immigrants, most of them are looking for work and it places an additional strain on service delivery that causes hindering of services (Sedibeng District Municipality [SDM], 2004: 22). The following problems are noted:

2.7.1 Lack of personnel

Hawkins (2000: 247) defines lack of personnel as “being without people being employed by a firm, institution, etc”. The following are some of the problems of personnel identified in the Regional Office:

- Lack of trained personnel,
- Understaffed personnel,
- Working more hours,
- Not keeping records of illegal immigrants,
- Poor working environment, and
- Not well paid personnel (Centre for Development and Enterprise, 2001: 6).

The supervisors, personnel and other staff need to be trained and motivated through operation management (Centre for Development and Enterprise, 2001: 6).

2.7.2 Lack of funding

Lack of funding is the insufficiency of money collected for a special purpose (Hawkins, 2000: 184). If the funds are exhausted, the system will collapse and there will surely be service hindrances. The following factors contribute to the lack of funding:

- Abuse of funds,
- Incorrect methods of budgeting, and
- Modernizing (Introduction to new and improved technology) (Human Rights Commission, 2003: 2).

Projects need to be implemented to improve service delivery and additional fundings are required to achieve the medium and longer term (Human Rights Commission, 2003: 2) goals.

2.7.3 Complicated legislature

Complicated legislation has been defined by Hawkins (2000: 9) as “being difficult to do or understand the law which was made by parliament (legislature). Legislature is the law of the State and all other laws must comply with its provisions”. The following factors contribute to the complications of the legislature:

- Absence of precise guidelines,
- Ambiguous clauses, specific provisions,
- Delegations, and
- Technical issues (Human Rights Commission, 2003: 4).

The legislature that is the law should prescribe what officials may or may not do. And the permits of such discretion must be clearly set out in specific guidelines and empower officials to design the limits (Centre for Development and Enterprise, 2001: 9).

2.7.4 Lack of Infrastructure

Infrastructure is something that has to do with the entire management (Senker, 1994: 4). That is the basic facilities that the states need to function effectively and efficiently, for example roads, sewers, electrical services, etc. The following collusions cause a lack in infrastructure, are:

- Contradicting principles (strategic programme),
- Lack of transparency,
- Lack of skilled labour, and
- Lack of equal opportunities (Centre for Development and Enterprise, 2001: 10).

Intentions and practical solutions are expected to ensure that, in the short, medium and long term there is faster delivery, economic growth and development for the Vaal Triangle region (Gauteng News, 2009: 1).

2.7.5 Expertise

Hawkins (2000: 158) regards expertise as “a good approval (expert) or valuation... [.] It eradicates commitments in the process of development”. The following implications may contribute to the lack of expertise:

- Incompetitiveness of officials,
- Lack of resources,

- Scarce skills,
- Outdated technical system,
- Administrative seeking bribery,
- Lack of appraisal, and
- Employment conditions (Bernstein & Johnstone, 2006: 13).

The Department of Home Affairs in the Vaal Triangle region requires a process of rapid review and redrafting to remove all the prescriptions and regulations which could contradict the sound principles of expertise (Bernstein and Johnston, 2006: 13).

2.7.6 Lack of planning

Planning is when someone plans something and controls the power to give orders or restrain something that was formulated like a plan. It has to be done according to its planning and if not followed accordingly, it fails (Human Rights Commission, 2003: 3). The following factors cause a lack of control and planning:

- Shortage of staff at Border Post,
- Un-secured borders,
- Non-establishment of special units and services like Inter State Defense and Security Committee of the SADC on Politics on Defense and Security,
- Lack of exchange of information on illegal immigration in the Vaal Triangle region,
- Inadequate procedures and standards for the improvement of control at the border, and
- Lack of transport operation to prevent illegal immigration (Human Rights Commission, 2003: 3).

It is imperative for the Department of Home Affairs in the Vaal Triangle region to follow the Refugee Amendment Act number 33 of 2008. It provides the delegation of powers, matters relating to Reception Offices, and the dissolution of Standing Committee for Refugee Appeal Board (Gauteng News, 2009: 23).

2.7.7 Other Challenges

Challenges are defined as difficulties that occur when certain aspects prevail (Hawkins, 2000: 72). Illegal immigration is a major problem for the South African government. Since the end of apartheid in 1994, Vaal Triangle has become a destination for poor people from other developing state attracted by its strong economy and multi-cultural society that causes a strain for the Vaal Triangle Department of Home Affairs to deal with challenges (Department of Home Affairs Strategic Plan 2009/2012, 2009: 83). The challenges of Home Affairs in Vaal Triangle are as follows:

- Lack of planning to move strategically towards fulfilling its vision and mission over the next three year of the Medium Term Expenditure Framework (MTEF),
- Corruption involving syndicates in collusion with officials leading to the theft or illegal acquisition of identity,
- Lack of professional development of managers,
- Lack of strengthening key functions such as planning, monitoring, evaluating and project a risk management,
- Lack of integrated system,
- Inadequate establishment of centers where asylum seekers can be interviewed, and

- The continuing abuse of the system, through the tempering of paper documents (Gauteng News, 2009: 4).

The Department of Home Affairs in the Vaal Triangle region needs to advance service delivery in the turnaround time (Department of Home Affairs Strategic Plan 2009/2012, 2009: 72).

2.8 CONCLUSION

In this chapter focus was on the theoretical overview in illegal immigration. The chapter supported the fact that migration enhances the influx of illegal immigrants in the country which has a bad living standard in this dispensation.

Furthermore, the chapter focused on the critical issues and challenges on management into the Vaal Triangle region as a focus area of the research. The emphasis was on the vision, mission and value statement of the Department of Home Affairs. The problems faced by the Department of Home Affairs in the Vaal Triangle were explored. This chapter supports the fact that there is a need for strategic planning for the Department of Home Affairs in the Vaal Triangle region to improve the challenges regarding illegal immigration.

The next chapter explores the government interventions to deal with the challenges regarding illegal immigrants in South Africa as a whole.

CHAPTER THREE

GOVERNMENTAL GUIDELINES FOR MANAGING ILLEGAL IMMIGRATION INTO SOUTH AFRICA

3.1 INTRODUCTION

In this chapter, the governmental guidelines for managing illegal immigration into South Africa will be discussed. The guidelines has been divided into three steps, namely the South African Government perspective on illegal immigration, public policy guidelines for managing illegal immigration into South Africa, and the contemporary system of illegal immigration control.

3.2 SOUTH AFRICAN GOVERNMENTAL PERSPECTIVE ON ILLEGAL IMMIGRATION

Coping with illegal immigration in a rapidly globalising environment is one of the issues facing South African government, yet the complexity of migration makes it difficult for planners to understand its causes and plan for its consequences. Government clarifies issues pertaining to illegal immigration by having a fundamental aspect of state sovereignty to decide who enters and remains in South Africa. The constitution and laws require that all the people who are in charge must protect the integrity of the borders in South Africa. Again it has delegated the Department of Home Affairs to be in-charged with the responsibility of implementing immigration law and policy, and of preventing illegal immigration (<http://www.home-affairs.gov.za>).

The South African government's responsibility is not only to implement laws pertaining to illegal immigration, but also to protect the country from being used either as a hide-out or as a base for terrorist activities. The government is a signatory to relevant international conventions and also has responsibility to ensure that nothing happens in the country which jeopardizes the security of the citizens. Government calls on all South Africans to work together to consolidate a common security as a nation, and to partner the international community in promoting peace and stability throughout the world. Where necessary, the South African Police Service is assisted by the South African National Defence Force (<http://www.ifp.org.za>) to serve the purpose.

3.3 PUBLIC POLICY GUIDELINES FOR MANAGING ILLEGAL IMMIGRATION INTO SOUTH AFRICA

There was a time in South Africa's history where non-White individuals in South Africa had to keep personal identity documents (ID) and passport to move around the city, segregation of the races were practiced and often forcefully enforced. This era is too commonly known as apartheid. However, things have changed. Every citizen in South Africa nowadays has personal liberties and rights. . They are free from government oppression and this made it difficult for the government to identify the illegal immigrants. Furthermore, for long periods from the sixties to the eighties, South Africa was a reasonably popular destination for people seeking to escape from constraining economic conditions in their own states. As a result South Africa generally gained significantly more than it lost from the international movement of people. Due to globalization the mobility of international capital had increased the

need for a free movement of skills and expertise across international boundaries to service capital investment in its new locations (Centre for Development and Enterprise, 2001: 3)

South Africa's immigration laws are badly in need of revision. The legislation currently in force dates from an earlier period of the history when Government was highly discriminatory about the racial and ethnic identities of immigrants. Today South Africa's needs in respect of immigration have changed quite dramatically. No longer is it readily able to attract skilled immigrants. Since 1994 the outflow of skills has been greater than the inflow or so-called brain-drain. The official statistics are not an accurate representation of the situation. One may safely assume that South Africa's ratio of losses to gains of skilled persons and their dependants average around five to one. To its credit the government has devoted considerable effort and resources to developing a new immigration policy and associated legislation over the past few years. The government is committed to improving competitiveness by lowering input costs through the economy. The government has agreed to review the immigration laws procedure urgently to enable them to attract skills in the state (Centre for Development and Enterprise, 2001: 4).

The elections of 1994 heralded a new era in South Africa. This era has been represented by many symbols and practices, including a new flag, a new anthem, a new position in international sporting and cultural events and a new constitution (Hook & Harris, 1998: 270). In this new era, racial inclusiveness and equality for all citizens has been legislated. The overt racism of the apartheid years has been replaced by democracy and protection of human rights. In terms of immigration policy, the blatant prejudice contained in the

1991 Aliens Control Act appeared as incongruent and unacceptable for a new nation build on democratic, non-racial principles. Consequently the Act was overwritten by the 1995 Aliens Control Amendment Act, which has made some substantive changes to the 1991 Act removing some of the more blatant violations of the rights of undocumented immigrants (Peberdy & Crush, 1998: 34). However, despite the eradication of blatant racism from its predecessor, the 1995 Aliens Control Amendment Act remains rooted in a racist framework (Draft Green Paper on International Migration, 1997: 15; Peberdy & Crush, 1998: 28; Cooper, 1999: 17). Peberdy and Crush (1998: 34) suggest that “serious questions need to be asked about whether the new democratic and non-racial state of South Africa should be promulgating and implementing legislation which is so deeply rooted in policies whose purpose was racial exclusion and domination and the extension of unfastened state power”. The serious questions surrounding the Aliens Control Amendment Act of 1995 have resulted in the development of three legislative instruments to redress immigration in contemporary South Africa. These are the Green Paper on International Migration (1997), the White Paper on Refugees (1998) (enacted in April 2006) and the White Paper on International Migration (1999). Broadly, The Green Paper on International Migration challenges the existing focus on control and expulsion rather than facilitation and management implicit in previous immigration policy. It suggests that migration be managed and planned, rather than reactive and it offers human rights-based alternative to the racism contained in the Aliens Control Amendment Act of 1995. It also recommends that refugee policy is a human rights remedy to a problem of forced migration and not an immigration issue as such (and thus) deserves its own treatment in policy and law (The Green Paper, 1997: 22). As

a recommendation, two separate White Papers i.e. the White Paper on Refugees (1998) and White Paper on International Migration (1999) have developed out of the Green Paper on International Migration (1997), discussed in detail in the following sections. However, in the process of their development, the Department of Home Affairs (DHA) has made various amendments to the recommendations of the Green Paper. These amendments have been criticised for being conservative and punitive (Schulze, 2002: 10).

3.3.1 The Aliens Control Amendment Act, 1995

Apartheid law has been fundamental to defining and indeed generating categories of foreigners. Even the current legislation which governs immigration in South Africa, the Aliens Control Amendment Act of 1995, remained firmly rooted in apartheid ideology and prejudice. The 1995 Aliens Control Amendment Act governs immigration legislation in South Africa. The Act modifies the government's power to deport illegal immigrants and alter the rules of residency. The legislation defines who belongs and who does not belong in the states. The law determines citizenship and foreigners. An overview of South African immigration legislation highlights xenophobic discrimination at work across time. Consequently, the categories of foreign subjects (that is of aliens, migrants, immigrants and refugees) can be considered alongside the changing nature of South African law, as a way to not only define these categories but also to link them to the web of control, and possibly violence, which underpin them (Peberdy & Crush, 1998: 25).

Peberdy & Crush (1998: 26) state that the terms of the law in South Africa had favoured the Whites. Reaching back to the Immigration Act of 1913, it highlights the legacy of colonialism, segregation and apartheid that has been

carried over onto contemporary legislation. Policy subsequent to the Immigration Act of 1913 (the first Act to directly focus on the rights of foreigners in the new Union) has been largely continuous with its racist foundations. This racism can be traced through the application the term 'alien', a category of foreigners against whom the legislation has been utilized in the past. The term 'alien' is utilized globally within immigration legislation to denote the person who is not a citizen. South Africa used it in the 1937 Aliens Act. Within the Act, the word 'alien' did not neutrally denote all foreigners, but rather became synonymous with 'unwanted' immigrant, a time prior to World War II where the unwanted ones were Jewish. Indeed the 1937 Aliens Act was specifically formulated to exclude Jewish immigrants. The Act governed and steered immigration policy up until the 1995 Aliens Control Amendment Act and it carried a strong anti-semitic message through the language of aliens and alienation.

3.3.2 The Green Paper on International Migration, 1997 and Amendments

The Green Paper on International Migration resulted in the development to redress immigration in contemporary South Africa was enacted in 1997. Broadly it challenges the existing focus on 'control' and 'expulsion' rather than facilitation and management implicit in previous migration policy. It suggests that migration be managed and planned, rather than reactive and offers a human rights-based alternative to the racism contained in the Aliens Control Amendment Act of 1995. It also recommends that refugee policy is a human rights remedy to a problem of forced migration and not an immigration issue as such (and thus) deserves its own treatment in policy and law (Peberdy & Crush, 1998: 34).

Two separate recommendations resulted out of the Act in the form of White Paper on Refugees (1948) and White Paper on International Migration (1999). However, in the process of their development, the Department of Home Affairs (DHA) has made various amendments to the recommendations of the Green Paper. Cooper (1999: 2) contends that Home Affairs is becoming increasingly hard lined about foreigners. Cooper (1999: 3) further explains that the institution has adopted a strong sovereignty principle of governance in favour of international and constitutional emphasis on human rights.

While the White Paper on International Migration, in conjunction with that on Refugees, spreads the risk of violence involving foreigners directly to the South African public, it also retains existing points of potential xenophobic conflict through affording privileges to the mining and farming sectors. In the White Paper, these sectors are singled out for their reliance on the foreign labour market and a macroeconomic argument is made concerning 'benefits' of employing migrants. Despite the market force explanation, the proposed concessions concerning foreign employment within these sectors suggest exploitation of migrants. Indeed, the White Paper acknowledges that aliens work in conditions which are inferior to those that would most likely emerge through collective bargaining if only South Africans were employed in the mines (White Paper on International Migration, 1999: 20). As such, the discriminatory and exploitative 'two gates policy', which differentiated between black migrants and white immigrants during the apartheid era, effectively remains legislated in contemporary immigration policy (Cooper, 1999: 4).

While the Refugee Act (1998) came into effect in April 2000, the International Migration Bill (1999) is still need to be enacted. For both, their implementation and impact on immigration policy remains to be seen. However, placed in a context that is hostile towards foreigners, their conservatism does not bode well for human rights protection (White Paper on International Immigration, 1999: 20).

Through the Green Paper on International Migration (1997), and the resultant White Papers on Refugees (1998) and International Migration (1999), the transitional period has brought to light issues of citizenship and nationality. It is no longer legal to discriminate between Black and White South Africans. Rather, all South Africans have been granted full citizenship in the 'new South Africa'. Through the political transition, there has been a shift from racial segregation to national inclusiveness. In this way, the 'new South Africa' represents a new nation. The idea of a nation is central to the new discourse. This nation is constantly reproduced in the social and political action that comprises South African society. From Mandela's inaugural 'rainbow nation' speech through to car bumper stickers and radio jingles, South African nationalism is constantly reinforced (Peberdy, 1999: 22).

3.3.3 The White Paper on Refugees, 1998

The White Paper on Refugees (1998) enacted in April 2000. Since immigrants fall into two broad categories, namely permanent residents and naturalized citizens, the latter of which denotes a greater degree of permanence because the home state citizenship is surrendered in favour of South African citizenship. Permanent residence could (also) be obtained by application on the basis of a permanent offer of employment but without the

requirement of five years of prior temporary work within the state. In the case of a refugee 'for whom going home may not be a viable solution in the foreseeable future', the Draft Refugee White Paper (1998) prospers that such a refugee, having been recognized as a refugee and granted asylum may, after a period of five years, make application for naturalization (Draft Refugee White Paper, 1999: 16). The flexibility and overlap between the three categories of 'refugee', 'migrant' and 'immigrant' must be borne in mind because legal definitions themselves allow for ambiguity, while popular understanding of foreigners do not always conform to these legal differentiations (White Paper on Refugee, 1999: 18).

The shift from overt racism to nationalism shines a spotlight directly onto foreigners and citizens. It impacts on who is legitimately entitled to be in South Africa and who the foreign aliens are. Although the state has become racially inclusive, it has become nationally exclusive (Peberdy, 1999: 21). Peberdy (1999: 21) further explains that "the Constitution, through the Bill of Rights, differentiates between the rights of citizens and non-citizens. Some rights are held by all, others are for citizens only". The notion of citizenship has been made salient since the early part of the decade. For example, in the run-up to the first democratic elections, voting rights were expanded to include all Black South Africans as well as migrant workers who entered South Africa legally before the threshold of 13 June 1986 and were ordinary residents in the state. Many miners fitted this description and were issued with voter cards. They were also exempted from the requirement of possessing a permanent or temporary residence permit under the Aliens Control Act of 1991 and were entitled to apply for South African documents (Lockey, 1999: 23). By getting voter cards and South African identification,

migrants who had been foreign, became new citizens of the state. This happened in conjunction with Black South Africans also attaining citizenship through the elections (White Paper on Refugee, 1999: 21).

Following the 1994 elections, the ‘new South Africa’ was faced with various groups of foreigners who had lived in the state for many years and who had participated in the apartheid economy, in many cases contributing substantially in building the state’s wealth. Through the migrant labour system, these foreigners were not really foreign by virtue of cross-border relationships and family ties that had developed over decades. However, with the shift to democracy and nationalism, their foreignness was emphasized and contrasted to South African citizenship. This resulted in a state focus on who was eligible to form part of the new nation (Crush & Williams, 1999: 29). In “1994, the government formulated a series of amnesties granting South African citizenship to certain foreigners from the region. These foreigners were representative of three broad groups, namely:

- 200 000 foreign miners working on contract in South Africa’s mining industry;
- 300 000 or more Mozambican refugees living primarily in the rural areas near the Mozambican border, and
- unknown number of non-citizens of various immigration categories are legal and illegal for whom had been in the state for lengths of time varying from decades to decades” (Crush & Williams, 1999: 2-3).

3.3.4 The White Paper on International Migration, 1999

The White Paper on International Migration (1999) is a modified proposal drafted document that determines how it may affect aliens who pursue, or with no pursue, a livelihood in South Africa. Its content is based on ways or addressing issues such as visas, government restrictions, xenophobia and illegal immigrants and exploitation.

The legislation imbues the Department of Home Affairs with vast administrative power. The White Paper on International Migration points out clearly that a visa does not give its holder the right of entry into a country but it is simply a prerequisite intended to facilitate or streamline examination of the holder at the point of entry. It proposes that restrictions be imposed with a view to, amongst other things, controlling who enters the country and giving effect to affirmative action in immigration (Mpedi, 2000: 97).

It also seeks to let in people who can have gold value to South African society and keep out those who cannot. People who add value are defined as those who invest, are entrepreneurs, promote trade, bring new knowledge and experience to the people of South Africa, and have skills and expertise to do what South Africans themselves cannot properly do. From this it follows that in most instances, a refusal by the Department of Home Affairs to renew the work permit of a foreigner who brings knowledge and experience to South Africa conflicts with the aims of the White Paper on International Immigration, and hence is unreasonable. It proposes affirmative action in immigration, in the sense that it compels 'all employers to search for suitably qualified South Africans first and to invest in their training and development'. By introducing affirmative action into the immigration system, the White

Paper on International Immigration promotes the aims of the Employment Equity Act 55 of 1998 that is to achieve equity in workplace by promoting equal opportunity and fair treatment in employment through eliminators of unfair discrimination (Reitzes, 1997: 113).

3.4 THE CONTEMPORARY SYSTEM OF ILLEGAL IMMIGRATION CONTROL

The contemporary system of illegal immigration control was demonstrated in 1996 since there was a lack of clear policy results on illegal immigration. These brought confusion amongst civil servants who require clear signals from policy-makers. Ambiguity also arises from the nature of the Government of National Unity. The dominant African National Congress (ANC) that has at least in its policy documents advocated softer approach to the issue. This ambiguity is seen in the government's vacillation between measures of accommodation and control (ANC Strategic Plan, 2009: 28). The Department of Home Affairs offered permanent residency to Southern African Development Community (SADC) citizen who met at least some of the following criteria:

- They can demonstrate or provide evidence of continuous residence in South Africa from 1 July 1991;
- They are engaged in productive economic activity;
- They are in a relationship with South African partners or spouse (customary marriages included);

- They have dependant children born or residing lawfully in South Africa; and
- They have not committed a criminal offence as listed in the Aliens Control Act (Act 96 of 1991) (Solomon, 2001: 21).

According to the Department of Home Affairs, an estimated one million SADC citizens qualified for permanent residence under this amnesty. By 1 October 1996, however, after the closing date for applications, only 84 815 applications had been received. Several reasons could be given to explain the low level of applications. The first and most obvious relates to the fact that the illegal aliens who met the conditions listed above were far fewer than estimated by the Department of Home Affairs. The second reason relates to a possible fear on the part of illegal immigrants that this is a government ploy to identify them for deportation and subsequent repatriation. A third possible reason for the failure of the amnesty could relate to the fact that illegal aliens were not aware of it, despite a radio and newspaper blitz, as this was conducted only in English. This could, for instance, exclude, Portuguese-speaking Mozambicans who make up the bulk of illegal immigrants. This situation is further compounded by the fact that very few illegal aliens are literate (Solomon, 2001: 27).

As a result of this failure, the Department of Home Affairs extended the deadline for applications indefinitely. In doing so, the Department has set a dangerous precedent. Research elsewhere in the world has indicated that such amnesties are counter-productive in halting illegal immigration and may even contribute to greater illegal immigration flows since prospective migrants are encouraged by these periodic amnesties. After all, one cannot have laws

stipulating who may enter one's state and in what numbers whilst at the same time rewarding those individuals who have flouted the same laws by granting them amnesty and permanent residence. It is also difficult to see how such accommodation measures enhance the security of the state and solve the problems caused by this form of immigration (Department of Home Affairs Strategic Plan, 2009: 15).

At the same time that Pretoria embarked on such 'soft' measures, it also sought to tighten measures of control. These include greater repatriation and deportation of illegal aliens. The government figures reveal that 90 692 illegal immigrants were deported to 39 countries in 1994. This constitutes more than a 100% increase from 1988 when 44 225 illegal aliens were repatriated. By 1995, this figure rose to 157 084, including 131 689 Mozambicans and 17 549 Zimbabweans. By 1998, the total of those repatriated reached a staggering 181 286. In 1999, the figures climbed to 183 861 but in 2000 they dropped to 170 317 (Solomon, 2001: 22). Deportation volume has grown with an average of 18% over the past five years. The 2007 financial year showed an increase of 25%. The number of deportees in 2009 has increased from 312000 to 370000 (Department of Home Affairs, 2010: 17).

Two arguments have since been directed against such control measures. The first challenges the inherent 'immorality' of enforced deportations. This argument posits that given the years of apartheid de-stabilisation of the region, South Africa owes a moral debt to its neighbouring states. This debt prevents South Africa from employing coercive measures to solve its illegal alien problem. Rather, the argument goes, South Africa needs to accommodate the

region's people within its borders in some form of another. This argument, however, is as dangerous as it is fallacious (Soloman, 2001: 12).

It is dangerous because, as any realist knows, if a relatively safe and prosperous country – as South Africa is within the African context – opens its borders, it risks being overwhelmed by a massive influx of immigrants from poor or violent states; can offer an entry point facility for those wanting to enter the state illegally (either an illegal on a legal flight or a completely illegal flight)...[.] However, such an argument is also problematic. South Africa's failure to apply control measures should not be seen as a failure of control measures generally. After all, other countries have made extensive use of control measures with a great deal of success (Solomon, 2001: 23).

Likewise, despite the length of South Africa's borders, measures can be undertaken to utilise South Africa's limited human and material resources more effectively. First, the number of land, sea and air international entry points needs to be reduced so as not to spread personnel too thinly on the ground. Second, there is a tremendous need for greater inter-departmental collaboration between Home Affairs, the Police, the South African Defence Force (SANDF), Justice, Correctional Services, Foreign Affairs, Customs and Excise, and the Intelligence Services to avoid costly duplication and also to work on joint strategies to combat the threat illegal immigration poses to the state. Third, there is a need to concentrate personnel in those areas where illegal entry into the state is greatest. Already some of these routes have been identified. Finally, control measures should not be seen as mutually inclusive. In addition to measures of enforced repatriation and deportation, there is a desperate need to beef up internal control measures. This would include

tamper-proof identity cards, measures to halt the spiraling levels of corruption inside the Department of Home Affairs, and a comprehensive national registration system (as exists in Sweden) with built-in punitive measures against employers who do not check the national registry before employing anyone (Solomon, 2001: 23). The following control measures can further be implemented.

3.4.1 Cross Border Control

Immigrants from nations that do not have automatic visa agreements, or who would not otherwise qualify for a visa, often cross borders illegally in some areas like the United States, Mexico border, the Mona channel between the Dominican Republic and Puerto Rico, the Strait of Gibraltar, Fuerteventura, the Strait of Otranto and South Africa. Because these methods are illegal, they are often dangerous. Would-be immigrants suffocate in shipping containers, boxes and trucks (<http://en.wikipedia.org>).

It is imperative that the SADC member-states harmonize their border control and entry policies and pressure will always be exerted on the weakest link of the chain. Such pressures could result in inter-state tensions which negatively affect the regional integration project (<http://149.101.23.2/graphics/publicaffairs/factsheet/948.html>). The following measures can be undertaken to create more compatible border control and entry policies in the Southern African region:

- The criminalization of smuggling of illegal aliens.
- Assistance in criminal matters for the prosecution of smuggling illegal migrants. This has already started with establishment of the Interpol Office

and the Southern African Regional Police Chiefs' Co-operation Organisation in Harare, Zimbabwe.

- The establishment of special units and services to combat the activities of illegal migration networks. Within South Africa, the SAPS have established an Aliens Investigation Unit as an attempt to curb illegal immigration. Such a specialized unit could also be established within the public policing sector of the Inter-State Defense and Security committee (ISDSC) of the SADC Organ on Politics, Defense and Security.
- The exchange of information on illegal migration. This is of grave importance since currently SADC states do not possess a common computerized database from which they could track third-state nationals who move into and within the region.
- Procedures and standards for the improvement of control at the border. Border posts are often understaffed, with inadequately trained officials. In addition, several SADC states have ineffective oversight mechanisms.
- Securing of external borders outside authorized border crossing points. Illegal immigrants skirt around official border posts and choose poorly patrolled areas between border posts. Hence it is these areas where border security needs to be beefed up. However, with limited resources, states do not have the capacity to unilaterally secure their own borders. Hence there is a need for collective action to secure common borders, especially those where the risk of infiltration is greatest.
- Obligation of transport operators to prevent illegal migration. Financial penalties can be levied on aircraft carriers, ships and the like that allow

passengers on board without valid visas for the destination state (Solomon, 2001: 27).

3.4.2 Amnesty Procedures

The amnesty was granted to illegal immigrants in South Africa since 1995. The SADC amnesty was announced in June 1996. It applied to people from throughout the (South Africa) region and was not confined to one economic sector (Solomon, 2001: 21). For amnesty, applicants need to provide documents stating:

- (a) that they had been living in South Africa for at least five years;
- (b) that they were engaged in productive economic activity in the formal or informal sector, or were in relationship with a South African partner or spouse, or had dependent children born or living lawfully in South Africa; and
- (c) that they had committed no criminal offence (Crush & Williams, 1999: 3).

The refugee amnesty was announced in December 1996, but was only implemented in late 1999. Targeted at estimated 350 000 Mozambicans who were given refugee status by the homelands during 1980s, the primary criteria (for amnesty) is that applicants need to be able to prove that they entered South Africa as bona fide refugees, at time when South African Government did not recognize them as refugees (Crush and Williams, 1999: 85).

Under apartheid the Department of Home Affairs had assumed that South Africa had one to two million illegal immigrants in the early 1990s. The

Department of Home Affairs' data in 1996 shows that only 47 000 immigrants had entered the state in 1991 and had not left. Furthermore, it is clear that a series of undocumented and unofficial amnesties were being granted to non-Africans but do not venture to assess the number of illegal immigrants from Europe and America who are living in South Africa or who may be sapping the state's economic resources (Crush & Williams, 1999: 138). Crush and Williams (1999: 138) stated that "but wait, we know that SADC citizens are not the only immigrants to violate the Aliens Control Act that is, in the first four months of 1995, about 130 000 non-South African citizens overstayed their visas. Among them were 12 000 visitors from the United Kingdom, 11 000 from Germany, 3 000 for the United States and 1 000 each from Australia, Belgium, Switzerland and Taiwan. How many of those people were arrested and deported in 1995? The truth is: a mere handful; 51 in total". Presently there are 500000 illegal immigrants are living in South Africa (International Federation for Human Rights, 2007: 14).

3.4.3 Law Enforcement

Many countries have had or currently have laws restricting immigration for economic or nationalistic political reasons. Whether a person is permitted to stay in a state legally may be decided by quotas or point systems or may be based on considerations such as family ties (marriage, elderly mother, etc). Exceptions relative to political refugees or to sick people are also common. Immigrants who do not participate in these legal proceedings, or who are denied permission, and still enter or stay in the country, are considered as illegalimmigrates(<http://149.101.23.2/graphics/publicaffairs/factsheets/948.html>). Most states have laws requiring workers to have proper documentation, often intended to prevent or minimize the employment of unauthorized

immigrants. However, the penalties against employers are often small and the acceptable identification requirements vague and ill-defined as well as being seldom checked or enforced, making it easy for employers to hire unauthorized labour. Unauthorized immigrants are especially popular with many employers because they can pay less than the legal minimum wage or have unsafe working conditions, secure in the knowledge that few unauthorized workers will report the abuse to the authorities. Often the minimum wages in one state can be several times the prevailing wage in the unauthorized immigrant's country, making even these jobs attractive to the unauthorized workers (<http://149.101.23.2/policy/publics/publicaffairs/factsheets/948.html>).

The law thus allows for the apprehension of suspected undocumented foreigners. If a foreigner cannot satisfy the officer of his/her legal status, then the officer may apprehend him/her. In this way, the law gives strong powers of apprehension to policy officers. These powers rest on subjective terms such as 'reasonable grounds' and satisfy such officers. Consequently, there is a scope for abuse within the law. For example, a personal vendetta or extortion-scheme may lie behind the reasonable grounds on which person is apprehended (Human Rights Commission, 1999: xx). Alongside the legal potential for abuse, it seems that arresting officers do not always work within the confines of the law. The Human Rights Commission (1999: xxv) found that there was a substantial failure of enforcing officers to comply with even (the law's) minimal requirements. For example it is not a legal condition that individuals should be accompanied to retrieve their ID if an officer suspects that they are illegally in the country but they allege they do have valid documents. However, in practice, it appears that apprehending officers

seldom do this. Suspects are rarely given the opportunity to collect any valid documentation that they might have. Rather, they are apprehended immediately. This practice has been criticized as a new form of apartheid because it effectively forces foreigners to carry documented proof of their legal status, in much the same way as Black South Africans were obliged to carry pass books to prove their status during the apartheid era (Human Rights Commission, 1998: 54).

3.4.4 Border Control Measures

Measures focusing on entry control re-admission and return, while important are insufficient in themselves and need to be supplemented by preventative medium and long-term measures. One such measure is the spreading of objective information to prospective immigrants in the states of origin regarding objective conditions in the countries they intend to go to. Such an information campaign was successfully conducted in Albania, for instance providing information both on regular migration procedures and on condition abroad, in particular regarding the lack of work opportunities and the mandatory repatriation of illegal immigrants (Solomon, 2001: 26).

After “the 1994 elections, South Africa opened up for international visitors and became exposed to global trends. Not only was South Africa influenced economically, politically, and socially but it also became vulnerable to crime to a far greater extent than before. The increase in criminal activities had an effect on the policing of the state and on borders control. The activities of crime syndicates actively involved in the cross border smuggling of drugs, illegal immigrants, firearms and other goods as well as the illegal export of stolen vehicles and endangered species to people border control must not only

be seen as preventing the illegal cross border movement of people and goods, but also as an aid in regulating orderly legal movement with the help of a number of role-players such as the Department of Home Affairs, South African Police Services and others” (Geldenhuys, 2007: 1).

3.4.5 Repatriation and Deportation

It is important to emphasize the difference between repatriation and deportation because they are regularly confused in popular perceptions. People often speak of ‘deportation’ instead of ‘repatriation’. This contributes further to forging a public link between foreigners and crime. The link is erroneous, however because the high repatriation figures only reflect the ‘crime’ for being in the country without proper documentation. The Department of Home Affairs decides the status of particular foreigners in the country. There is a legal system of checks and balances. Foreigners who are legally entitled to be in South Africa reportedly required to pay ‘extra’ for the processing of their documents and to secure status (Duncan, 1998: 140). The anti-corruption unit has made a number of recent arrests and the Department is committed to eradicate corruption. Corruption and the manufacture of fraudulent documentation are significant problems facing the Department of Home Affairs. The work of the Department is not restricted to status determination and issuing documents. Officials are also mandated to trade and apprehend undocumented foreigners. In this regard, the Department works closely with the Police and the Defense Force to find and detain suspects (Duncan, 1998: 141). Officials from Home Affairs perpetrate similar abuses to those of the South African Police Services and the South African National Defense Force during the apprehension-detention process. These

include using arbitrary and racist identification measures, taking bribes and physically assaulting detainees (Human Rights Watch, 1998: 44).

3.5 THE ROLE OF THE DEPARTMENT OF HOME AFFAIRS

The Department of Home Affairs designates points of entry and handles the administrative control of the movement (entry and departure) of people across South African borders. Each person wishing to enter or leave South Africa is entered into the Department of Home Affairs' Population Movement Register. In addition, random background checks are undertaken by the police. If the undocumented immigrants or the suspects have been apprehended by the Department of Home Affairs, the Police, or the Army, the Department is responsible for processing and repatriating undocumented migrants. This process stage offers another opportunity for corruption. Foreigners who are able to pay are often released at this stage, or their repatriation is 'speeded up' so that they do not spend unnecessary time in detention (Human Rights Watch, 1998: 44). In contrast, foreigners who are unable to pay officials may be detained for long periods, while awaiting repatriation. By law, the processing period between apprehension and repatriation (that is the detention period) cannot exceed 3 days without judicial approval, that is, without the case being reviewed by a judge of the High Court. In practice, however, it appears that many foreigners are detained unlawfully beyond the 30-day limit (Human Rights Watch, 1998: 44). For example in September 1999, the Lindela Repatriation Centre had records of 150 people who had been held for more than 30 days (Keeton, 1999: 2). According to the documents of

Department of Home Affairs (2010: 14), 600000 illegal immigrants were forcibly repatriated from South Africa between the duration of 1999-2007.

3.5.1 The National Sphere of Government

The costs of hosting illegal population with a demographic profile are prohibitively high. The National Co-coordinator of Border Control and Policing of the South African Police Services, stated that in 1994 it cost the country R1985 million to house an alien population. Hence it can be posited that the large concentration of illegal immigrants in the state, place an inordinate burden on the state, decreasing its capacity to deliver impoverished South Africans from their misery. In other words, the presence of illegal aliens has an adverse effect on the capacity of the Reconstruction and Development Programme (RDP). The government is not able to distinguish between the immigrants and citizens that are illegal immigrants or benefiting by the programme. The government stands to reason that the influx of illegal aliens needs to be curbed (Solomon, 1996: 12).

Government responded by introducing short- term policy measures. These have ranged from control measures that is enforced repatriation, greater presence of police and army personnel on the borders and others, to accommodate, for instance the recent cabinet decision to legalize the presence of illegal immigrants who have resided in the country for longer than five years, who have been gainfully employed, with no criminal record, or who are married to a South African spouse. These measures, however have failed to stem the tide of illegal immigrants who are said to enter the Republic at a rate of one every ten minutes. In recognition of this failure, the Department of Home Affairs decided to adopt a 'strategic perspective' to deal with the

problem of clandestine migration. This implies a long-term vision which unlike the control and accommodation measures stresses on intervention. In other words, attempts should be made to address the root cause, which give rise to population movement (<http://www.iss.co.za>).

3.5.2 The Provincial Sphere of Government

“Managing migration effectively, humanely and in the provincial interest is a challenging task facing the government. If the government is to manage the borders effectively and if the province has to accept and attract the foreign skills needed for economic growth, education and social development, some myths need to dispel. Recognizing that poverty, or rather the lack of economic opportunities, is often at the root of population movements, the provincial approach stresses the need for economic development within those cities from which these movements arise. This is often done through special grade agreements, investments programmes and educational schemes. A programme of this kind has been proposed by International States that is Italy and Spain with regard to North Africa. The hope is that these approaches will result in job creation and economic stability and that they will reduce population movements from North Africa into South Africa especially in Gauteng province” (Bernstein & Johnstone, 2006: 17).

The provincial government’s intention is to create a realistic informed and reliable picture on the phenomenon of illegal immigration including its causes, dynamics and effects in the province in order to be able to advise the Government on actions to be taken and to engage public debate. The provincial government is concerned that there is insufficient information about the dimension, distribution, impact, implications and effects of illegal

immigration. Simply put, the government does not know how many people are involved, where they are and what their impact is in the communities. It needs to acquire a better understanding of this phenomenon; that is the impact of illegal immigrants in South Africa. The high-level expertise involved in the public consultation should begin a process of intelligent and serene discussion on the matter (<http://www.queensu.ca>).

3.5.3 The Local Sphere of Government

Movement of people across borders has also been a cause of serious security challenges for both the countries from which these people originate as well as those in which they seek sanctuary; that is the cities. The government at local level has established the Inspectorate contemplated in the Immigration Act as the enforcement branch in migration control. The Immigration Act has made it easier for foreigners to be in South Africa legally and the Inspectorate must concretize the Act's accompanying intention to deal with those who are in South Africa (that is national, provincial and legal) illegally with greater determination and efficiency. However, in order to direct the Inspectorate's action, a comprehensive understanding of the phenomenon is required (<http://www.queensu.ca>).

Mongosothu Buthelezi was concerned both about the lack of available information at hand as well as the need to develop law enforcement procedures which are fully consonant with the higher standards of human rights culture. Buthelezi invited the Immigration Advisory Board to commission research on both these complementary aspects. For instance, the research was commissioned to the Centre for Development and Enterprise on xenophobia, while the Institute for Security Studies undertook a research

project on illegal immigration and its possible positive and negative social impact holistically. These are two aspects which go into formulation of a complex picture out of which the whole of the society ought to gain a better understanding of this phenomenon, to avoid both overreaction and under concerns as well as ineffective law enforcement policies which do not meet community needs and public interest (Department of Home Affairs, 2007).

3.6 CONCLUSION

In this chapter the main focus was to discuss the government guidelines regarding control of illegal immigration in South Africa. The emphasis was on the government strategic approach to deal with the problem of illegal immigration. The next chapter explores the empirical data where responses are analyzed and interpreted for comprehensive understanding regarding impact of illegal immigrants in the Vaal Triangle region as a focus point of research.

CHAPTER FOUR

EMPIRICAL STUDY: TO EVALUATE THE MANAGEMENT OF ILLEGAL IMMIGRATION INTO THE VAAL TRIANGLE

4.1 INTRODUCTION

In the previous chapter the management of illegal immigration and the critical issues and challenges were explored from a theoretical perspective. This was done through a literature study of both local and international sources. The literature study and the experience of the researcher showed that accountability and effectiveness of managers could play a significant role in managing illegal immigration. The objective of the empirical study is to analyse the impact on illegal immigration and to devise the systematic ways and methods of how to reduce the influx of illegal immigrants in the Vaal Triangle.

4.2 PREPARATION FOR RESEARCH AND DESIGN

In preparation for the research and design the researcher considered the following:

4.2.1 Permission

The researcher submitted application to the relevant authorities to distribute questionnaire within the Department of Home Affairs (Appendix A).

4.2.2 Population and sample of respondents

Population is aggregation of elements from which the survey sample is actually selected (Babbie, 1995:147; Mmapulana, 2010). In this study the sample was made out of the following sub- populations within the Department of Home Affairs:

- 10 managers dealing with illegal immigration within the National Department of Home Affairs.
- 10 managers heading specific units dealing with illegal immigration into the Vaal Triangle.

4.3 RESEARCH METHODOLOGY

Research methodology is the how of collecting data and the processing thereof within the framework of the research process. Research methodology, or methods of collecting data, necessitates a reflection on the planning, structuring and execution of the research in order to comply with the demands of truth, objectivity and validity (De Vos, 1998: 15). Hence, research methodology focuses on the process of research and the decisions, which the researcher has to take to execute the research project. For example:

- Which decision(s) need to be taken as the research progresses?
- Which methods and techniques for data collection and data analysis should be selected?
- Which factors play a role in the design of a research project?
- What influence does the particular purpose of the research project have

on the selection of methods and techniques?

- Which factors play a role in the process of research and how do these factors influence the methodology of the researcher? (Braynard & Hannekom, 1997: 28-29).

In this study the researcher is investigating the effectiveness of managers to deal with illegal immigration. This investigation will assist Vaal Triangle to use suggested mechanisms (with adequate modifications) to reduce or combat the influx of illegal immigrants in the region.

4.3.1 The research problem

In chapter one the research problem of the study was stated as referred; to the role that is played by the managers to identify the presence of illegal immigrants within the surrounding areas. The influx of immigrants in the Vaal Triangle was seen as a challenge since it has a negative impact on the area and its surroundings. The primary objective of this study is the influx of illegal immigrants in the Vaal Triangle and to devise an effective mechanism to immigration.

In order to find a viable solution to the problem of curbing the influx of immigration, it was necessary to determine the (in) effectiveness of managers, and to identify the successes and failures of managers at the Department of Home Affairs in the Vaal Triangle region. In this regard, the primary aim of the empirical research is to gather information regarding involvement of authorities in controlling illegal immigration effectively in the Vaal Triangle region.

4.3.2 The Research Question and the Research Objectives

In order to find solutions for the influx of illegal immigration in the Vaal Triangle region, it was necessary to give theoretical exposition of the impact of illegal immigration which exists within the Vaal Triangle region. In chapter one, this aim was operationalised into the following questions:

- What is the definition and causes of illegal immigration?
- What are the South African Government's policy and legislative guidelines for managing illegal immigration?
- What are the critical challenges and impact of illegal immigration into the Vaal Triangle?
- What recommendations can be offered to streamline the management of illegal immigration into the Vaal Triangle?

With regard to the above mentioned questions, the following was outlined as the objective for the study:

- To give an exposition of the concept and causes of illegal immigration.
- To describe the South African Government's policy and legislative guidelines for managing illegal immigration.
- To provide an overview of the challenges and impact of illegal immigration into the Vaal Triangle.
- To provide a set of recommendations that could contribute to the streamlining of management of illegal immigration into the Vaal Triangle.

4.4 RESEARCH APPROACH

The researcher envisaged to apply available qualitative and quantitative methods.

4.4.1 A description of qualitative approach

De Vos (1998: 75) identifies qualitative research methodology as dealing with data that is principally numerical. Meyer (2002: 111) regards qualitative research approach as “a research investigation that involves an intensive study of personal experience of individuals. These types of research deal with people’s lives, lived experiences than behaviours, emotions, feelings, and about the functions of the organisation, social movements, cultural phenomena, and interactions between nations”. The aims of qualitative research approach are:

- It describes the essential qualities of phenomena;
- It interprets the meaning of, and relationships among those qualities; and
- It gives support judgment (or appraisal) as to the significance and value of those qualities (Meyer, 2002: 11).

Furthermore, Jacobs and Razavieh (1990: 447-450 *in* Meyer, 2002: 12) laid down the following advantages of qualitative research:

- The qualitative approach is a context bound approach. The human attitudes and preferences are appraised in the context in which they occur.

- The qualitative approach occurs in natural environment or in the field where the subject of research is found.
- It is to reach a, personal, close to the real world and contains a depth of meaning.
- The qualitative approach follows a variety of procedure to check the credibility of data being gathered and to confirm resulting insights.
- Both the inductive and deductive are used in collecting and analysing data. The interview method is the most suitable way of collecting information in order to reach the aim of this study.
- The qualitative inquiry studies human experience holistically where all factors and influences in a given situation are taken into account.
- It regards human beings as a data gathering instrument through talking to people in a specific setting and relying on fieldwork methods, example interviews.
- The qualitative approach deals with data in the form of words and by keeping a personal journal in which it records accounts of the participants or meaning.
- The setting in the qualitative approach depends on the nature of the interaction between the researcher and the respondents, this makes the researcher quite sure what the outcomes of the particular setting will be.

4.4.2 A description of quantitative approach

According to De Vos (1998: 13) quantitative research involves the study of samples and populations and relies heavily on numerical data and statistical analysis. For Leedy (1993: 139) the quantitative approach is “that approach to

research in the social science that is more highly formalised as well as more explicitly, controlled with a range that is more exactly defined and which, in terms of method used". De Vos (1998:16) regards the aim of quantitative research approach as follows:

- Based on assumption that social reality is constructed by the individuals participate in it.
- It plays a confirmatory role.
- It interprets meaning of the social environment.

Moreover the advantages of quantitative research methods are:

- The quantitative approach, procedures are strictly formalised.
- Its scope is more likely explicitly controlled.
- The quantitative approach studies human behaviour in natural or controlled settings.
- It analyses social reality into variables.
- In quantitative approach more philosophical mode of operations are not adopted.
- The quantitative approach takes construction and interprets it in a meaning to the social environment.
- Both the inductive and deductive analysis are used in developing concepts, insights, and understanding from patterns in the data.
- The quantitative approach aims to understand the meaning that people attach to everyday life.

- The quantitative approach concentrates on the relationships between elements, context, etc. (De Vos, 1998: 6).

Comparing quantitative and qualitative methodologies, the researcher tried to establish the most appropriate method for conducting this study. The key difference between these methodologies is their flexibility. Quantitative methods are fairly inflexible. With quantitative methods such as surveys and questionnaires, for example, researchers ask all participants identical questions in the same order (Mmapulana, 2010). The response categories from which participants may choose are “close-ended or fixed. On the other hand, qualitative methods are typically more flexible – that is, they allow greater spontaneity and adaptation of the interaction between the researcher and the study participants. In turn participants have the opportunity to respond more elaborately and in greater detail than is typically the case with quantitative methods” (Mmapulana, 2010).

4.5 POPULATION AND SAMPLE

Any group of, say, individuals, events or objects that share a common characteristic and represent the whole or sum total of cases involved in a study is called the universum or population. The separate individuals or objects belonging to the population are called the elements of that population. A population can be finite, i.e. all the elements can be ordered and counted (Fox and Bayat, 2007: 52). Although a subject of population, the sample must have properties which make it representative of the whole. To follow up the example of the students, selecting a sample of very dull, brilliant or mature

students would be wrong because they would not represent the whole of the student body. Thus one of the major issues in sampling is to determine samples that best represent a population so as to allow an accurate generalization of results. Such a group is called representative sample (Bless & Smith 2000:86; Skosana, 2010).

De Vos (2002; 334; Skosana, 2010) stated that in qualitative research, sampling occurs subsequent to establishing the circumstances of the study clearly and directively. Thus sampling “is undertaken after the actual investigation has commenced. Sampling is the process of selecting units (e.g., people, organizations) from a population of interest so that by studying the sample we may fairly generalize our results back to the population from which they were chosen” (<http://www.socialresearchmethods.net>).

4.5.1 Probability sampling

A probability sampling method is any method of sampling that utilizes some form of *random selection*. In order to have a random selection method, you must set up some process or procedure that assures that the different units in your population have equal probabilities of being chosen (Trochim, 2006). With *probability sampling*, all elements (e.g., persons, households) in the population have some opportunity of being included in the sample, and the mathematical probability that any one of them will be selected can be calculated (Herek, 2009).

4.5.2 Non-Probability sampling

In non-probability sampling, since elements are chosen arbitrarily, there is no way to estimate the probability of any one element being included in the

sample. Also, no assurance is given that each item has a chance of being included, making it impossible either to estimate sampling variability or to identify possible bias. Reliability cannot be measured in non-probability sampling; the only way to address data quality is to compare some of the survey results with available information about the population. Still, there is no assurance that the estimates will meet an acceptable level of error. Statisticians are reluctant to use these methods because there is no way to measure the precision of the resulting sample. Despite these drawbacks, non-probability sampling methods can be useful when descriptive comments about the sample itself are desired. Secondly, they are quick, inexpensive and convenient. There are also other circumstances, such as in applied social research, when it is unfeasible or impractical to conduct probability sampling (Statistics Canada, 2009).

The researcher utilized the non-probability sampling in order to obtain data from respondents. Under the non-probability sampling, the *Convenience sampling* was utilized that “is sometimes referred to as *haphazard* or *accidental sampling*. It is not normally representative of the target population because sample units are only selected if they can be accessed easily and conveniently” (Statistics Canada, 2009). Ten managers in the different clusters of the Department within the Regional Department of Home Affairs (National sphere [five officials from Johannesburg Department of Home Affairs and five from the Vereeniging Department of Home Affairs]) dealing with illegal immigration, and ten managers heading specific units dealing with illegal immigration into the Vaal Triangle (provincial) were targeted for the study.

4.6 RESEARCH INSTRUMENTS

The objective of the empirical research was to obtain information from members of the Department of Home Affairs (immigration department) that includes managers, administration officers and permitting officers with regard to the pressing need to curb the illegal influx of immigration in the Vaal Triangle region.

4.6.1 Literature Review

Successful “research depends on a well-planned and thorough review of the available / relevant literature. Such a review usually entails obtaining useful references or sources and studying these. In Public Administration not only books on aspects of public administration should be consulted, but also the documents and files of public institutions. It is only by casting the ‘research net’ wide that the researcher in Public Administration will be able to determine the truth about phenomena in the public sector. Literature is review for the following reasons:

- To obtain perspective on the most recent research findings related to the topic of the research;
- To obtain an indication of the best methods, instruments for measurement, and statistics that can be used;
- To improve the interpretation of one’s own research results; and
- To help determine the actuality of research on a particular topic” (De Wet et al, 1981: 39-41; Ballies, 2009).

The primary and secondary sources of information for this research were books, international journals, articles, Government legislation and internet sources. The following sources are of significance:

- The Immigration Act, 2002;
- Department of Home Affairs (Official Government Documents);
- Whitman, J. 2000. Migrants, citizens and the state in Southern Africa. Cape Town. MacMillan Press (Book);
- Solomon, H. 1995. In search of Canaan: A critical evaluation of the causes and effects of migration within the South African and strategies to cope with them (Book);
- Strategic perspective on illegal immigration into South Africa
[1http://www.iss.co.za/pubs/ASR/sn04/strategicperspective.htm](http://www.iss.co.za/pubs/ASR/sn04/strategicperspective.htm).
- Data bases consulted were EBSCO, Google, JBTOR, SAGE Publication, and NEXUS.

4.6.2 Interview

The use of interview is ideally suited to interviewing professionals who are highly experienced in the field of the topic being researched because of their ability to express themselves well. The interview commences with the researcher setting the ground rules for conduct during the interview. Respondents are invited to introduce themselves and relate their experience of the topic. Open discussion follows with the researcher facilitating by interjecting with probing questions until saturation is reached. The interview

concludes with each respondent being given the opportunity to make a closing statement (Welman & Kruger 1999:198; Mokola, 2009).

According to Vermeulen (1998:62) the objectives of the interview can be stated as follows:

- identifying possible changes,
- assisting in the formulation of hypothesis,
- providing direction in further phases of the research,
- collecting data, and
- supplementing other methods of data collecting.

According to Creswell (1994:7) an interview has the following purposes:

- it is the means of gathering information having the direct bearing on the research objectives,
- to test hypothesis or to suggest new ones, that is to help identify variables in their relationship, and
- used to follow up unexpected results, to validate other methods and to go deeper into the motivations of respondents and their reasons for responding as they do.

According to Vermeulen (1998: 63) the interview has the following advantages:

- it allows flexibility of approach,

- it provides the interviewer to assist the respondent clarify his thinking, and
- it allows the interviewer to observe the respondent for signs of evasiveness, and no co-operation.

Interviews were used and ranged as a continuum of highly structured interviews. Structured interviews usually contain a series of specific questions that were read to the respondent, along with a set of predetermined response categories. The structured interviews were best suited for more specific hypothesis testing and for qualification of results. This format also assumes extensive information about the subject and about the respondents (Vermeulen, 1998: 63). According to Vermeulen (1998: 63) structured interviews have the following characteristics:

- the questions and their order are planned in advance.
- the formulations of the questions are standardised.
- clear directions are given for the reformulating of questions.
- the insets of different interviewers are standardised by the adoption of a uniform approach.
- because of the standard approach, the responses can be easily classified and analysed.
- the structured interview can be considered as an oral questionnaire.

The researcher relied on the structured interviews with the Managers of the Department of Home Affairs and officials in the different clusters. The “structured interview with the content and procedures that were organised in

advance was employed in this regard. These types of interviews were characterised by being a closed situation” (Creswell, 1994: 38). Respondents were guaranteed confidentiality. The researcher utilized structured interviews in order to obtain responses from following sub- populations within the Department of Home Affairs: 10 managers dealing with illegal immigration within the National Department of Home Affairs; and 10 managers heading specific units dealing with illegal immigration into the Vaal Triangle.

4.6.3 Questionnaire

A questionnaire can be defined as a group of written questions used to gather information from respondents, and it is regarded as one of the most common tools for gathering in the social sciences. A questionnaire usually consists of a number of measurement scales, open-ended items for qualitative responses, and other questions that elicit demographic information from respondents (Terre Blanche et al, 2006: 484). The purpose of a questionnaire is to clarify the reason for the study; determine the information required from the respondents; list the research questions to be answered with the questionnaire; and to identify any additional information required to address the research questions (Terre Blanche et al, 2006: 485).

Questionnaires also gather demographic data on the respondents. This is used to correlate response sets between different groups of people. Demographic data is collected at the beginning of the questionnaire, but such questions could be located anywhere in the questionnaire. One argument in favour of beginning with demography in the questionnaire is that normally background questions are easier to answer and can ease the respondent into the

questionnaire. One must not put off the respondent by jumping in to the most difficult questions (Dalton, 1991: 122; Nhlapo: 2010).

The questionnaires were handed to the individuals and officials (Appendix B). The personal briefing and guidelines for ensuring standardised administration of the interview checklists was maintained and respondents' guarantee of confidentiality and anonymity was secured. The aim of the research and specific procedures were thoroughly explained to different participants.

4.7 ETHICAL ISSUES

Ethical considerations to be taken into account are the following: professional ethics, objectivity and integrity in research, the fabrication or falsification of data, the scientist should not, under any circumstances, change their data or observations. The fabrication or falsification of data is regarded as one of the most serious transgressions of the scientific code of ethics (Wegner, 2000: 112-115). The researcher had to apply the following methods to deal with the above issues (Coolican, 1994: 37):

- Consent was obtained before the start of the research or interview with the respondents.
- Sensitive issues were not explored and a good relationship was established with the respondents.
- Confidentiality of data was ensured.

It was important for the researcher to treat the participant with value and sense of worth. The participants have sacrificed their time to give the

researcher information. Although it is understood that the information received will also assist the improvement of development of the participants in their service delivery, the researcher had to confirm to professional practices and ensure that no one is implicated in the course of the research.

4.8 ANALYSIS AND INTERPRETATION OF DATA

This section encompasses the next step in the research process that is the data processing and reporting results. The reporting results follow the format of the questionnaires administered. The relevance of these findings to the impact of illegal immigrants as mechanism for curbing the influx of immigrants in the Vaal Triangle region will be discussed at the relevant point in this section and brought together as a final recommendation in chapter five.

4.8.1 Section A: Demographic Information

A total of twenty employees of the Department of Home Affairs completed the questionnaire. The responses are analyzed and interpreted to obtain significant information contributing to the study.

The demographic information reveals that 55% female and 45% male participated in the research process. The age of respondents vary from 20 to 69 years. Most of the respondents participated were under the age of 20-29 years (25%) and 30-39 years (25%), followed by 40-49 years (20%) and 60-69 years (20%). The least respondents (10%) participated were under the age of

50-59 years. In terms of race group, most respondents were Blacks (30%), followed by Whites (25%), Coloured (25%), and Indians (20%). In terms of language, most of the respondents were Afrikaans speaking (35%), followed by English (30%), IsiZulu speaking (10%), followed by Xhosa (5%), and N.Sotho (5%), S. Sotho (5%), Tswana (5%) and Tshivenda (5%). Respondents (5%) have qualification Under Grade 12, followed by 10% respondents who hold a Grade 12 Certificate, 22% respondents got a Diploma. A majority of respondents (25%) completed a Degree. 20% respondents received the Honours Degree. 15% respondents qualified with a Masters Degree and only 3% had a Doctorate Degree.

Most respondents are working as Office Managers (30%), 20% respondents are Permitting Officers. 25% respondents are Administrative Finance Officers. 15% respondents are Regional Managers, and (10%) respondents are working at Regional Transport Officer Registry. Respondents (50%) were Operational Managers, 25% respondents were Supervisors, and 25% respondents were Administrative Managers. Majority of the appointed respondents were permanent (75%) and 25% respondents were working on a temporary basis. Most of the respondents (35%) had 5 years of working experience, followed by respondents (30%) who had worked for 10 years. 15% respondents worked for 11 years, 15% had worked for 16 years and 20% had 21 and more years of service in the immigration department. Most of the respondents had service tenure of 6-10 years.

4.8.2 Section B: Illegal Immigration

The following responses were analyzed:

4.8.2.1 How do you apply the vision of your department?

All respondents (100%) responded positive to the question stating that they work according to directives *per se*. The Department of Home Affairs is obliged to execute the relevant legislative mandates and respondents work accordingly to fulfil the vision of the Department.

4.8.2.2 Do you understand the meaning of the term ‘migration’?

Respondents (80%) stated that they ‘do understand’ and 20% respondents indicated that they ‘do not understand’ the meaning of the term ‘migration’. The reason is that the personnel are not trained regarding the procedures and processes hence do not understand the meaning of the term on absolute basis. The legislative document furthermore is complicated enough for respondents to understand and gain appropriate insight regarding the related term.

4.8.2.3 Do you understand the meaning of the term ‘immigration’?

Respondents (90%) indicated that they ‘do understand’ the meaning of term ‘immigration’. 10% respondents stated that they ‘do not understand’ the meaning and further indicated that that they cannot differentiate between the terms ‘immigration’ and ‘migration’. This unawareness may leads to insignificant utilization of the monitoring tools in order to control the influx of immigration in the Vaal Triangle region.

4.8.2.4 Does the Departmental mission deals with the issue of immigration?

75% respondents answered positive to the question stating that the Departmental mission is related to the control of the coming-in and going-out of the immigrants at the border post(s). The remaining 25% answered that they are not aware whether the Departmental mission incorporates control measures. The reason stated as no workshops were organized by the Department in order to develop understanding regarding the monitoring tools to control the illegal immigration.

4.8.2.5 What is the most category of immigration recognized in South Africa?

80% officials declared that, in South Africa there is an existence of 'documented immigration category'. The Department of Home Affairs has a policy on documented immigrants that is issued to all the offices of Home Affairs. The Department is furthermore directed by the code of conduct that is available for all the officials. 20% officials declared that there exists an 'undocumented immigration category'. These respondents stated that they have never seen any such policy or a document emphasizing the code of conduct. The Department needs to organize orientation workshops to aware the personnel regarding the policy on documented immigrants in order to implement the monitoring tools to control the influx of illegal immigrants efficiently.

4.8.2.6 What is the procedure to deal with the refugees under ‘undocumented immigration category’?

20% officials responded that they are not allowed to acquire the relevant information on ‘undocumented immigration’. Furthermore there are no clear regulations regarding such document. Therefore they are not sure whether they are working according to the work needs since there is no clear indication what is expected from them to deal with such situation. On the other hand, 80% officials responded positively to the question stating that they were given the opportunity to acquire documents through refugee offices. These respondents are therefore aware of the directions dealing with such undocumented immigration. The Department needs to provide relevant information to the personnel to implement effective measures dealing with the refugees under ‘undocumented immigration category’.

4.8.2.7 In your opinion, what are the possible causes of immigration in South Africa?

Respondents (90%) considered that economic crisis and political uncertainty are the main causes of immigration while the remaining 10% respondents are not sure/ did not state the causes that lead to the influx of immigrants in South Africa (especially Vaal Triangle). Respondents indicated that the appropriate Acts dealing with such scenario and the adequate policies are unfamiliar to them (still) in this new dispensation. The Department of Home Affairs do not organize appropriate training programmes or workshops in order to empower the personnel to deal with the issue of immigration in this new dispensation.

4.8.2.8 In your opinion, is government policy for regulating illegal immigration in South Africa effectively implemented?

Respondents (100%) agreed to the question by stating “yes”. Respondents indicated that South Africa has the best policies like Immigration Act 13 of 2002 and Immigration Act 19 of 2004 to regulate illegal immigration in the country. Considering the appropriate policy and legislative guidelines from the South African Government, the Department of Home Affairs can be able to deal with illegal immigration in collaboration with the South African Police Service and South African Defence Force.

4.8.2.9 In your opinion, is the Regional Department of Home Affairs effectively managing the influx of illegal immigrants in South Africa?

Respondents at the Johannesburg Office responded as “Yes” (100%) to the question. The respondents indicated that the Office policies regarding illegal immigrants are governed by Government legislations, therefore the relevant personnel are able to manage the influx of illegal immigrants effectively according to the guidelines *per se*.

Respondents at the Pretoria Office responded as “Yes” (90%) stating the same reason as rationalized by the Johannesburg Office. Respondents (10%) stated “No” to the question. The reason was that the Pretoria Office had deported the illegal immigrants and the personnel were not willing to explore the records and furthermore wanted to avoid confronting to this nature of questions.

Respondents at the Vereeniging Office stated “Yes” to the question (80%) indicating the similar rationale as stated by Johannesburg and Pretoria Offices. Respondents (20%) stated “No” as they are unaware regarding the number of illegal immigrants, hence wanted to avoid answering to such nature of concerns. Due to the fact that there is no routine check-up on the existence of illegal immigrants on the border gates, the immigrants may hide in informal settlements. The respondents tried to avoid the issues regarding lack of controlling and monitoring mechanisms that may allow illegal immigrants to enter South Africa with ease.

The Department of Home Affairs moreover established the Immigration Sections in all the offices as a link of direct support and guidance from the National to the Regional Offices.

4.8.2.10 In your opinion, are additional improvements required to control the illegal immigration in South Africa?

95% respondent stated as “Yes” exploring that there are adequate Acts and policies in place to deal with the concern. If these Acts and policies are implemented effectively, then there will definitely be more improvements recorded in relation to the control of illegal immigration. The remaining 5% respondents said “No” rationalizing that if the government does not made a routine or follow-up check on the border gates, the system will fail to control the illegal immigration. The Department of Home Affairs need to provide continuous monitoring at the border gates and work in collaboration with South African Police Service and the Defence Force to control the influx of illegal immigrants.

4.9 CONCLUSION

In this chapter, a detailed explanation was given regarding the aims and objectives of the empirical research methodology used for the compilation of the data instruments and the data collection process. The chapter further provides the analysis and interpretation of data collected during the empirical research. The purpose of this chapter was to explore the impact of management in the Department of Home Affairs on managing and controlling the influx of illegal immigrants in the Department of Home Affairs in the Vaal region.

The next chapter provides the summary and main findings. The chapter will leave the scope for further research with significant recommendations to improve the challenge of illegal immigration.

CHAPTER FIVE

FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

In this concluding chapter there is an outline of the extent to which objectives for the study have been realised. Through the data received and processed the carefully selected questionnaire completed by 20 respondents, it can thus be stated that the aim has been realised. Finally, the study ends with a set of recommendations for the impact and management of illegal immigration in the Vaal Triangle region.

5.2 SUMMARY

Chapter one dealt with orientation and problem statement regarding illegal immigration in South Africa emphasizing the impact in the Vaal Triangle region. The Department of Home Affairs (Vaal Triangle) is faced with a challenge of managing the high number of illegal immigrants in the region. The high number of illegal immigrants currently in the region indicates that the Department of Home Affairs is unable to deal effectively with the processing and deportation of illegal immigrants. The Government has to institutionalise the procedures and mechanisms to process deportation of illegal immigrants. The procedures and mechanisms have been decentralised to the regional offices of the department of Home Affairs, so as to control and process the influx of illegal immigrants in the region. The officials experience

a variety of problems that result into ineffectiveness and it also hinders their performance. The task of the Department is to come up with a strategy to control the influx of illegal immigrants in the region.

Chapter two provided a theoretical overview of illegal immigration. The phenomena of illegal immigration including its definition, causes and impacts were discussed wherein it was discovered that the influx of migrants could sour regional relations. A comprehensive organisational baseline for the Department of Home Affairs has to be developed.

Chapter three examined the governmental guidelines for managing illegal immigrants into South Africa since it negatively affects South Africa in regard to employment opportunities for South Africans, health over burdened etc. The South African government had to adopt strategic perspectives which combine the control of illegal immigrants. A draft co-policy legislative conceptual framework is imperative to be developed.

Chapter four focused on the empirical study on the impact of illegal immigrants in the Vaal Triangle region. The study was designed with regard to the research problem, research approach, research methods and the interview. Data regarding the ineffectiveness management of illegal immigrants was obtained from the officials of the Department of Home Affairs in different clusters through structured interviews.

5.3 FINDINGS

Through empirical research the following findings were identified:

- All the respondents had a clear understanding regarding the vision of the Department. It is an indication that employees are informed regarding their responsibilities dealing with the issues of illegal immigration (Fig 4.11).
- 80% respondents understand while 20% don't understand the meaning of migration. It is an indication that there is a lack of awareness regarding the concepts immigration and migration due to lack of training opportunities in the Department (Fig 4.12).
- 90% of respondents understand and 10% respondents do not understand the meaning of term immigration. It is an indication that respondents are unaware of the monitoring tools of controlling the influx of immigration (Fig 4.13).
- Only 75% respondents understand the mission related to the control of the coming-in and going-out of the immigrants to the border post. It is an indication that there are employees who are not aware of the immigration issues due to lack of workshops organized by the Department (Fig 4.14)
- 80% officials believe that there exists a 'documented immigration category' and 20% officials declared that there exists an 'undocumented immigration category'. It is an indication that there is no communication regarding the types of immigration policy as not

every employee is aware regarding existence of such policy document in the Department (Fig 4.15).

- 80% officials were given the opportunity to acquire documents through refugee offices. It shows that not all the employees are therefore aware of the directions dealing with undocumented immigration (Fig 4.16).
- 90% respondents are aware regarding the causes of illegal immigration. It is an indication that due to lack of training programmes in the Department, not every employee is aware regarding the causes of illegal immigration (Fig 4.17).
- Respondents (100%) indicated that South Africa has the best policies like Immigration Act 13 of 2002 and Immigration Act 19 of 2004 to regulate immigration. It is an indication that the Department of Home Affairs can be able to deal with immigration in collaboration with the South African Police Service and South African Defence Force (Fig 4.18).
- Respondents from Johannesburg, Pretoria and Vereeniging Offices had a mix opinion regarding the effectiveness of regional Department of Home Affairs in terms of managing the influx of illegal immigrants. It is an indication that there is a lack of controlling and monitoring mechanisms and immigrants are therefore able to cross the border gates with ease (Fig 4.19).
- 100% respondents believed that the Department of Home Affairs has a good infrastructure in the country. It is an indication that the

Department has established the Immigration Sections in all the offices as a link of direct support and guidance from the national to the regional offices (Fig 4.20).

- 95% respondent believed that there are adequate Acts and policies in place to deal with the concern. It is an indication that the effective implementation of these policies may lead to more improvements in relation to the control of illegal immigration (Fig 4.21).

From what has been explained in chapter two, three, four and above; it can be concluded that the ineffective management of illegal immigrants in the Vaal Triangle region can be regarded as the cause to the influx of illegal immigrants in the region. The weaknesses of the procedures and processes, which were not initiated by the Department of Home Affairs, also contributed to the problem of illegal immigration. The government transformation further contributed to the problem where relatively inexperienced officials were employed without necessary expertise required by the Department.

5.4 REALIZATION OF THE OBJECTIVES OF THE STUDY

The first objective was to give a theoretical exposition of the concept and causes of illegal immigration. Chapter two supported the fact that migration enhances the influx of illegal immigrants in the country which has a bad living standard in this dispensation. Furthermore, the chapter focused on the critical issues and challenges on management into the Vaal Triangle region as a focus area of research. The emphasis was on the vision, mission and value statement of the Department of Home Affairs, goals, statistics on illegal immigration in

Gauteng area, organogram of the provincial branch, problem faced by the Department of Home Affairs in the Vaal Triangle challenge. The chapter further supported the fact that there is a need for strategic planning for the Department of Home Affairs in the Vaal Triangle area.

The second objective was to describe the South African Government's policy and legislative guidelines for managing illegal immigration. Chapter three supported the objective stating that coping with illegal immigration in a rapidly globalising environment is one of the issues facing South African government, yet the complexity of migration makes it difficult for planners to understand its causes and plan for its consequences. Government clarifies issues pertaining to illegal immigration by having a fundamental aspect of state sovereignty to decide who enters and remains in South Africa. The constitution and laws require that all the people who are in charge must protect the integrity of the borders in South Africa. Again it has delegated the Department of Home Affairs to be in charged with the responsibility of implementing immigration law and policy, and of preventing illegal immigration.

The third objective was to provide an overview of the challenges and impact of illegal immigration into the Vaal Triangle. In Chapter four, a detailed explanation was given of the aims and objectives of the empirical research methodology used for the compilation of the data instruments and the data collection process; and provide the analysis and interpretation of data collected during the empirical research. The findings of the empirical study analyse the impact on illegal immigration and to devise the systematic ways and methods of how to reduce the influx of illegal immigrants in the Vaal Triangle.

5.5 TESTING THE HYPOTHESIS

The study was aimed at testing the central statement stipulated in chapter one:

The Department of Home Affairs in the Vaal Triangle is currently unable to manage, regulate and facilitate the influx of illegal immigrants into the region, due to absence of an effective management framework on governmental level.

The findings from the literature review and the empirical research support the central statement. Findings indicate that the Department of Home Affairs has not managed on continuous by not aligning individual aspirations with Departmental objectives, the Department is unable to identify and recognise staff rendering services so as to use the possible weaknesses in the department like: lack of personnel; lack of funding; complicated legislation; inappropriate infrastructure; inadequate expertise; and lack of central planning. For that matter, stakeholders need to engage all procedures and processes that will lead to reduced influx of illegal immigrants.

5.6 RECOMMENDATIONS

The following recommendations are offered to improve the challenges regarding illegal immigration:

- The government should control border post effectively whereby the Department of Home Affairs can be assisted by the South African Police Force and the South African Defence Force.

- Government must strategize more financial assistance on improved resources such as computerised record keeping, training of the police and other officials, and improve on communicating policy.
- Government must create jobs for the citizens of host states, thereby stemming illegal migration to South Africa; and transfer skills and technology to farmers of host states.
- The government must confront the circular argument against legalising the states of foreign workers even though, because they are illegal, they are undercutting South Africans, and therefore they must remain illegal.
- Government policies must be formulated and implemented on a far stronger commitment to deal with the illegal immigration in South Africa with strategic vision.

5.7 SUGGESTION FOR FURTHER RESEARCH

It is recommended to further explore the possibility of a comparative analysis with other developing countries in order to understand the internationally accepted procedures to control the flux of illegal immigrants. The comparative study may assist individual countries to implement the best possible prevention measures based on the social, economic and political environment of their countries.

5.8 CONCLUSION

The research explored the causes and impact of illegal immigration in the Vaal Triangle region. The research provides significant recommendations that may be relevant to control the attack of illegal immigration in the future. The research may leads to further research exploring various dimensions of illegal immigration on a comparative basis. The research concludes with a notion that the Department of Home Affairs need to design a migration policy consistent with a more open trading economy and support maximum economic growth and job creation.

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APPENDIXES

Application for Research

Research Questionnaire

96 Blackwood Street
Three Rivers Extension 2
1929
21 August 2007

The Department of Home Affairs
Regional Immigration Services
Waltoo
Pretoria
0001

Dear Sir/Madam

Re Research process within the Regional Immigration Services.

Presently I am a student at the North-West University(Vaal Triangle Campus) and in my final year (Masters in Development and Management). I however, need to do research in the regional branches of Immigration Services with regards to the topic as set in my research proposal which is included in this package.

I am of the opinion that the Department Of Home Affairs would benefit from the research to be done, seeing that the topic is quite controversial and has a detrimental influence on all stakeholders within the immigration system at the control centre..

I, therefore request for permission to do research within the department. I have included all necessary documentation and information where and when the research will be concluded.

Yours sincerely

S.D Twala
12378240

DEMOGRAPHICS

(For questions 1 -10, indicate your choice with a cross in the relevant block)

1. Gender

Male
Female

2. Age

20-29	
30-39	
40-49	
50-59	
60-69	

3. Marital status

Married	
Divorced	
Widowed	
Single	
Living together	
Separated	

4. Race group

Indian/Asian	
Black	
Coloured	
White	

5. Home Language

Afrikaans	
English	
IsiXhosa	
IsiZulu	
Afrikaans	
English	
IsiXhosa	
IsiZulu	
Ndebele	
Northern Sotho	
Southern Sotho	
Tshivenda	
Tswana	
Xitsonga	
IsiSwati	
Other(Specify)	

IsiZulu	
Ndebele	
Northern Sotho	
Southern Sotho	
Tshivenda	
Tswana	
Xitsonga	
SiSwati	
Other(Specify)	

6. Qualifications

Under Grade 12	
Grade 12	
Diploma	
Degree	
Honours Degree	
Masters Degree	
Doctorate Degree	

7. Cluster in immigration services

Regional manager	
Office manager	
Permitting officer	
Law enforcement officer	
Administrative finance officer	
Regional, transport registry officer	

8. Position/grade

Operational manger	
Supervisor	
Administrative	

9. Type of appointment

Permanent	
Temporary	

10. Experience (now)

1-5	
6-10	
11-15	
16-20	
21-more	

B. Illegal immigration

1. **How do you apply the vision of your department?**

2. **Do you understand the meaning of the term ‘migration’?**

Yes...../No.....

3. **Do you understand the meaning of the term ‘immigration’?**

Yes...../No.....

4. **Does the Departmental mission deals with the issue of immigration?**

Yes...../No.....

State the reason:

5. What is the most category of immigration recognized in South Africa?

6. What is the procedure to deal with the refugees under 'undocumented immigration category'?

7. In your opinion, what are the possible causes of immigration in South Africa?

8. In your opinion, is government policy for regulating illegal immigration in South Africa effectively implemented?

Yes...../No.....

9. In your opinion, is the Regional Department of Home Affairs effectively managing the influx of illegal immigrants in South Africa?

9.1 Johannesburg Yes/No

9.2 Vaal Triangle Yes /No

9.3 Pretoria Yes/No

State the reason:

10. In your opinion, are additional improvements required to control the illegal immigration in South Africa?

Yes..... /No.....

State the reason:
