The London School of Economics and Political Science

Negotiating Belonging: the Integration of Mozambican Refugees in South Africa

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> **Introduction: 16984 + 691**
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> **Histories of Integration: 8247 +282**
> **Changing Legal Frameworks: 10862**
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Abstract

This study is about refugee integration: how refugees become citizens, and more generally how outsiders become insiders. More specifically, it is about an appropriate conceptual framework for studying and understanding refugee integration processes. I propose that refugee integration be understood as local politics, and that, therefore, refugees and hosts negotiate their relationships with each other based on their respective interests and using a series of material and symbolic exchanges. While this conceptual approach to integration seems self-evident, this empirical, process-oriented, and spatially and temporally specific approach radically departs from the predominant normative assumptions in the policy and academic literature. The thesis sets out and develops how this simple framework, consistently applied, carries analytical correlates which stand in marked contrast to most analyses of refugee integration processes.

My argument is supported empirically with a detailed case study of villages in a rural border area of South Africa where many (former) Mozambican refugees are settled since the 1980s. I spent four years (2002-2006) living and conducting field work in this area. The thesis by published (and publishable) works includes five articles covering different aspects of refugee integration as political negotiation. These include:

1) analysing the conceptual dangers and empirical fallacies of approaches to local integration which frame it as a 'solution' within the international refugee assistance and protection regime;

2) illustrating how common conceptual and methodological approaches to studying refugees tend to hide the presence of integrated refugees;

3) applying the political negotiation approach across time periods by comparing the integration processes of two 'waves' of Mozambicans fleeing conflict into South Africa in the mid-1800s and the 1980s;

4) showing how integration processes, including those related to legal status, often function according to very different logics than intended by national or international legal frameworks and policies targeting refugees; and

5) looking at processes of negotiated integration at the level of the village and how they are spatialised.

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Foreword and Acknowledgements

I started working in Bushbuckridge District, South Africa in March 2002 as the Programme Coordinator of the Refugee Research Programme (RRP) of the University of the Witwatersrand (Wits) and became its Acting Director from 2003 and its Director from 2004-2006. After starting this PhD in September 2003 and spending three months in London, I returned to Bushbuckridge and lived, worked and researched there full time for the next three years, spending a total of four years in the area. In 2006, the RRP merged with the Forced Migration Studies Programme (FMSP) at the Wits main campus and I moved to Johannesburg as a Senior Researcher and Coordinator of the Citizenship and Boundaries research initiative, where I continued to work on migration issues but in different parts of South Africa and the region, and where I continued to publish from my Bushbuckridge research. Since 2010, the FMSP has become the African Centre for Migration & Society (ACMS), still within the University of the Witwatersrand, where I remain a Senior Researcher and lecturer.

Before being integrated into the FMSP, the RRP was a semi-independent research unit of the University of the Witwatersrand. The RRP was established in the small town of Acornhoek in 1992 with the aim of documenting the situation of Mozambican refugees in the area in a time of great uncertainty. The civil war in Mozambique had just ended, but without a clear sense of the nature of the resulting peace; South Africa's *Apartheid* regime was crumbling, but the negotiations towards a majority-rule dispensation were far from concluded and violence was a constant possibility. In this time of regional upheaval, Mozambican refugees in the eastern border areas of South Africa were caught between nations fundamentally reconfiguring themselves. From 1992, the Refugee Research Project was the only institution consistently occupying itself with their concerns. The RRP's approach combined research (being part of a University) with NGO-style work, including direct service provision (such as monitoring of the 1999 Exemption for

Introduction: Negotiating Belonging

I had the feeling that I belonged
I had the feeling I could be someone,
> *could be someone,*
>> *could be someone*

Tracy Chapman, *Fast Car,* <u>Tracy Chapman</u>

You know what, that name [Mozambican] it doesn't make them feel comfortable. Ja, it is the same as if someone is saying you are a foreigner.

Willis Ngobeni, Chair of the Community Development Forum, Clare Village, Bushbuckridge [1]

1. Prelude

Nelson Ubisi is a successful pastor and a prophet. His congregation now has twelve churches in Bushbuckridge district. He is also the Chairman of the Community Development Forum in Thangine village, the elected leader of the community. His church and his large, grey, brick and plaster house with a tin roof – with space for the twenty-two children he is looking after, some his own from a series of partners during his earlier life as a migrant worker in Johannesburg and some his deceased brother's – are located at the bottom of the hill in the part of the village closest to the meagre maize fields and the sloping football pitch. It is the part of the village where most of the Mozambican households have their stands. Nelson's Mozambican father and his South African mother were both traditional healers and Nelson broke with them when he became a Christian. This was when Nelson returned to his birthplace in South Africa as a young man after spending several years growing up with his father's family in Mozambique. According to Nelson's identity document he is a citizen of South Africa, but the name on the ID is not the name he usually uses – it is his maternal uncle's surname, since he could not get an ID in his father's name. He returned to South Africa in order to find work in the 1970s, before the civil war deepened in southern Mozambique, and ended up

[1] Interviewed 6 April 2004

hosting many members of his father's family when they fled into South Africa in 1985.

His young wife Eunice was among the refugees who arrived in Bushbuckridge District in the 1980s. Now, in spite of her youth, she is recognised as a respected matron of the church and the community and she cares for all of Nelson's children, including three to which she gave birth. She was born in Mozambique and grew up there, but her paternal grandparents and her father lived in Sophiatown, Johannesburg, the iconic centre of urban black culture in *Apartheid* South Africa. In 1955, when Sophiatown was famously razed to the ground, Eunice's grandparents were forcibly removed to the newly built township of Meadowlands along with all their neighbours: an experience which became part of (black) South Africa's and the global anti-*Apartheid* movement's collective consciousness, reflected through the song 'Meadowlands' performed by Miriam Makeba and others.

Eunice's father and his siblings were born in Sophiatown, and her grandfather and 'big father' (older paternal uncle) are still living in Meadowlands today. Eunice's father went back to Mozambique to find a wife. When Eunice and her parents came to South Africa and Thangine village during the Mozambican civil war she experienced it as humiliating to be reduced to absolute poverty and to be called derogatory names like 'mapoti' (short for Portuguese) by other school children. But she did well in school, got a South African ID (although also not with her actual surname), and is now planning to take computer classes and continue her education, perhaps as a social worker. She regularly takes in abandoned children, putting them through school along with all the other children in the household. In terms of the couple's plans for the future, Nelson says he would like to live in Mozambique, if he could find someone to buy his house in Thangine since he invested so much in it, or perhaps he could have houses in both Thangine and Mozambique. Eunice is not so excited about the idea of moving to Mozambique, but she would like to find her grandparent's graves in Mozambique and erect a tombstone to honour them. In 2006 she had not been back to Mozambique since fleeing the war in 1985.

Just a few houses up the dirt road lives twenty-four-year-old Noel Machele. He always wears nice clothes and recently bought a second-hand BMW. He was introduced to me in 2003 as a potential research assistant because his English is good. When we first met, and after I had told him I was studying the relationship between South Africans and Mozambicans in the village, he tells me that his parents – a teacher and a bank employee, making them one of the most well-to-do families in the village – were both born in South Africa and that he would normally also say he was born in Tzaneen, a South African town c. 200 km north of Thangine. That is what people in the village and even his siblings think and what his ID says. But his grandmother recently told him, he explains, that he was actually born in Mozambique during the war, when his father took his mother to visit distant relatives and they got stuck there because of the fighting. Noel says he feels a strong emotional connection to Mozambique and would like to visit.

Two years later, after working with Noel on and off for some time, other people in the village tell me that Noel is not related to the teacher in whose large brick house he lives in the middle of the village, but is actually the son of a poor refugee family whose thatched round mud hut is at the bottom of the hill. The families share a surname, but are not otherwise related, although the teacher's mother knew Noel's paternal uncle when he had worked in South Africa before the war. Noel went to live with the teacher's family for several years as a small child when they first arrived in the village and they helped him through school. In 2000, he moved from his parents' small hut back into the teacher's house when he grew too old to share a room with his grandmother and younger siblings. Eunice knows both families well and thinks that Noel should move back to his aging parents' place, now that the South African government has built them a small brick house. Noel's war-crippled father received permanent residence documents when these were granted to former Mozambican refugees in 1999 and has been receiving a government disability grant which supports the family, but in Eunice's opinion Noel should be using his salary to help his birth family, rather than his adopted family who already have enough money.

When I ask Noel about 'the other Machele family' in the village, he apologises for 'lying' to me but says that he hates it when people mention his Mozambican ancestry. He says he gets on well with the other Mozambicans in the village and recognises them as 'his people' but that he would beat up anyone in the village who calls him a Mozambican to his face (even though he acknowledges that most of the people in the village know his family story). He tells me that he once got a colleague at the wholesalers where he works fired for calling him a 'mapoti.' Just after the 2004 elections in Mozambique, I visited Noel at the teacher's house. Noel introduced me to an old school friend of his, but made it clear that I should not mention his Mozambican connection in front of his friend. Later that day I said that Mozambican citizens living in South Africa had been granted the right to vote in the Mozambican elections. This interested Noel greatly. When his friend went outside briefly, he said "Here they call me Mozambican and when I go there they call me South African and tell me that I don't belong."

Such stories are not unusual in Bushbuckridge District, South Africa. They are stories of the complexity of belonging and integration and they illustrate many of the questions which pertain to social relations anywhere. On what basis are you respected by your neighbours: as a pastor, a faith healer, a patriarch, a Mozambican, an effective elected administrator? A mother, a good Samaritan, a refugee, a grandchild of Sophiatown and Meadowlands? An educated and employed young man, someone who supports his family, a South African? What does the state know about you and what do your documents mean: your name, your place of birth, your ancestry, your right to government housing and social welfare grants? What is important to you: what people know or what they say or do, your pride or your shame, your family history or your children's futures? To which collective do you feel you belong, and on what basis do people in that collective accept that you belong?

2. Introducing Essays on Negotiating Belonging

This study is about refugee integration: how refugees become citizens (both vertically in relation to the state and horizontally in relation to other residents (Neveu 2000)), and more generally how outsiders become insiders and are perceived and feel themselves to be so. More specifically, it is about an appropriate conceptual framework (and therefore methodological strategies) for studying and understanding refugee integration processes.

The simple framework I propose is that refugee integration is part of local politics, and that, as part of local politics (who gets what, when and how (Lasswell 1958)), refugees and hosts negotiate their relationships with each other based on their respective interests and using a series of material and symbolic exchanges. "I define local integration as a process of negotiating access to local legitimacy and entitlement on the basis of a variety of value systems determined by local power holders in dialogue with refugees." (Polzer 2009:93). As with any political process, the strategies used and the outcomes achieved are highly contextual and bound to the interest and resource constellations of a particular time and place. This means, I argue, that a conceptual approach to integration should be process-oriented, tied to specific spatial and temporal reference points, and empirical. This approach is part of a broader perspective which "understands conflict and forced migration [and their consequences] as products of and continuous with 'normal' social relations in the sense that they are generated by social and political relations that are amenable to understanding and analysis."(Kaiser 2008:377) (see also Davis 1992; Benoist and Voutira 1994; Richards 2004) While this may seem so self-evident as to be hardly worth mentioning – much less structuring a PhD around – this simple framework, consistently applied, carries analytical correlates which stand in marked contrast to most analyses of refugee integration processes.

Some of these counter-assumptions include that:

1. local integration is a form of local politics rather than an institutionalizable intervention for an exceptional category of people (e.g. refugees);

2. local integration is negotiated by refugees, and these negotiations are based on a range of legitimacy claims and forms of exchange rather than primarily based on "refugee rights"-related claims;

3. local integration is enabled by hosts for a variety of reasons rather than mainly for reasons related to the idea of "refugee protection";

4. local integration needs to be understood as an ongoing and shifting process rather than a linear process or a final state of being;

5. today's processes of refugee integration should be analysed using a framework that allows for comparisons and links across historical periods, rather than taking the current international legal and institutional refugee protection regime for granted as a primary influence on integration processes and outcomes;

6. refugee integration processes can only be understood by abandoning rather than reifying the category of 'refugee' as an *a priori* conceptual and methodological construct; and

7. local integration, fundamentally, is an empirical process. Normative claims about the desirability of different forms of society (communitarian, cosmopolitan, etc.) may be endogenous to the political negotiations of the process but should not be taken as an analytical starting point for describing and understanding the process.

I will return to these counter-assumptions in my review of the literature in this introduction and in the articles which make up this thesis. I establish and support my argument empirically with a detailed case study of villages in a rural border area of South Africa where many (former) Mozambican refugees are settled since the 1980s. I spent four years (2002-2006) living and conducting field work in this area. The general argument, however, extends to situations of refugee integration in developing countries, specifically in Africa, and indeed is applicable to thinking about refugee integration generally, no matter the context.

This Introduction frames five articles, of which three are published in and two have been submitted to peer-reviewed journals. [2] The articles are:

- "Negotiating Rights: The Politics of Local Integration" (2009, *Refuge*, 26(2), 91-105) – hereafter referred to as *Negotiating Rights*.

- "Invisible Integration: How Bureaucratic, Academic and Social Categories Obscure Integrated Refugees" (2008, *Journal of Refugee Studies*, 21(4), 476-497) – hereafter referred to as *Invisible Integration.*

- "Histories of Integration; The local politics of Mozambican Refugees in South Africa, 1830-2006" (submitted to *Journal of Refugee Studies*) – hereafter referred to as *Histories.*

- "Adapting to Changing Legal Frameworks: Mozambican Refugees in South Africa - an Historical Overview." (2007, *International Journal of Refugee Law* 19(1), 22-50) – hereafter referred to as *Changing Legal Frameworks.*

- "Together Apart: Migration, Integration and the Social Meanings of Space in South African Border Villages" (accepted for publication in *Geoforum* in 2012*)* – hereafter referred to as *Space.*

Each article presents refugee integration as political negotiation from a different angle. *Negotiating Rights* and *Invisible Integration* lay the broad conceptual ground work by engaging with dominant practitioner tropes and common problems of categorisation and method respectively, while *Histories, Changing Legal Frameworks* and *Space* delve deeper into my case study material.

Negotiating Rights outlines the conceptual dangers and empirical fallacies of approaches to local integration which frame it as a 'solution' within the international refugee assistance and protection regime, including by campaigners and academics who see integration as normatively preferable to refugee

[2] The articles making up the body of the thesis were written at different times: *Law* was first presented at the Workshop on Law and Society: 'Constituting Democracy' at the University of the Witwatersrand in September 2004. The first drafts of *Negotiating Rights* and *Histories* were prepared for presentation at the International Association for the Study of Forced Migration (IASFM) conference in January 2005 and were respectively revised substantially in 2009 and 2011. *Invisible Integration* was prepared as part of a panel on Invisibility which I organised for the 2006 IASFM conference. *Space* was first drafted in 2009 and revised in 2010.

encampment. The paper then sets out the reasons for and implications of thinking of integration as a process of local political negotiation. *Invisible Integration* takes this argument further by illustrating how common conceptual and methodological approaches to studying refugees tend to hide rather than reveal the presence of integrated refugees, thereby making it difficult to study dynamic integration processes. *Histories* applies the political negotiation approach across time periods with very different political and policy contexts, comparing and linking the integration processes of two 'waves' of Mozambicans fleeing conflict into the South African lowveld in the mid-1800s and the 1980s. *Changing Legal Frameworks* looks in greater detail at the 1980s refugees and illustrates how actual integration processes, including those related to legal status, often function according to very different logics than intended by national or international legal frameworks and policies targeting refugees. Finally, *Space* looks at processes of negotiated integration at the level of the village and how they are spatialised.

Seeing interactions between refugees and others as one example (among many) of local political interaction and negotiation, without *a priori* specificity for refugees over other groups of people, also means that a case study of refugee integration can contribute to broader debates in the social sciences. In this I follow Bakewell's injunction that academics should apply "broader social scientific theories of social [and political] transformation" to the study of refugees (Bakewell 2008:432), and conversely that studies of refugees can speak back to these theories. Some of the debates I engage with in this set of articles and in the conclusion chapter are:

(1) how fields of social-scientific study with direct policy and intervention relevance, such as refugee studies or development studies more broadly, can and should engage with conceptual categories and relationships (see next section, as well as *Negotiating Rights* and *Invisible Integration);*

(2) how marginal, rural populations engage with different expressions and iterations of the state and non-state forms of power (see *Changing Legal Frameworks* and *Histories*); and

(3) how group identity formation is negotiated over time as a shifting, relational process (see *Histories* and *Space*).

I start by outlining the relevance of refugee integration as an object of study, including a discussion of the relationship between academic and policy fields. This includes notes on my use of some key terms, notably 'refugee'. Then I summarise dominant approaches to refugee integration in the literature, noting where my approach links or differs. This is followed by an introduction to my case study, and finally a discussion of some methodological issues.

3. Policy and Academia: Conceptual Blinkers & Labels

The dependence of the 'refugee studies' field on policy categories and concepts has been extensively critiqued (Scalettaris 2007; Bakewell 2008), but remains a central feature of the field. Any researcher writing in relation to this field, and indeed anyone writing about people who could be categorised as 'refugees', therefore needs to engage actively with the question of how her own categories and terms are constructed. After some notes on the effect of policy categories in general, I reflect on uses of the category 'refugee', followed by my use of other labels such as 'Mozambican' and 'South African.'

I follow Bakewell in emphasising the danger of allowing "the search for policy relevance [to encourage] researchers to take the categories, concepts and priorities of policy makers and practitioners as their initial frame of reference" (Bakewell 2008:432). Key characteristics of the concept 'refugee' as a policy category include that it privileges the experience and (legal) position of being a forced migrant as the primary explanatory factor for what 'refugees' do, and that it suggests a clear distinction between and homogeneity within 'refugees' and 'hosts' (ibid). If the aim is to understand empirical social processes, however, "empirical research shows that the refugee label does not define a sociologically relevant group." (Scalettaris 2007:36) Policy categories make large numbers of forced migrants, and specifically integrated forced migrants and integration processes, "invisible in both research

and policy" (Bakewell 2008:432) (see also *Invisible Integration* and (Polzer and Hammond 2008)). Compared to research on refugees in camps or in formal resettlement programmes, studies of self-settled refugees are rare (Jacobsen 2001; Kaiser 2006). Some exceptions in the African context are Hansen (1979; 1990), Malkki (1995), Van Damme (1999), Bakewell (2000), Andrews (2003), Hovil (2002; 2007), and Okello et al (2005).

A focus on policy categories also makes many aspects of refugee experiences invisible. As Kaiser puts it, "refugee groups have no choice but to assert themselves and respond to their new environments. Such a response is made not only in terms of their legal, material and subsistence statuses, but also in relation to their individual and collective subjectivities, identities and all aspects of their existential experience. In 'refugee studies', as well as in broader interdisciplinary studies of refugees, the analysis of the former has been largely privileged in comparison to the latter." I share her "conviction that both elements are crucial and should be understood in relation to each other" (Kaiser 2008:376) and that categories which obscure an understanding of the varieties of collective subjectivity are therefore problematic.

The reliance on policy categories, furthermore, contributes to the de-historicisation and false de-politicization and universalization of the refugee studies field (Malkki 1997). Policy frameworks which are artefacts of particular geo-temporal politics are reified as objective descriptors of actual social processes rather than being recognised as the normative and instrumental tools of control and power which they often are (Harrell-Bond 1986; Malkki 1995; Scalettaris 2007). Chimni goes so far as to link 'forced migration studies', through the categories it uses and imposes, with the "geopolitics of hegemonic states" and the historical (colonial) project of "'civilising' the Other". He therefore calls for "a greater degree of disciplinary reflexivity", not least through reflecting on the relationship between refugee studies and other 'disciplines.' (Chimni 2009:11)

I address the issue of categorisation in several of the articles which make up this thesis. *Invisible Integration* is entirely about the ways in which conceptual categories and categorisation processes impact on who and what we can and cannot 'see', whether these categories are constructed and applied by states, communities or academics. In *Negotiating Rights,* I further discuss how policy-focused approaches to integration obscure many elements of actual lives and experiences. *Histories* and *Changing Legal Frameworks* trace how policies, and the labels and categories that go with them, change dramatically over time, sometimes within quite short periods of time, and that people, including refugees and everyone else, often resist or ignore these categorisations.

Labels and social categories are unavoidable. As I note in *Invisible Integration*, "we cannot think or act socially without social groups, and institutions cannot function without them… [but] a key aspect of social scientific enquiry is a critical awareness of the constructedness of categories." (Polzer 2008:477) Rather than taking policy labels for granted, the shaping of labels should be an object of study in itself (Scalettaris 2007:36). Some authors, such as Hathaway (2003; 2007), value and reaffirm the power of the 'refugee' label and therefore research the proliferation of different labels for forced migrants in order to uphold the original label's (supposed) protective power. Others, such as Zetter, question whether labels such as 'refugee' are mostly protective or benign. Zetter has documented how labels are continually shaped and resisted through interactions between institutions and people at the global and local levels, thereby fundamentally shaping access to rights and material resources as well as identity formation (1988; 1991; 2007).

What are the implications of this discussion for the study of refugee integration generally, and my study of refugee integration in a rural borderland specifically? A simple short-hand for describing my case study might be 'a study of integration processes between Mozambican refugees and South African hosts in village communities in a South African border area.' However, the terms 'Mozambican' and 'South African', 'refugee' and 'host', and 'community' are already laden with implicit meanings which prefigure some of what I argue needs to be empirically

established rather than assumed. To what extent do people in these border villages use place of birth or nationality at birth as a means of grouping people? To what extent and in what contexts is it relevant today that a person or a group of people crossed an international border because they were fleeing civil war twenty years ago? As the stories in the Prelude suggest, the answers to these questions are not simple.

Colleagues who have written about the same communities of 'Mozambican refugees' in Bushbuckridge District have made different choices in the use of terminology. Golooba-Mutebi implies a continued 'lived' relevance of the 'refugee experience' by stating that: "whilst I am mindful of the need not to 'over-produce refugees conceptually, nor preserve them as dedicated refugees after they have, in effect moved on' (Loizos 1999:245), I also concur with the contention that one can continue to be a refugee 'even after one receives asylum in a new place among new people' (Daniel and Knudsen 1995:1). I have therefore opted to use the term refugee for these Mozambicans [including those who have acquired citizenship status since their arrival]." (Golooba-Mutebi 2004:footnote on page 2). He then analyses the social dynamics among the "refugees [who] are concentrated in their own settlement" and between them and South African village residents in relation to witchcraft beliefs, but without any particular engagement with *how* refugeeness (rather than, say, Mozambicanness) is a relevant group identifier.

Rodgers, whose thesis constitutes an earlier study of virtually the same communities and the reasons for their continued 'separate settlement', hardly uses the term refugee. When he does, it is only "to refer to Mozambicans living in refugee settlements in South Africa, to distinguish them from those living at home in Mozambique." (2002:viii) He continues: "As the focus of the thesis is on the changing dynamics of relationships, rather than on the characteristics of fixed categories, I have refrained from devoting much effort to refining the categorisation of Mozambicans in South Africa." (ibid). What is notable here is that he has naturalised notions of 'home' (and therefore 'exile') in his use of terminology, and has also internalised the assumption that a label such as 'refugee'

is necessarily a "fixed category" and not a part of the construction and negotiation of "changing dynamics of relationships."

I attempt to be clearer in my own use of the term 'refugee'. I use it as a short-hand for identifying persons who fled Mozambique into South Africa due to violent conflict. In this, they conform with the definition of a refugee according to the Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa of 1969 which states that "The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality." (OAU 1969) This usage serves the instrumental function of enabling a conversation with the field of 'refugee studies.' This is most obvious in the article *Histories* where I explicitly use the term in a seemingly anachronistic way – applying it to people who moved from the eastern seaboard of Southern Africa (now part of Mozambique) into the flatlands below the escarpment (now my case study region of South Africa) due to political conflicts in the 1830s-90s, e.g. well before the 'modern refugee regime' came into effect in the early 1900s. My purpose in using the term in this way is to "point out a comparison and continuity over time…[between people who] moved along almost exactly the same path [and for similar reasons] as their later compatriots", since I argue that 'refugee studies' generally does too little of this kind of temporal comparison. I use the 'refugee' term in similar ways, e.g. to describe persons based on a one-time experience of border crossing motivated by war, in *Changing Legal Frameworks* and *Negotiating Rights* without delving into the labelling process itself. "The goal is clearly not to reify or impose the 'refugee' label even as individuals integrate, but to be able, as academics, to trace individuals as they transition from the status of 'refugee' to other statuses, such as 'citizen' or 'local'." (Polzer 2008:477)

In none of the articles making up this thesis do I, however, take for granted that the 'refugee' label means anything to most or even any of the people with this specific

migration history (at any of the epochs discussed), nor do I assume that this label structures any significant interactions or rights in practice. The reason I do not focus on analysing the ways in which the label 'refugee' is used and understood locally is because I did not find it to be part of the dominant discourse in my case study villages (vis Zetter 1991; Feldman 2008 for cases where the label is highly relevant in everyday life). In *Changing Legal Frameworks,* I mention the relative lack of (intended) impacts of the brief period during which Mozambicans were granted formal refugee status in South Africa (from 1993-1996), including the lack of a strongly sedimented 'refugee' identity.

The terms 'Mozambican' and 'South African', however, are socially and politically important labels in the local context. Neither Golooba-Mutebi nor Rodgers problematise these categories sufficiently, in my view. Deciding on how to approach these categorisations is not easy, however. Even (or especially) researchers who work with a constructionist conception of group identities along the 'imagined communities' model (Barth 1969; Anderson 1991; Eriksen 1993; Gupta and Ferguson 1997; Cohen 2000), and who therefore focus on the ways in which group labels are actively created and maintained, may be tempted by the logic which "spontaneously organizes, or seeks to organize, collectivities in terms of 'imagined communities', and individuals according to their 'identities'." (Robins and Aksoy 2001: 687).

This is a temptation to which other researchers in the area and at times I myself have succumbed (Rodgers 2002; Golooba-Mutebi 2004; Polzer 2004). Both Bakewell's (2008) and Robins and Aksoy's response to a similar challenge is to resist an external allocation of 'identity' (for example, based on putatively objective criteria such as place of birth or place of parents' birth) by rather focusing on the real actions and perceptions of 'empirical people' (2001:688). I follow their lead in basing my analysis of integration on things experienced and constructed by 'empirical people' from both Mozambique and South Africa within the village context. Where group identification is claimed or allocated in the description of people or spaces – such as calling an area the 'Mozambican' neighborhood – this

labeling process is part of the social interaction to be studied, rather than an objective social reality to be taken at face value (see also discussion in *Space)*. I return to some of the practical challenges in implementing such an approach in my discussion of methodology (and sampling) at the end of this introduction.

4. Review of the Literature on Refugee Integration

If integration is to be understood as a two-way process, rather than a kind of medication that refugees take in order to 'fit in' [with a dominant and assumed to be homogeneous host society], then they should contribute to the processes in which integration is defined. (Korac 2003:53)

Why is it important to be able to describe *empirically* the integration process, e.g. the construction, negotiation and maintenance of belonging (Korac 2003)? Is there a particular need to do this today? There have always been insiders and outsiders throughout history; migrants seeking entry and acceptance into new societies; multi-cultural, multi-lingual polities. The current globalised world and the 'age of migration' (Castles and Miller 2003) are therefore certainly not unique or new in terms of the continual contestation and negotiation of the form and substance of belonging, although the ubiquity of global processes is relatively recent. The change in the late twentieth and early twenty-first centuries is perhaps more a discursive one than an empirical one: a shift from the (relatively brief) 'age of nations' and powerful claims of territorialised belonging (Castles and Miller 2003; Neveu 2005:199) (back?) to a less certain or less hegemonic cacophony of overlapping and shifting forms of belonging (Gupta and Ferguson 2001; Vertovec 2001), including, in many cases, a defensive hardening of territorial boundaries and essentialised nationalisms (Merkl and Weinberg 2003). The challenge for academics in such a time of change from one model to another, especially where the new model is as yet unknown, is to develop tools for describing social processes which do not internalise a particular normative construction. How do we observe and become

conscious of identity group membership as an 'object of knowledge' without imposing *a priori* value judgements?

I discuss definitions of integration and some of the assumptions behind common definitions in the article *Negotiating Rights*, but will reiterate and expand on the salient issues here. In *Negotiating Rights,* as noted above, "I define local integration as a process of negotiating access to local legitimacy and entitlement on the basis of a variety of value systems determined by local power holders in dialogue with refugees." (Polzer 2009:93). My focus is therefore entirely on integration as a process rather than on particular outcomes, as even legitimacy and entitlement are essentially relationships of exchange and mutual recognition rather than conditions of being. As noted in the introductory section above, processes of negotiating access to local legitimacy and entitlement are essentially what all local politics is about – who gets what when and how (and where) (Lasswell 1958). My definition includes commentary on who is negotiating (refugees and locally relevant actors with access to material and symbolic power) and on what basis (a situationally defined set of material and symbolic values rather than any absolute and presumed instrumental or normative base). As with any political process, the strategies used and the outcomes achieved are highly contextual and bound to the interest and resource constellations of a particular time and place. This point is developed particularly in *Histories*.

How does my definition relate to various trends in the literature on integration? Debates on integration tend to differ according to the theoretical traditions about identity and community within which they are couched, i.e. assumptions about where and on what basis refugees and/or hosts want to or 'naturally' belong. Key (stylised) positions in this wider debate include: universalist law and refugee rights; communitarian 'rooted' identities and cohesive communities; and cosmopolitan identities and multi-cultural communities.

In contrast to my focus on empirical description, most discussions of integration have fundamentally normative starting points (Ager and Strang 2008:167), including

the three areas of debate I have identified (law, communitarianism and cosmopolitanism). International refugee law is based on a normative claim that refugees should be protected, independently of whether this is in the material or strategic interest of the host state or host community (or indeed of the refugee, as I argue in *Negotiating Rights* and *Invisible Integration.* See also (Polzer and Hammond 2008)). Perspectives ranged along the continuum between the communitarian and cosmopolitan positions, naturalising or rejecting exclusive territorialised forms of (usually national) belonging, place a value judgement on the interactions between 'newcomers' and others based on their respective conceptions of the 'good community'. Related to this normative approach is the policy and intervention focus – what institutions can and should do to bring about a (or our) desired outcome – discussed above, which all three of these perspectives share (although less so for cosmopolitanism). After outlining each position I discuss why I do not find them useful in relation to my case study and in terms of understanding *processes* of integration more broadly.

Legal refugee rights perspectives on refugee integration are based on universal criteria, codified in international instruments such as the 1951 United Nations Convention Relating to the Status of Refugees and the Universal Declaration of Human Rights. These make no distinction between refugees who are related to hosts by kinship, ethnicity, religion, etc. or who create/use such linkages, versus those who are and do not. In fact, different treatment along these lines is expressly prohibited. So refugee rights, according to the law, are not negotiable. This perspective harbours a tension between its universalist norms and its reliance on (and to a large extent unquestioned acceptance of) the inter-national (Westphalian) system of sovereign states, as many proponents of legal refugee protection see the provision of this protection as the express responsibility of states (Hathaway 1984; 1991; Mathew, Hathaway et al. 2002). Indeed, the legal definition of a refugee as a person who crosses an international border seeking protection from a state other than her 'own' because she has lost the protection of the state where she is a citizen, depends fundamentally on the Westphalian construction of mutually exclusive sovereign states with exclusive authority over but also obligations to the

people in their territory (Keely 1996). A refugee is a person in need of special protection because he no longer has the protection due to a citizen, where everyone is assumed to be citizen somewhere. Given this expectation of state protection, many authors define the final indicator of refugee integration in the host country – e.g. what makes a person no longer be a refugee because they have regained full state protection, albeit from a different state – as the granting of some form of legal permanent residence or citizenship status (Jacobsen 2001; Crisp 2004)

'Local integration' is not formally defined in refugee law (Crisp 2004) even though it is considered one of the three 'durable solutions' within the framework of the Office of the United Nations High Commissioner for Refugees (UNHCR), along with repatriation and third country resettlement (Harrell-Bond 1995; UNHCR Standing Committee 2002; Chimni 2004; Crisp 2004:1). 'Local integration' is therefore often compared with other 'solutions', notably the 'temporary' solution of camps, in terms of whether basic legal rights are upheld. Crisp, from within UNHCR, defines 'local integration' primarily in contrast to the temporariness inherent in refugee camps and repatriation programmes by focusing on the "assumption [in integration] that refugees will remain indefinitely in their country of asylum and find a solution to their plight in that state" (Crisp 2004:3) and that they "are granted a progressively wider range of rights and entitlements by the host state." Using the 1951 Refugee Convention as a benchmark, these rights include "the right to seek employment, to engage in other income-generating activities, to own and dispose of property, to enjoy freedom of movement and to have access to public services such as education." (Crisp 2004:1) The 'anti-warehousing' campaign discussed in *Negotiating Rights* is another key example of this form of argumentation for local integration as a desirably 'solution' based on the precepts of international refugee rights law (Smith 2004).

The refugee rights position is a strong position for advocacy, but a weak basis for describing and analysing reality, as I argue in *Negotiating Rights* and *Changing Legal Frameworks*. As I note in *Changing Legal Frameworks*, there is often a "disjuncture between the goals and assumptions of the legal framework and the reality

experienced and desired by the refugees" (Polzer 2007:22) which is why it is necessary to consider the "interstices between formal policies, the impact of changing policies over time, local interpretations of the labels and categories imposed by law, and the agency of those affected by law to subvert, oppose and evade it" (ibid:23). Laws may not be implemented, or their implementation may have effects which contradict the rights they are supposed to protect. The nature of their effects depend more on the interactions between the "street level bureaucrats" who represent the state (Lipsky 1980), who have their own interpretations and interests, and the targets of the laws, including refugees with their own means of evasion or instrumentalisation, than on any abstract legal principle or intent (Scott 1985; 1990; 1998). Finally, legal frameworks (including supposedly 'universal' ones like the Universal Declaration of Human Rights') change over time and reflect the political and moral sensibilities or a particular time. Depending on them for an analytical framework therefore leads to apolitical analyses which cut understandings of current refugee experiences and integration processes out of history (Malkki 1997; Gemie, Humbert et al. 2009).

The communitarian approach (within which there is significant variation) archetypically starts from the assumption that a homogeneous community is the only functional (and so normatively better) community. The commitment of people to redistributive forms of social justice are seen to depend upon a degree of solidarity, shared understanding and mutual trust that could be weakened by a large and sudden influx of new members (Black 1996; Meehan 1996; Neveu 2005:201). From this perspective, communitarians see refugee and migrant integration as a threat to the material and democratic rights and institutions of the host society (Turton 2002:70) unless the newcomers are from the same cultural group. The definition of common culture can be highly strategic. Examples include the acceptance and recruitment of people with Jewish roots to Israel (Safran 1997; Abdulhadi 2003), with distant German ancestry to Germany (Brubaker 1992; Safran 1997) and with 'white' ethnicities to *Apartheid* South Africa (Peberdy 1999; Klaaren 2004), but the definition of fellow ex-Yugoslavs as 'outsiders' by newly independent states in the region (Stubbs 1995; Vrecer 2010). Who is seen as 'like us' can change

radically within relatively short periods of time (see Peberdy 1999; Klaaren 2004 on who was and was not included in 'whiteness' in different epochs of South African immigration law), but such 'cultural insiders' are not considered a problem for 'integration.'

Furthermore, communitarians assume that the nature and boundaries of any community can be clearly identified, and that individuals can and should have only one primary identity reference point and loyalty. Race relations or 'minorities' literature in this mould, uses the term 'integration' to describe "the process of change that occurs when two [assumed to be distinct] cultures are forced to co-exist within one [preferred to be homogeneous] society" (Korac 2003:52). 'Successful' integration is therefore equated with assimilation, acculturation or adaptation to the 'dominant host culture', meaning unidirectional change from the side of the migrants without any negotiation or change on the sides of 'hosts' (Blommaert and Verschueren 1991; Berry 1997; Bauer, Lofstrom et al. 2000; SuárezOrozco 2000; Anderson 2001; Hansen and Lofstrom 2003; Alba 2005; Hieronymi 2005; Fangen 2006). Finally, instead of integration, an eventual 'return' 'home' to an individual's own 'roots' is seen as the 'naturally' most desirable solution, and as being in both the refugees' and the hosts' best interests (Drumtra 1993; Kibreab 1999).

Communitarian assumptions are often not explicitly stated, but rather implied in the kinds of indicators designed to 'measure' levels of 'success' in refugee and migrant integration. Authors with an explicit policy advisory focus, writing out of or for institutions such as the Council or Europe (1997), the European Council on Refugees and Exiles (Robinson 1998) or the UK Home Office (Ager and Strang 2004; Ager and Strang 2008), often adopt a supposedly value neutral catalogue approach to indicators of refugee integration. Ager and Strang note that they reviewed past attempts at defining integration which had approximately "200 'indicators' of integration" (vis Council of Europe 1997). They then continue to identify "49 discrete definitions of 'integration' or related concepts" themselves (Ager and Strang 2008:167). They group these indicators into four dimensions: "achievement

and access across the sectors of employment, housing, education and health; assumptions and practice regarding citizenship and rights; processes of social connection within and between groups within the community; and structural barriers to such connection related to language, culture and the local environment" (Ager and Strang 2008:166). Frechette similarly lists various dimensions of integration, including housing integration, economic integration, political and legal integration, socio-cultural integration (which includes religious integration), educational integration, health integration and psychological integration (Frechette 1994). These are all indicators measuring what refugees or migrants have 'achieved' as compared with a supposed 'host' norm, without any consideration of the extent to which 'hosts' are diverse or have themselves changed in relation to newcomers.

Less explicitly normative, but still implicitly using a 'host' standard of comparison without looking at changes among hosts, are definitions of integration such as Jacobsen's. She describes what she calls *de facto* integration as "where the lived, everyday experience of refugees is that of being part of the local community." She then adds a list of conditions, which include lack of physical danger; freedom of movement in the host country and freedom to return to the home country; access to sustainable livelihoods; access to government services like education, health, and housing; social inclusion through intermarriage and social interactions with the host community; and comparable standards of living in comparison with the host community (Jacobsen 2001:9). While the idea of 'being part of' (rather than 'being like') is broadly useful, the conditions set a high presumed standard for host communities, almost a social democratic ideal where lack of physical danger, sustainable livelihoods, government welfare services and inter-ethnic/religious/class/other-identity-group social relations are the norm.

Clearly, this is not an accurate portrayal of many of the societies refugees, especially in developing contexts, engage with. There is also the assumption, common among communitarians, that members of a 'host community' interact with each other as equals, rather than in relationships of hierarchical dependency, exploitation and mutual distrust. Even in a country as supposedly democratic,

peaceful and middle-income as South Africa (not to mention the likes of periodically or chronically conflicted refugee hosting countries like Kenya or Pakistan), every-day levels of racial/ethnic/religious tension and social segregation, violence, and exclusion from sustainable livelihoods is extreme *among citizens*. Harrell-Bond's definition of integration as "a situation in which host and refugee communities are able to co-exist, sharing the same resources – both economic and social – with no greater mutual conflict than that which exists within the host community," (Harrell-Bond 1986:7) leaves open the possibility that there may be quite a lot of conflict and division among hosts and is therefore more useful in its comparative frame.

Writings on 'segmented assimilation' in the USA, while retaining the essentially communitarian value-systems of assimilation theories (for a review of assimilation theories see Alba and Nee 1997), also usefully disaggregate 'hosts' from a putative "mainstream, Anglo-Saxon norm" to the idea that "immigrants assimilate into different segments of American society" (Altschul, Oyserman et al. 2008:303), including into (disadvantaged) racial and ethnic minorities (including naturalised former immigrant groups). They also document how such segmentation has consequences for the potential social and economic achievements of new arrivals in relation to 'mainstream' institutions (Portes and Zhou 1993; Portes and Rumbaut 2001)(see also discussion in *Conclusion*).

The communitarian position has been extensively critiqued for a variety of reasons (Malkki 1992), with which I concur. Firstly, communitarian accounts of a stable and unchanging host society are ahistorical and accept the 'imagined' myth of that society (Anderson 1991) as historical reality, thereby ignoring long histories of changing citizenships in those countries. In the USA, for example, Italians, Irish, Catholics and Jews were considered 'racially' different and culturally undesirable immigrants until the 1940s (Brodkin 1994), while today they are considered an unquestioned part of the 'white' majority (Roediger 1991; Jacobson 1998) which has, in turn, felt 'inundated' by first 'Asian' and then 'Latino' immigration. Second, such accounts from countries in the global North are often selectively protective of 'national identity', focusing on (often poor, Southern) immigrants and refugees with

visible differences by race, language or religion, while ignoring or welcoming powerful 'external' cultural influences in the media, market, etc. and being unperturbed by imposing their own cultural values on other societies. Third, the view that immigrants and refugees retain a sense of 'home' which is natural, immutable and can unproblematically be converted into access to substantive rights on 'return' has been vigorously challenged (Malkki 1992; Allen and Morsink 1994; Malkki 1995; Malkki 1995; Allen 1996; Black and Koser 1999; Cornish, Peltzer et al. 1999; Koser and Black 1999; Stepputat 1999; Powles 2002; Abdulhadi 2003; Pedersen 2003; Van Hear 2003; Chimni 2004; Hovil and Kweka 2008).

In relation to my case study, there are several ways in which a communitarian perspective is not useful in understanding relationships in the villages of Bushbuckridge. Such a perspective would make the integration of 1980s Mozambican refugees seem inevitable due to the ethnic/linguistic/cultural similarity between refugees and 'local' South Africans. However, as discussed in *Histories,* this would obscure the long and complex history of migrations and contested legitimacy claims by Shangaan-speakers in the area (where the claim of 'local' Shangaans to autochthony in relation to the wider South Africa is not complete even after 200 years). It would hide the by no means obvious political choices made by local leaders at different times in facilitating this integration. Furthermore, a communitarian set of assumptions would overlook the complex dynamics of status and inequality which are part of the negotiation of integration in the area (see *Invisible Integration* and *Space*). Finally, while the local context might seem to be relatively culturally homogeneous (as expressed and mythologized by residents of my case study villages) in the specific space of villages along the eastern border of Bushbuckridge district, this is one small and very marginal part of a multicultural country, in which questions of cultural dominance and national identity are complex and conflictual (see Chipkin 2007, whose book title asks "Do South Africans exist?"). In this wider context, with which my case study villages are in constant if not always visible contact through media, labour migration, etc. both 'South African' and 'Mozambican' residents of Bushbuckridge are 'outsiders' as Blacks, rural people, poor people and members of a marginal language group.

While there is also much variation in what I am calling the cosmopolitan camp, the core is a recognition and positive valuation of social and cultural diversity and a view of group identities and boundaries as more fluid and adaptable (Held 1995; Bauböck and Rundell 1998; Vertovec and Cohen 2003). More conservative proponents of this view may present a relatively minimal and external adaptation to civic norms as sufficient for 'successful' integration, without requiring any emotional identification or changes in cultural practices and beliefs (Niessen, Huddleston et al. 2007), while more radical writers may entirely reject the legitimacy of bureaucratic administrative boundaries such as state borders, and the privileging of certain individuals (citizens) over others (various kinds of non-citizens) within these territories (Pecoud and de Guchteneire 2007). Discussions of migrant and refugee belonging in diverse and mobile societies tend to revolve around concepts like multiculturalism (Taylor 1992; Kukthas 1995; Kymlicka 1995; Dijkstra, Geuijen et al. 2001; Parekh 2002)[3] and transnationalism (Gupta and Ferguson 2001; Vertovec 2001; Al-Ali and Koser 2002; Van Hear 2003; Levitt and Nyberg-Sorensen 2004; Bommes 2005; Lewis 2010) rather than assimilation or acculturation.

Cosmopolitanism is also often normative in its assumption that multiple cultures and flexible boundaries are desirable forms of social organisation (Held 1995; Vertovec and Cohen 2003), although it can also be used as an "analytical-empirical social science cosmopolitanism, which is no longer contained by thinking in national categories" (Beck 2004:131). Cosmopolitanists often write about urban life in developed countries (Al-Ali, Black et al. 2001; Riccio 2001; Sennett 2003; Massey 2004; Lewis 2010) or about deterritorialised forms of identity (Glick Schiller, Basch et al. 1992; Blanc, Basch et al. 1995; Basch, Glick-Schiller et al. 1996; Bauböck 2003). I will not go into these debates in any detail because they provide even less insight into my rural, largely settled, co-ethnic case study than communitarian concepts. The main value I drew from many cosmopolitan authors is their focus on the

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[3] Note that some authors, such as Vertovec and Cohen (2003) define cosmopolitanism against multiculturalism, e.g. 'embodying middle-path alternatives between ethnocentric nationalism and particularistic multiculturalism.' (2003:1)

construction (rather than assumed inherent naturalness) of identities and on the "local, informal notions [and everyday practices] of membership, entitlement and influence" in "vernacular notions of citizenship" (Rosaldo 1996:252), e.g. how people claim rights, representation and cultural autonomy that is different from official or unitary models of citizenship.

Studies of Mozambicans (including refugees and labour migrants) in other parts of South Africa, apart from the rural border areas, do describe various forms of transnational practice and identification (Lubkemann 2000, 2002, 2008; Mather 2000; McDonald, Zinyama et al. 2000; Connor 2003; Madsen 2004; Kloppers 2006; Vidal 2007; Vidal 2008). Indeed, the experience of Mozambican refugees in urban areas (Vidal 2007; Vidal 2008) and in non-co-ethnic rural areas such as Kwa-Zulu Natal (Kloppers 2006) is completely different than the Bushbuckridge experience, notably with more cross-border connections and less attachment to South Africa. As noted in *Changing Legal Frameworks* (Polzer 2007:42) only 14% of Mozambicans in South Africa, surveyed in 1997, wanted to become permanent residents and only 7% wanted to become citizens of South Africa (McDonald, Mashile et al. 1999), in contrast to the almost universal desire for permanent legal standing and indeed full citizenship in the Bushbuckridge context (see *Changing Legal Frameworks*). These differences are not surprising, given my analytical framework of integration as negotiated local politics, since the strategies refugees adopt depend on the context and the nature of local power holders (see *Negotiated Rights)*. An explicit comparison between the integration strategies of urban-based Mozambican refugees and the Bushbuckridge experience was not possible as part of this project but would be a valuable future research endeavour.

The debate between communitarian and cosmopolitan positions on refugee and migrant integration is predominantly a Northern debate (not least reflecting the general Northern bias of knowledge and theory production). Some countries in the South have also used communitarian arguments to resist refugee integration, but political arguments against refugee integration in Africa (especially since the 1970s) tend to be more strategic than ideological. They include concerns about economic

and environmental burdens, security concerns, anger at being "abandoned" by richer nations, fear of the domestic political ramifications of popular xenophobia, and the perceived need to reassert sovereignty over porous borders (Crisp 2004). Academic accounts of refugee integration in cases of South-South migration also tend to be less ideological, focused more on the local than the national level. Whitaker (2002) and Landau (2003) both use the case of Tanzania to look empirically at how refugees and a variety of different kinds of hosts interact and impact on each other in the integration process, without making normative assumptions about a homogeneous or unified host community.

Southern refugee integration studies often describe rural borderland relationships (Hansen 1979; Abel and Abel 1987; Bulcha 1988; Gasarasi 1990; Sendker 1990; Stein and Clark 1990; Bascom 1993; Daley 1993; Callamard 1994; Whitaker 1999; Harrell-Bond 2002; Hovil 2002; Andrews 2003; Chaulia 2003; Dryden-Peterson and Hovil 2003; Goetz 2003; Kaiser, Hovil et al. 2005; Campbell 2006). Most of the literature from borderlands studies (rather than 'refugee studies') which deals with (forced) migration as a context factor rather than as the central topic of study (Hansen 1979; Asiwaju 1985; Alvarez 1995; Wilson and Donnan 1998; Donnan and Wilson 1999; Van Damme 1999; Cohen 2000; Vila 2000; Nugent 2002; Connor 2003; Momen 2005), emphasizes the continual reconstruction of identity categories in border areas which respond to but also resist simple binary state-based categories of nationality (you either belong on one side of the border or the other). While some of these studies focus on metaphorical boundary construction (Vila 2000), without a detailed analysis of the material resource access implications of belonging to one category or another, others emphasize the importance and solidity of national borders in determining which individuals can access resources on what basis (based on where they 'belong' or don't), even in supposedly porous African border contexts (McDermott-Hughes 1999).

A study of immigrants in the African urban context of Johannesburg also notes the importance of moving beyond abstract normative philosophies, such as communitarianism or cosmopolitanism, and being able to see "the emergence of

distinctive ways of negotiating inclusion and belonging that transcend ethnic, national or transnational paradigms" and are more "a mishmash of rhetorical and organisational tools... conceptualised not as philosophy but as a practice and form of experiential culture." (Landau and Freemantle 2010:375)

Building on this material from developing contexts, I view approaches which focus on the process, rather than outcome, of integration, as most useful in that they tend to be less normative. Castles et al describe integration as a set of overlapping processes that take place in different ways in different sub-sectors and spheres of receiving societies and have different outcomes in each sphere (2001). Authors who describe the processes and strategic reasoning behind how some groups of refugees construct politicised conceptions of 'home' (and how this is often part of an engagement with the people and politics where they are settled, rather than something completely removed from 'integration') show that the theoretical attention to negotiated and political identity formation can explain the full range of outcomes for refugees, rather than implying different analytical frameworks for different outcomes (Malkki 1995; Kibreab 1999; Turton 1999; Abdulhadi 2003; Bek-Pedersen and Montgomery 2006; Feldman 2008; Hovil and Kweka 2008). As Malkki's much quoted study of two groups of ('camp' segregated and 'town' integrated) Burundian refugees in Tanzania shows, there is nothing inevitable and everything politically relational about the choice of constructing identities based on difference or similarity to 'locals.' (Malkki 1995)

The most interesting approach to refugee integration I have found is presented by Stubbs (1995). His definition and general approach to integration is explicitly political and process oriented, and focuses on "integrative processes" and practices among all members of a society rather than on a static 'state-of-being' or one-way adaptation. He defines integration as follows:

> Integration refers to … a sharing of resources—economic and
> social, an equalizing of rights—political and territorial, and the
> development of cultural exchanges and new cultural forms,

between forced migrants and all other members of a society. At the local level, the process of integration involves all sections of the community in minimizing social distance and facilitating communication and co-operation through creative negotiations which produce new social meanings (Stubbs 1995:36).

Even though he also seeks to inform institutional interventions doing 'integration projects' in Croatia, he rejects "top down" discourses of integration which "involve things being done to people, by people who know best"; that lead to only recognizing indicators which conform to the dictates of project cycles and the need for fast, visible outcomes; and that artificially and abstractly categorise and thereby act on and re-enforce group construction within the society according to external (and often ethnicised) criteria (Stubbs 1995:34). In effect, such concepts of integration are based on "crude notions of human life" (ibid). His approach is also useful in relation to my case study because in his Croatian case, the refugees also share a language and political history with 'hosts' (all being from former Yugoslavia), in contrast to most European studies which assume cultural, language and racial differences between newcomers and 'hosts'. In his case, however, these commonalities are not politically validated by local leaders or residents. Finally he usefully considers the "issue of territorialisation, of the right to freedom of movement, to sharing the same space, and to face only the same degree of social control as the rest of the community" (Stubbs 1995:36), which is an important element of my own approach to integration in the *Space* article.

In this review of literature on refugee integration I have focused on how authors explicitly or implicitly understand the nature of group identities and inter-group relationships, and how this therefore determines their understanding of refugee integration. I have not discussed supposed facilitating or hindering factors for particular integration outcomes. As I note in *Negotiating Rights* (Polzer 2009:94), a political process-oriented approach to integration is valuable because:

- it can be applied across all contexts, including individual asylum seekers, mass movements, rural border areas and urban contexts in developing countries, and south-to-north movements;

- it can be applied at all 'stages' of forced migration, including immediate emergency conditions, medium-term and 'protracted' displacement situations, and contexts when stability has returned to places of origin but return is not necessarily the chosen option;

- it can explain the full range of outcomes in how refugees and other members of a society interact with each other;

- it allows us to overcome the supposed opposition between absolute and relativist perspectives on belonging – belonging is neither entirely strategic and instrumental, nor entirely inflexibly immutable (see the debate between Kibreab 1999a; 1999b; and others Stepputat 1999; Turton 1999; Warner 1999). See also my discussion in *Space* concerning debates on the relationship between identity and space and the emergence of "negotiated and relational reflexive construction of both identity and space" as a middle way between perspectives which either reify spatially rooted identities or delink identity from space entirely.

5. Case Study: Bushbuckridge District, South Africa

South Africa is a particularly interesting country for the study of shifting relationships between insiders and outsiders generally, and especially the ways in which migration flows interact with processes of nation-building as they impact at the local level (Turton 2002; Miller 2004; Polzer 2005; Whitaker 2005). If compared with European countries, the time frame of nation-building has been telescoped together in most post-colonies, especially in Africa, but in South Africa there is the opportunity of looking at several distinct community-, nation-, and state-building episodes within an even shorter space of recent time (twenty-one years between the start of political transformation in 1990 and today), which impact directly on processes of identity group formation at the local level. The shift from the

repressive minority rule of *Apartheid* to a social-democratic welfare state with enough resources for significant implementation of its welfare rhetoric makes South Africa an interesting (if certainly not unique) case study of how residents of a territory and state adapt and respond to radical changes in national policy, legitimacy and incentives, and how these changes affect local patterns of belonging. This is especially the case for residents of a marginal border area, marginal ethnic group and previously marginalised racial group, as in my case study.

Of course it is important not to overemphasise or reify discontinuities and changes from *Apartheid* to democracy (Alexander 2002). Identity-formation processes are best understood in the *longue durée*, where discourses of a radical break with the past are part of the identity construction process rather than an independent context factor (Gillis 1996:7). As a few examples, even under *Apartheid* the (rural) black population was strongly incorporated into the South African state infrastructure and certain kinds of welfare transfers like pensions were already accessible to a greater extent than in many independent and 'democratic' African states. Furthermore, in spite of the seemingly very different macro-political ideologies – from racialised protectionism to putative continental spokesperson, for example – there are important continuities in South Africa's national migration management regime (Crush 1998; Crush 1999; Crush and McDonald 2002; Wa Kabwe-Segatti and Landau 2008). While South Africa has one of the world's most progressive refugee protection laws since 1998, its management of international migration continues to reflect a fundamentally protectionist approach (Belvedere, Pigou et al. 2001; Crush and McDonald 2002; Wa Kabwe-Segatti 2003; Handmaker, De la Hunt et al. 2008; Wa Kabwe-Segatti and Landau 2008; Landau and Wa Kabwe-Segatti 2009).

Since the argument of this study is about the process of refuge integration as a *local* level process, I will not provide much more background about national level policy frameworks, practices or debates on refugee and migration issues. Where relevant, these are presented in the respective articles. See especially *Changing Legal Frameworks* for a discussion of how national policies on the legal documentation of

Mozambican refugees have (and have not) impacted at the local level in Bushbuckridge. Suffice to say that there is an extensive literature about refugees and refugee issues in South Africa (a recent selection includes Amisi and Ballard 2005; Landau 2006; Handmaker, De la Hunt et al. 2008; International Federation for Human Rights 2008; Amit, Monson et al. 2009; Landau, Amit et al. 2009; Amit 2010) but that most of this literature is not relevant to my case study. This is because the situation of Mozambican refugees is categorically different from the situation of most other more recently arrived refugees in the country. Mozambican refugees came as a 'mass influx', moving entire families and villages; they were predominantly rural peasants and settled largely in co-ethnic rural areas; and when they arrived in South Africa in the 1980s there was no legal process to apply for asylum or receive refugee status (Dolan 1997). Post-1994, refugees in South Africa mostly arrive as individuals or small families (Belvedere, Pigou et al. 2001); are often relatively well-educated urbanites and settle mainly in urban areas (Landau 2004; 2006); and the legal and administrative systems for applying for asylum occupy a central position in their lives (Amit, Monson et al. 2009; Amit 2010).[4] Concomitantly, recent literature on refugees in South Africa is often legalistic (Handmaker 2002; Handmaker, De la Hunt et al. 2008) or focused on cataloguing the discrepancies between (good) policy and (bad) practice (Human Rights Watch 1998; Human Rights Watch 2005; Amit, Monson et al. 2009; Landau, Amit et al. 2009; Amit 2010a; Amit 2010b). The more analytical and interpretative analyses emphasise the urban nature of the engagement between refugees (and other migrants), South Africans and institutions of the South African state (Kihato and Landau 2006; Landau 2007; Landau and Monson 2008; Landau and Freemantle 2010).

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[4] One exception, to some extent, is Zimbabweans who have been fleeing political and economic collapse in their country since 2000. While many Zimbabweans have entered the urban individualized asylum systems in South Africa and fit the profile of being urban and well-educated (Polzer 2008b), there are an unknown (but probably large) number of Zimbabweans who have settled in rural villages of the extended border region. While they are generally seen as 'migrants' rather than 'refugees' because they have not applied for asylum, this distinction is as complex and often arbitrary in these rural areas as it is in the urban context (Polzer 2010). Relatively little is known of this group (Wilkin 2010). A comparative study of the experiences of Mozambicans and Zimbabweans in these respective border areas would be interesting in future, as there are both parallels and differences (ibid), but is beyond the scope of this introduction to conjecture about in more detail.

Figure 1

Location of Bushbuckridge District [5]
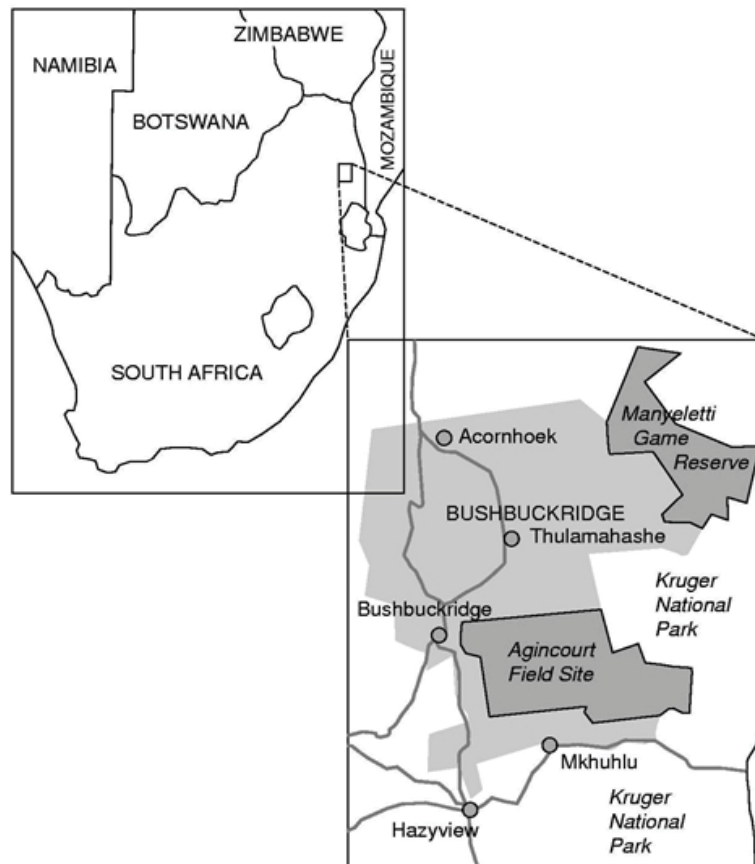
In contrast to the national story, the history and context of Bushbuckridge District is central to this study. Bushbuckridge is a spatial and temporal microcosm of the integration of (a) peripheral population(s) into a transforming state – the construction of substantive membership/ citizenship at all levels. Relevant elements of this context include histories of marginalisation, ethnic identity group construction, and displacement/migration.

In almost all imaginable ways, Bushbuckridge and its residents are marginal in today's South Africa. Geographically, the district lies next to the Mozambican border, separated from it only by a 50km strip of the Kruger National Park. This park and the associated Great Limpopo Transfrontier Park, encompassing nature

[5] From Collinson et al (2006:637)

conservation areas in Mozambique and Zimbabwe, while opening national borders for wildlife and tourists, have historically and currently closed the nearby border for trade and the normal movement of local people (Carruthers 1995; Pollard, Shackleton et al. 2003). The border area, therefore, is a territorial dead-end rather than a location invigorated by being on regular cross-border routes (Nugent and Asiwaju 1996).

In addition to being on an international border, the district straddles two of South Africa's more rural and marginal provinces – Limpopo (formerly Northern Province) in the north and Mpumalanga in the south – and was divided between them from 1996-2006 (Ramutsindela and Simon 1999; Niehaus 2002), moving entirely into Mpumalanga on 1 June 2006. Politically, the district has no particular strategic, historical or numerical significance, and it votes almost 90% for the ruling African National Congress (ANC), making it a safe area not worth much campaigning or political attention from either the ruling or the major opposition parties. The majority of the population is XiTsonga-speaking (a regional version of which I have been calling Shangaan in my papers), [6] one of the smallest and most marginal ethnic groups in South Africa (at least among those officially recognised as one of the eleven national languages). The group has a national reputation for being rural and 'backward' (Jensen and Buur 2004). Economically, the area has no significant resources, apart from tourism potential through its proximity to the Kruger National Park, although this in practice provides relatively few employment opportunities for local residents. The semi-arid climate and dense settlements preclude much agriculture (Hunter and Twine 2005). Only 4.8% of households have access to land for agriculture, 0,0% of households are recorded as engaging in horticulture or livestock farming and only 4,5% of households engage in field crop farming

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[6] There is some debate on the appropriate terminology for the dominant ethnic/language group in Bushbuckridge. In South African official usage, ethnic groups are usually referred to based on their languages, and XiTsonga is one of the eleven official languages of the country. However, rather than referring to themselves as XiTsonga-speakers, popular usage by residents of Bushbuckridge to refer to their own language and group identity (especially when speaking English) as 'Shangaan'. As discussed in *Histories,* XiTsonga was constructed out of several related languages in the early 20th Century, and the 'Shangaan' dialect used in Bushbuckridge is distinct from dialects further north (such as around Giyani). Even though the term 'Shangaan' is considered derogatory in some circles (illustrating the marginal status of the ethnic group from the perspective of urban centres and dominant ethnic groups), I use it in reflection of local usage in Bushbuckridge. This also follows Harries' (1994), Rodgers' (2002) and Niehaus' (2002) usage.

(Statistics South Africa 2002). Because of its location near the park-closed border, the area lies outside all major transport routes. In 2002, official unemployment statistics showed 70% of the population without formal work (Statistics South Africa 2002). More recently, the municipality has categorised 84% of its population as 'indigent' meaning they earn less than R 1300/GBP 102 per month (Mukamba, Mayher et al. 2008). Compared with other rural areas identified by the government as being particularly poor due to being 'homelands' under *Apartheid* (see more below on 'homelands'), Bushbuckridge's 2002 unemployment rate was highest by over 20% (Statistics South Africa 2002). The proportion of households with no income was 3,9%, which was the highest of all the former 'homeland' areas. 76,2% of the households spent less than R400 per month and 63% of households sometimes, often or always had a problem satisfying their food needs (ibid). These statistics make Bushbuckridge by far the poorest former 'homeland' area in the country. The population is very young, with 44% under 15 years of age (Collinson, Tollman et al. 2005:2).

Bushbuckridge's current social and economic position is partly due to its history – it is an amalgamation of parts of two former *Apartheid* 'homelands': Mhala district of XiTsonga-speaking Gazankulu and Maruleng district of SeSotho-speaking Lebowa (Niehaus 2002). The 'homelands' were constructed to be labour reserves of black South Africans for the use of the white-run economy (Graaff 1987). 'Homelands' were considered 'tribal' areas, and were ruled under a combination of 'traditional' and statutory/bureaucratic leadership; a duality which has been retained to this day, along with the communal ownership, under chiefs, of most land (vanKessel and Oomen 1997; Ntsebeza 2004). The significance of this history and the roles of traditional authorities in the negotiation of belonging in the area are discussed in *Histories, Changing Legal Frameworks,* and *Space*.

The map below shows details of Bushbuckridge District. The N40 road, as seen running from top to bottom along the left of the map, was the approximate dividing line between the old 'homelands', with Lebowa in the west and Gazankulu in the east. The map also shows the Wits Rural Facility (WRF, at the top centre) where I

lived from 2002 to 2006, my three case study villages Timbavati, Clare and Justicia B (red stars moving from left to right and down), and the Agincourt Health and Socio-Demographic Surveillance System Site (outlined in blue) from which I have drawn extensively for quantitative data (see notes below on methods).

Figure 2

Detail of Bushbuckridge District
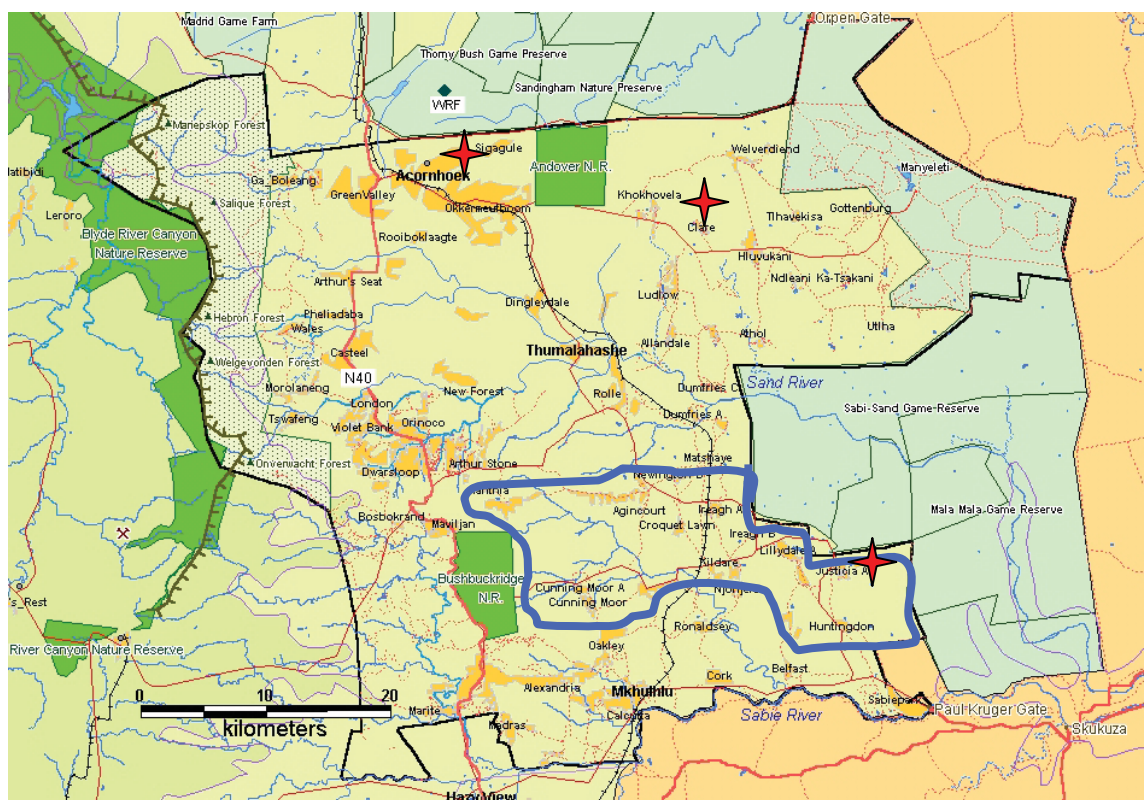
Freeman, Peter H. (2002). 'CBNRM and AIDS in Bushbuckridge, Northern Province, South Africa: An Exploratory Geographic Analysis.' Development Ecology Information Service

An important aspect of many of South African's former 'homeland' areas is their peri-urban character with a relatively high state presence, compared with other African rural areas. There is therefore a constant tension between seeing these areas as peripheral spatial exceptions within the South African state's territory or as intimately tied into and captured by the structures and concerns of the central state. On the one hand, parallel legal systems, ownership regimes and social norms predominate compared with the urban 'core', including the widely used and respected traditional authorities and communal land ownership, which in practice

often replace rather than augment 'national' laws and structures (Ntsebeza 2004). On the other hand we must continually recognise the strong and historically deep presence of the central state through direct services such as formal education and health care, state welfare grants to children, the elderly and the disabled, and the ubiquity of national identity documentation as a basis for these services, along with the less institutionalised but no less powerful political and social impact of continuous circular labour migration of the majority of active adults back and forth between the urban cores and the 'rurban' peripheries. 65% of adult men and 20% of adult women are away from their rural households for over 6 months of the year, mostly in urban areas (Collinson, Tollman et al. 2005). In addition, institutions such as the traditional authorities are incorporated into the formal legal and institutional frameworks of the state, and so are not really parallel structures outside of it, although they in practice may act in contravention of or according to different logics than the state's other bureaucratic representatives (Ntsebeza 2004).

Economically, there is also more state dependence than in many other developing country rural contexts. Because of the lack of land, noted above, there is virtually no subsistence agriculture, although many households augment their cash incomes through small fields, vegetable gardens or collecting wild foods (Hunter and Twine 2005). The *Apartheid* policy of prohibiting black-owned business, among other factors, has led to relatively little local entrepreneurial self-employment in former 'homeland' areas (Bhorat 2001). Residents of Bushbuckridge therefore aspire to be hired into a formal job, or they depend on government welfare grants (known as social grants) for pensioners and children.[7] In 2001, 24,1% of households in Bushbuckridge depended on government welfare grants as their main source of income (Statistics South Africa 2002).[8] Since there have been extensive government drives to make grants more accessible in rural areas, this proportion has probably

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[7] The South African government provides a social welfare grant to all citizens (and since 2004 all permanent residents – see *Law*) over the age of 60 (2011 value R1140/ GBP90.30), and for all children under the age of 18 (2011 value R260/ GBP20.60). These grants are means-tested, and provide the backbone of South Africa's rural poor livelihoods (Triegaardt 2005; Inter-regional Inequality Facility 2006).
[8] I have not been able to find updated statistics on social grant distribution by district.

increased greatly since. Both formal employment and social grants require identity documents and therefore control by the state.

This tension between distance from and inclusion in the state's ambit is further exemplified by the fact that while an individual living in Bushbuckridge may still pass through life without any contact with the formal state - e.g. not having an ID, not going to school, using only traditional healers, entering into a customary marriage, not registering children for birth certificates, and working informally within the local area as a domestic or on small subsistence farm plots or as a casual local construction worker - and that each of the elements of this life would not be considered very unusual or a cause for social exclusion in the local context, such a person would inevitably remain very poor in relation to other local residents, and not enjoy high local social standing (except, perhaps, as a powerful traditional sangoma or nyanga[9]). This stands in contrast to many rural areas in developing countries, especially in Africa, where the reach of the state is more limited and where it is possible to live an average life on the basis of subsistence agriculture (Bakewell 1999; Englund 2002).[10] In various accounts of refugee integration in African border contexts, as described above, this everyday distance from the state is a key element. In Bushbuckridge, the combination of state presence and parallel, local, non-state structures provides a centrally important context for the kinds of negotiation strategies discussed throughout this thesis.

Bushbuckridge's social and settlement patterns are fundamentally shaped by historical and current population displacements and migrations. The presence of Shangaan-speaking people in the border area is the result of several waves of movement from the eastern coast (now Mozambique) from the 1830s onward, due to violent leadership succession battles and violent colonial encounters (Ritchken 1995; Niehaus 2002). This is recounted in detail in *Histories*. In addition, the

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[9] In Bushbuckridge, sangomas are spirit healers and nyangas heal with the use of herbs. There is some overlap between the two.
[10] This is not to reify a categorical distinction between rural and urban or deny the (long-term and increasing) presence of the central state in rural areas throughout the developing world, but simply to note that there are different depths of state capture, and that for a marginal rural border area, Bushbuckridge has a relatively high rate of state involvement in everyday life.

establishment of 'homelands' in the 1930s-70s, including the formation of the XiTsonga-speaking[11] Gazankulu in part of what is now Bushbuckridge, involved a dual forced resettlement within South Africa: of people with the same supposed 'tribal' affiliation from around the country into designated rural 'homelands', and within these areas, from dispersed homesteads into concentrated villages (De Wet 1995; Ritchken 1995; Niehaus 2002). These processes are within living memory. As a young South African-born woman explained to me: "When [my husband's father's family] were at Andover [then a farm], the government chased them away and said they want the place to make a game reserve. They forced them to leave the place without paying a cent. They lost everything at Andover: goats, cattle, houses and graves where they buried their fathers, friends and others."[12]

From 1985, only fifteen years after forced villageisation, tens of thousands of refugees from the Mozambican civil war arrived in the area, with an estimated 40,000 out of an estimated national total of 320,000 settling in then-Gazankulu, mostly in the southern part which is now in Bushbuckridge District (Dolan 1997; 1999). I will return to this below. It is important to emphasise that mobility and indeed a form of displacement is a continuous reality in Bushbuckridge, and not something which occurred in the past. Today, high levels of mobility continue to define the social and economic life of the district for all residents of the district. As noted above, 65% of adult men and 20% of adult women are away from their rural households for over 6 months of the year, mostly in urban areas (Collinson, Tollman et al. 2005). Such high levels of labour mobility apply to those of Mozambican and South African origins (although female Mozambican mobility is lower than for South African women (Collinson, Tollman et al. 2005)). While this movement is generally termed 'labour migration' and is therefore presumed to be voluntary migration rather than forced displacement, the extremely high levels of unemployment in the area and the lack of local employment options present few sedentary options for most working-age people to support themselves and their families (Collinson, Tollman et al. 2005). While there is some permanent out-migration from the area,

[11] See footnote 6 on my use of terminology regarding ethnic group and language naming.
[12] Interview with NN, Clare, 24 May 2004

most of the current mobility is circular, meaning that migrants are still considered members of households in the Bushbuckridge area, even if they are physically absent for much of the year (Collinson, Tollman et al. 2005; Collinson 2009).

Returning to the refugees from Mozambique, the focus in the essays collected here is on the trajectories they followed once they arrived in Bushbuckridge. I have not written about their (or their compatriots') experiences of war or displacement per se, as others have (Johnston and Simbine 1998; Rodgers 2002), or on the quite different experiences of Mozambican refugees in other parts of the country, including in rural contexts which were not co-ethnic (Kloppers 2006) and urban areas (Lubkemann 2000; 2002; 2008; Madsen 2004; Vidal 2007; 2008). The collected essays repeatedly outline and in some cases discuss in detail the key context factors and events relating to this group, so I will only list them here: the lack of legal recognition as refugees on arrival; the acceptance and support of the Gazankulu leadership and traditional chiefs and village headmen; the establishment of separate settlement areas next to existing villages for the new arrivals, although many with existing family ties were able to settle in existing village structures; the coinciding of peace in Mozambique with political change in South Africa in 1992; the 1993 Tripartite Agreement between the governments of South Africa and Mozambique and the UNHCR to grant Mozambicans refugee status, but only to enable repatriation and not legal integration; the 1994 democratic elections in South Africa through which may Mozambicans received ID documents; the 1994/95 UNHCR repatriation programme which only 13% of refugees made use of; the amnesties for miners (1995) and citizens of Southern African Development Community (SADC) countries (1996), through which over 90,000 Mozambican refugees received permanent resident status; the withdrawal of refugee status in 1996; the Exemption for Former Mozambican Refugees in 1999/2000 through which a further 82,000 Mozambicans received permanent residence; and the 2004

Constitutional Court Cases *Khosa* and *Mahlaule*[13] through which permanent residents were granted access to government welfare grants.

By the end of my field work in 2006 most of the legal barriers to formal belonging to the state had been removed – more than 80% of Mozambicans who had arrived in the 1980s, and their children, had either South African citizenship or permanent residence, and they had access to the materially and symbolically crucial state asset of social welfare grants. While it is certainly possible that the conditions of belonging may change again (for example, national origin may be politicised in local or national power struggles leading to discrimination or violence against foreigners, as was seen in urban areas of South Africa in May 2008 (Misago, Monson et al. 2010)), and while certain indicators of previous 'outsider' status remain in place (such as 'Mozambican neighbourhoods' in villages), the twenty-year process towards group 'integration' in the sense of approximating local South African living conditions, is advanced. The essays, especially *Changing Legal Frameworks*, *Histories, Invisible Integration* and *Space,* discuss the meaning of the above-listed events and processes, and how they have worked together with the interpretations and actions of Mozambican- and South African-born residents of Bushbuckridge to result in integrative relationships (or not) as well as integrated outcomes.

6. Methodology

To conclude this Introduction I will discuss how my theoretical approach to studying integration reflects in three sets of methodological choices: the categorization of respondents into 'identity groups' in the sampling process; combining quantitative ('objective') and qualitative (interpretative) data sources to look for coherence but especially discrepancies in terms of group boundary construction and crossing; and researcher (including research assistant) effects in representations of identity issues. The underlying recognition behind my methodological strategy is that as

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[13] *Khosa & Others v. Minister of Social Development and Others [2003]* CCT 12/03 and *Mahlaule & Another* v. *Minister of Social Development and Others [2003]* CCT, 13/03, 58, http://www.constitutionalcourt.org.za/Archimages/1344.PDF

refugee integration is a process of negotiated relational identity construction, so the research engagement itself is part of this process of self- and group-representation and construction. The ways in which researchers interact with their respondents, through their methods but also just through who they are, co-creates the subject matter being researched (Fox, Green et al. 2007), especially regarding subjects such as identity construction. While this recognition is well established in certain traditions of anthropology (Gupta and Ferguson 1997), it is rarely adequately reflected upon in 'refugee studies' (Schmidt 2007) and specifically in accounts of refugee integration.

The research on which these essays are based was conducted over a four year period (2002-2006) of living and working in my 'field site' as a researcher for the University of the Witwatersrand's Refugee Research Programme (later part of the Forced Migration Studies Programme) and a resident of the Wits Rural Facility (a multi-disciplinary rural research station). The following figure (also used in *Space*) outlines the variety of methods I used.

Figure 3

Methods

1. Household survey: 3 villages, 68 households, 567 individuals (purposive sampling)
2. Repeated individual interviews: 3 villages, 57 individuals (from same households as household survey), 50/50 SA/Mozambique-born
3. Mapping of movements and social connections in the village: 82 individuals (from same households as household survey)
4. Repeated key informant interviews with village leaders: headmen, community development forum chairmen, Community Development Forum members, ward councillors, teachers, etc.
5. Observation and informal interactions: village meetings, informal visits and conversations
6. Census data from the Agincourt Health and Socio-Demographic Surveillance System, Medical Research Council Unit in the School of Public Health, University of the Witwatersrand: 1992-2004 data, annual census of 21 villages, 11,000 households and 70,000 individuals per annum.

In addition to these formal data gathering processes in three villages, I spent time with, made friends with, and generally 'hung out' (Rodgers 2004) with people in Bushbuckridge, including both South Africans and Mozambicans. I also worked with and for them in a variety of other projects, most significantly managing a Wits affiliated NGO (the Acornhoek Advice Centre) which assisted Bushbuckridge residents, especially Mozambicans, to access identity documents and other government services. For methods 1-4 above, I worked with research assistants from each village (e.g. village 'insiders'), as I do not speak Shangaan adequately to conduct detailed conversations on my own. All the interviews were carried out in Shangaan, using an English-language questionnaire or interview guide. The questions and appropriate translations were discussed with the research assistants in detail, and questions deemed to have complex meanings or words which could be interpreted or translated in different ways were pre-translated into Shangaan. I gathered my data, therefore, over a long period of time, in various ways, in a context where I and the institutions I was associated with (Wits Rural Facility, the RRP and the AAC) were known and had particular reputations, and where my research assistants were known, but where I was not 'embedded' in village life in a classical ethnographic manner.

I have already discussed the question of conceptual categories and the problematic ease with which we adopt the boundaries of 'imagined communities' when designing research. How conceptual categories impact on methodological processes – especially on sampling – which in turn affects who we can 'see' in our findings, is also discussed in detail in *Invisible Integration*. I have argued there that integrated refugees are made invisible "not only as a function of methodological, political or policy preconceptions within the field of refugee studies… but also [as] a result of the more general processes of categorization." (Polzer 2008:477) Since working with categories is unavoidable, an awareness of "how we form and manipulate our own constructed categories" (ibid) as academics is especially relevant in the process of selecting/sampling respondents, and then in how data received from these

respondents is interpreted in relation to the categories these respondents supposedly represent.

In this regard, Oliver Bakewell's observations about designing a methodology to study 'repatriation' of Angolans from Zambia have many parallels with my study of 'integration' of Mozambicans in South Africa (as noted in brackets) and they are therefore worth quoting at length:

> "In order to question the assumptions about repatriation [integration] it was important to avoid embedding them in the research methods. To try to identify refugees and then ask them about their interest in moving to Angola or not [their feelings about being in South Africa], would presuppose firstly, that it is possible to differentiate a refugee from others; and secondly, that they would have a special interest in moving [special feeling about living in SA] compared to others who may fall outside the initial refugee category. It was important to see the whole process of movement to Angola [developing a national and citizenship identity in South Africa] set in the context of the historical, social and economic change in the area, rather than necessarily as a special event to occur once the war ends. Thus, the study became concerned with the wider impact on cross border movement from Zambia of the improving situation in Angola [the wider impact of the post-war and post-*Apartheid* situation on the development of group identity in a border area]. It would include those who might be thought of as refugees by others but it would not impose that label on people." (Bakewell 1999:7)

My own sampling process started with preconceived notions of group categorisations, and I only developed a more nuanced approach through the various data production iterations and in the data analysis process. My long time period in the field was therefore crucial. Initially, I selected my case study villages based on how visibly separate the 'Mozambican neighbourhoods' of these villages were (with variation from a completely separate village to a separate village section

to a set of households closely attached to the rest of the settlement), with the assumption that less visible neighbourhoods meant greater (or different) integration. Over time, it became clear to me that movement and interaction patterns were similar in each of these spatial relationships (e.g. my attempt at nuanced categories was not useful) and so I analysed spatialised identity formation dynamics for all three villages together (see *Space*).

In each village I recruited four research assistants who had all recently completed high school, including two 'South Africans' and two 'Mozambicans'. I did this by asking either the village Community Development Forum Chairman or the high school principal to recommend youngsters, specifying my nationality preferences and the request to include young women if possible. In most villages these leaders found it difficult to identify 'Mozambican' youth (especially women, so I ended up only working with South African women) who had finished high school (see *Space* for the continued educational discrepancies between 'South Africans' and 'Mozambicans'). It is quite possible, however, that there were youth of Mozambican extraction whose families were so well integrated that the leaders I consulted no longer thought of them as being 'Mozambican' enough to recommend to me. In the other direction, the story of Noel, told in the Prelude to this Introduction, illustrates how someone recommended to me as 'South African' then turned out to 'be' 'Mozambican', at least in terms of where he and his parents were born. In retrospect, it is very possible, even probable, that Community Development Forum Chairman Nelson Ubisi, also portrayed in the Prelude, while telling me that there were no sufficiently educated 'Mozambicans' in the village and then suggesting Noel as a field workers, did this in the full knowledge of Noel's dual identity, and perhaps even the hope that the young man would come to appreciate his Mozambicanness through working with me. This possibility illustrates how, in small and large ways, researchers of identity construction become part of local (personal and collective) projects and contestations.

To select households within each village I also initially sampled purposively according to *a priori* categories of national difference combined with what I thought

were observable indicators of integration – whether a household was located in a 'Mozambican' part of the village or in the main village section, and whether the household was recognised (by my local research assistants) as being 'successful', e.g. relatively well-off materially. This sampling process was done in several stages: 1. I asked the research assistants to draw a map of their village; 2. I asked them to mark on the map, based on their existing knowledge of village residents, which households were 'Mozambican', which 'South African' and which 'mixed'; 3. I then purposively stratified my sample to include 'Mozambican' households in the 'Mozambican neighbourhood', 'Mozambican' households in the main village section, and 'South African' households (all of which were in the main village sections). I used a random counting process to select the sampled households within each of these categories so that there was no bias in terms of households personally close to my research assistants. At the time, I was already aware that my research assistants might not know the nationality of all village households, or that particularly well-integrated Mozambicans in the main village section would not be identified through this method. My sampling was therefore consciously only indicative of potentially relevant integration trajectories, with the actual 'identity' indicators of all respondents remaining open to revision through the actual research process. The importance of letting identity characteristics emerge slowly (and change) through the research engagement is discussed next in relation to my use of multiple methods over time.

The appropriate combination/ triangulation of multiple methods in order to capture (and co-produce) different aspects of identity representation is a challenge. My approach to triangulating findings from quantitative and qualitative processes, and indeed through different qualitative approaches such as interviewing, family trees and mapping, followed what Kelle has called the complementarity model, rather than the trigonometric model (2001), since I was looking for greater richness of data, rather than expecting complete overlap of the findings of different sources. In fact, I was explicitly using different methods with the expectation that each type of data production worked through different forms of relationship and would therefore necessarily result in somewhat different expressions of relative identity.

A brief description of the different 'phases' of data generation illustrates how I aimed to get at the same information in different ways with each method. After a brief introductory visit to each sample household to introduce the project, myself and my research assistants, the first interview was conducted by one of the research assistants alone with an adult household member (chosen to balance the overall number of men and women interviewed) and consisted of gathering basic information about the household: who lives in the household, when and where they were born, what identity documents they have and when they got them, how they are employed, and whether they receive government social grants. The main household respondent and another respondent, chosen to have a different gender and age than the main respondent, were then asked about how they acquired their IDs, or, if they did not have one, what difficulties they faced.

In the same or a second visit soon after, the research assistant then facilitated two 'mapping' exercises: a family tree and a social network and movements map. The main respondent's family tree was recorded, listing the place of birth and place of current residence of each person mentioned. The social networks and movements map was based on our hand-drawn map of the village. The main household respondent was asked to draw a line from their own household to each place she had visited in the past seven days (whether for work, shopping, fetching water, visiting friends and family, church, etc.). Then she was asked to connect her household with the households of all family members in the village and in neighbouring villages. Finally, she was asked to identify "important people" in her life, including friends, business partners, favourite family members, etc. Finally, after the conclusion of the interview, the research assistants independently evaluated the socio-economic status of the household based on criteria of wealth and poverty developed as locally relevant before-hand, including quality of housing, quality of clothing, ownership of various assets such as TV, radio or car, and regular consumption of meat. The first phase of the research was therefore intended to gather enough information for a general sense of the household in terms of its

national origin, composition, legal status, socio-economic status and family and social networks.

These same indicators were also addressed in different ways in the following two phases. The second interview was in the form of a long survey-type questionnaire which a research assistant carried out with one member of each previously interviewed household. This included questions about interactions with state institutions and representatives, beliefs about and expectations in the South African government, means of defining the respondents own group identity and understanding that of others, inter- and intra-group relationships within the village, feelings about borders and migration in general, and finally some questions for 'Mozambicans' about their migration histories and plans regarding remaining in South Africa or returning to Mozambique. After this survey phase, I analysed the information produced so far, identifying areas of interest or in need of clarification for each household. My research assistant and I then returned to each household and conducted a final unstructured interview in which respondents were asked to talk freely about their lives, followed by questions to clarify and follow up on points that had been raised through previous research phases.

As an example of complementary 'triangulation', we asked about the respondent's place of birth several times and in different ways through the different research phases. In the first questionnaire we asked in what year and in what place each household member was born. In the family free, each person's place of birth was recorded. In the longer survey, carried out a month later, there was a section on all the places in which a person has lived. In the unstructured interview, many people started with where they or their parents were born, when asked to speak freely about their lives. There were several occasions when respondents changed their places of birth from one interaction to another – usually starting by claiming South African birth and later mentioning a Mozambican place of birth. As an example, a young woman in Justicia said initially that she was born in 1986 in Pretoria. This matches what her ID document states. In the second phase's migration history, the same young woman stated that she lived in Mozambique in 1985 and then moved

to Pretoria the same year with her parents. Three other women revised their stories in similar ways from one phase to another.

Another key element of triangulating multiple data sources and forms is the relationship between quantitative and qualitative data. One of the unique opportunities of studying refugee integration in Bushbuckridge is the presence of the Agincourt Health and Socio-Demographic Surveillance System, part of the Medical Research Council Unit in the School of Public Health at the University of the Witwatersrand. This is the only long-term demographic survey site in the world which includes large numbers of self-settled refugees (Tollman, Herbst et al. 1999; Collinson 2009) and its now almost 20 year longitudinal dataset enables the tracing of a range of external integration indicators over time, including individual and household socio-economic characteristics, household spatial distribution, migration patterns, etc. In *Invisible Integration* I discuss how this dataset potentially obscures integrated refugees through the way in which it categorises people. Nonetheless, the dataset provides extremely valuable information, especially when combined with other forms of qualitative data. My discussion in *Space* shows how comparing and contrasting objective, external measures of current social conformity and similarity between 'Mozambicans' and 'South Africans' with subjective speech-acts (by leaders as well as ordinary residents) about the construction and relationships between these groups is productive. Combining these various forms of data allows us to take account of the experienced, ascribed and described as well as the instrumentalised aspects of belonging.

The final point relates to researcher effects on how our methodological choices co-produce identity group construction, and indeed how the research process creates identity construction moments. Schmidt points out that "forced migration research can be described as taking place in what sociologists would call situations of 'heightened reflexivity' where both findings and terrain are strongly influenced by the presence of the researcher." (Schmidt 2007:82) I will reflect briefly on how identifications according to race and nationality, and various iterations of 'insider'

and 'outsiderness' of the researchers (including myself and my research assistants) impacted on the production of information.

Race in South Africa colours everything. As "one of the most thoroughly racialised social orders in the world" (Posel 2001:88),[14] it is impossible to think about inter-personal relationships, including the relationship between researcher and researched, in South Africa without considering race. Such a consideration brings up interesting complexities concerning how multiple layers of 'in' and 'outsiderness' are created, and how these relate to trust. I was interested in the relational construction of identities between 'black' groups, but my own racialised identity (as 'white') strongly influenced what information I could access. There was, in fact, a three-way process of (value-laden) racialised identity construction: between myself and my black respondents; and between myself and 'other' whites, with the background context of the relationship (real and stereotyped) between the black respondents and 'other' whites. In discussing the significance of his identity as a white, male South African during his fieldwork, Rodgers describes how images of 'other whites' – the Portuguese in colonial Mozambique or the Afrikaner farmers in South Africa – were related or contrasted with him as his respondents experienced his interactions with them (Rodgers 2002:88). I also had many interactions in which people said at the end of an interview that "now we know there is no more *Apartheid*" or "we can see that there is no *Apartheid* in your heart" because I came to ask them about their lives in their homesteads.

Wilson speaks of how "most of the 'benefits' that will arise from the study of local people, limited as they probably will be, will come from the human contact and intellectual stimulation in the actual field-work process. Researchers must share of themselves and their world, and be as prepared to entertain and be studied as they hope local people will be." (Wilson 1992:188) In the context of the racial stereotypes in Bushbuckridge, I was always conscious in my interactions with respondents and community leaders of trying to counter the stereotypes about

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[14] When I had just arrived in South Africa, the young black man guarding the gate of the Wits Rural Facility told me with conviction that "in the Bible it says there are Whites, Blacks, Indians and Coloureds."

distant, arrogant and racist white people who have no respect for or interest in the lives of black people. This is to say that my racialised identity was not only continually present in implicit ways, with its attendant power implications (as discussed next) but that my 'performance' of a particular kind of relational racialised identity (I am not like 'those other whites') was an active part of the research interaction and therefore an active part of the production of 'rapport' and 'trust.'

That most respondents recognised me as an outsider, but an outsider who is 'with us', actually resulted in different kinds (and often significantly more) openness towards me than towards the 'insider' research assistants. This is another illustration that the research interaction is a complex social interaction in itself which involves various layers of 'front and back-stage' work (Goffman 1969) in terms of representing the self to others, and that the research interaction is itself a "negotiation [which reveals] the manner in which group members define the boundaries of the group, the attributes they associate with it, and the meaning of the group itself." (De Andrade 2000)

There were several cases where respondents would tell my research assistants something about their personal history (like that they were born in South Africa) even though they knew that the research assistants knew it not to be true (especially where the research assistants were themselves of Mozambican heritage). However, on another occasion the same person would tell me the truth that they were born in Mozambique, with the same research assistant being present. This cannot be understood either in terms of hiding a potentially compromising fact from an untrusted outsider feared to be 'behind' the research assistants (me) since I was spoken to openly in person, or in terms of hiding an identity element within the village social context, since the research assistants already knew (and were known to know) something of their family backgrounds and since some of these respondents lived in visible 'Mozambican' neighbourhoods.

Perhaps the relatively formal interview situation established by the research assistants (with questions written down on a piece of paper, etc.) was perceived by (rural, often illiterate) respondents as related to the distant 'legible' world of the state, therefore requiring narrative coherence with the personal information captured on identity documents. The more informal setting of the unstructured interviews which I conducted myself may have contributed to more openness. Alternatively, the multiple visits by research assistants and myself prior to my own longer interview visit may have built gradual trust that no adverse effects would result from being open. Another possibility is, as I was told to my face, that 'we trust whites more than blacks', even if (or because) the white person is a relative stranger and foreign. In a context of generalised distrust within one's own community (Golooba-Mutebi 2003; Golooba-Mutebi 2004; Golooba-Mutebi 2005), with Bushbuckridge scoring lowest on an index comparing social capital in former 'homeland' areas (Strategy & Tactics 2002) asking questions of one's neighbour is very suspicious. There may also have been an element of the complex power and status dynamics within the village context, leading to the maintenance of a façade by some (very poor) respondents towards those perceived to be (locally) more powerful (Scott 1990). Even though my research assistants were all young (recently finished with high school) and relatively poor (none were part of the more established and powerful families in any of the villages), simply the fact that they had completed high school, spoke good English, were working, and were working with/for a white person gave them status. Several told me that they had to contend not only with raised family expectations on their new (and modest) incomes, but also with 'jealousy' from other youth since they started working with me. Such jealousy was associated with witchcraft and so was feared. Their roles as 'insider' researchers were therefore significantly more difficult than my role of being a 'trusted outsider'.

7. Conclusion

This introduction seeks to set out the analytical framework on refugee integration which I have applied in the five articles which make up this thesis. It also relates my framework to theoretical approaches to integration proposed by others, whether to contest or borrow from these traditions. I have taken the space to provide more background on the case study area than was possible in any of the shorter journal articles. Finally, I have reflected on the need to be self-aware regarding one's own (and one's collaborators') identity constructing practices within the research engagement, even as one is 'studying' the identity construction practices of others.

The articles which make up the body of this thesis were written over the period of seven years (initial drafts of *Negotiating Rights* and *Histories* were written in 2004) and so some insights have changed over time. The fundamental perspective on 'outsider' integration as a process of political negotiation has remained constant, however, and the following articles work through this concept from a range of angles. Whereas I have used this introduction to frame the articles in terms of 'integration' theories, I will use the conclusion article to relate my approach to 'integration', and to refugee integration in a rural border area specifically, to four broader areas of debate in the social sciences, namely 1) minority politics, 2) the relations, negotiations and resistances of marginal groups and individuals with powerful institutions, categories and interventions, 3) national identity construction, and 4) the construction of identity groups.

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Negotiating Rights:
The Politics of Local Integration

Tara Polzer

Abstract

Advocacy campaigns against the "warehousing" of refugees in camps suggest the facilitation of local integration as a preferred policy option for states, international organizations, and non-governmental organizations. This paper argues that the institutions, assumptions, and habits that the international refugee protection system has developed over the past forty years hinder our understanding of local integration as a fundamentally political and refugee- and host-driven process. The paper uses African case studies to show how local integration is part of broader processes of local politics. It proposes alternatives to three key assumptions of conventional policy-oriented approaches to local integration: (1) that local integration is a form of local politics rather than institutionalizable process for an exceptional category of people (e.g., refugees); (2) that local integration is negotiated by refugees based on a range of legitimacy claims and forms of exchange rather than primarily based on "refugee rights"-related claims; and (3) that local integration is enabled by hosts for a variety of reasons rather than mainly for reasons related to the idea of "refugee protection."

Résumé

Les campagnes contre le « stockage » des réfugiés dans des camps suggèrent la facilitation de l'intégration locale comme option à privilégier par les États, organisations internationales et organisations non gouvernementales. Le présent article soutient que les institutions, hypothèses et habitudes développées par le système de protection internationale des réfugiés au cours des quarante dernières années entravent notre compréhension de l'intégration locale en tant que processus fondamentalement politique mis en œuvre par les réfugiés et les hôtes. La recherche s'appuie sur des études de cas africains pour montrer comment l'intégration locale fait partie du processus plus large de politique locale et propose des alternatives à trois hypothèses clés des approches classiques à l'intégration locale axées sur les politiques : 1) que l'intégration locale est une forme de politique locale plutôt qu'un processus institutionnalisable pour une catégorie exceptionnelle d'individus (par ex., les réfugiés); 2) que l'intégration locale est négocié par les réfugiés à partir d'une série de revendications de légitimité et de formes d'échange et non plus principalement à partir de revendications liées aux « droits des réfugiés »; 3) que l'intégration locale est permise par les hôtes pour une variété de raisons, plutôt que pour des raisons essentiellement liées à l'idée de la « protection des réfugiés. »

Introduction

The "local integration" of refugees is usually conceived of as a policy option: something which professional institutions could and should plan and implement as a response to displacement. From the perspective of these institutions, such as United Nations agencies, governments, and non-governmental organizations, this conception is understandable, given that they are debating their own programming options and impacts. However, this paper argues that a policy-oriented approach significantly limits the possibility of understanding the process of local integration and the contexts which facilitate or hinder it. I follow Oliver Bakewell in arguing that academics must move beyond the assumptions and categorizations of policy-oriented thinking and bring the interaction between refugees and others "back into history"[1] by applying "broader social scientific theories of social [and political] transformation and human mobility" rather than "privileging their position as forced migrants as the primary explanatory factor" for protection outcomes.[2]

This paper starts by outlining several key assumptions which the "refugee protection industry" has adopted about itself and about refugees in the past forty years which predispose institutions against local integration. It then discusses a prominent advocacy campaign which critiques some of these assumptions: namely the "anti-warehousing" campaign which promotes local integration as an alternative policy solution to the encampment of refugees. While this campaign against camps is valuable within the policy field, I argue that in critiquing camps and advocating for integration its policy focus nonetheless maintains three related conceptual blinkers. Firstly, it implies that local integration is an institutionalizable process for an exceptional category of people (*e.g.,* refugees); secondly, that refugees integrate through claiming "refugee rights"; and thirdly, that hosts enable integration with the aim of providing "refugee protection."

In contrast, this paper uses predominantly rural African case studies to show how local integration is in practice part of broader processes of local politics. By local politics I mean a process through which individuals and groups negotiate with local power holders for access to needed resources. This approach places refugees and hosts at the centre of the process, rather than professional refugee protection institutions, and assumes that refugees are political actors, using political strategies and tactics just like other individuals and groups. This argument is based on an analysis which includes recognizing a range of legitimacy claims used locally by refugees, apart from "refugee rights," and a variety of reasons why hosts allow and enable integration, apart from reasons relating to "refugee protection."

The paper ends by returning to the policy field and assessing potential policy-based critiques of such an empirical and political understanding of local integration. It concludes that as local integration is largely a process which happens without or in spite of currently dominant institutional interventions, future interventions which wish to support rather than undermine local integration must first have the conceptual tools for understanding its locally specific logics.

Framing Local Integration

Before outlining the policy debate about local integration as an alternative to refugee encampment, let me clarify my understanding of local integration. The term has been used in many, often conflicting, ways.[3] I am not referring to the various types of purportedly self-sufficient refugee settlements, where refugees are largely isolated from local populations by host governments and international actors.[4] Even though these settlements may reduce some of the worst economic dependency problems of fully-catered camps, as

it were, they do not change the essential separateness of refugees and therefore their removal from local political life.

Some authors define "local integration" in terms of a final state of similarity to (although not necessarily of assimilation with) local populations. Jacobsen, for example, describes what she calls *de facto* integration as "where the lived, everyday experience of refugees is that of being part of the local community." This includes lack of physical danger; freedom of movement in the host country and freedom to return to the home country; access to sustainable livelihoods; access to government services like education, health, and housing; social inclusion through intermarriage and social interactions with the host community; and comparable standards of living in comparison with the host community.[5] Jacobsen also emphasizes the importance of formal legal status, ideally permanent residence or citizenship in the host country, as the final step to full integration, since without it *de facto* integrated refugees remain vulnerable.[6] Crisp defines local integration primarily as reflecting the "assumption that refugees will remain indefinitely in their country of asylum and find a solution to their plight in that state,"[7] in contrast to the assumption of temporariness inherent in camps and repatriation programs.

Jacobsen's description of "being integrated" is valuable, as is Crisp's focus on "indefiniteness," especially since both include the understanding that integration need not preclude eventual repatriation or cross-border livelihoods and identities. However, these authors retain many of the assumptions about the refugee protection system which I analyze below—such as the primacy of international and national law, and the "refugee" label—by underemphasizing the social and political process of integration and the local actors involved (not only "refugee protection" professionals). I believe that a very broad, process-focused definition of integration is necessary in order to overcome many of the thought-blinkers "refugee-studies" academics have developed. I define local integration as a process of negotiating access to local legitimacy and entitlement on the basis of a variety of value systems determined by local power holders in dialogue with refugees. Such a broad analysis of negotiation strategies, local value systems and local actors is necessary to develop a subtle, rather than a blueprint, debate on integration. I will return to this below.

There is an extensive literature on the integration of refugees in northern countries, focusing on the interaction between the individual/small group and the host state/society around issues of cultural assimilation, economic access, etc.[8] There are fewer studies on refugee integration in the context of "mass" movements in the "South," but it is definitely a phenomenon that occurs more often than is academically observed.[9] The examples of local integration I will discuss are

all African and mainly rural or small-town based,[10] including on my own research among Mozambican refugees in South Africa (2002–2006).[11] The analysis applies equally, however, to locally integrated urban-based refugees, who now make up over half of recorded refugees worldwide.[12]

Finally, my understanding of local integration applies at all stages of the displacement process.[13] Refugee protection institutions commonly distinguish between interim or "temporary" responses to displacement, where the main policy options are seen to be encampment or local integration, and "durable solutions" to displacement, which are voluntary repatriation, local integration or third country resettlement. The *a priori* distinction between "temporary" and "durable" solutions is largely an institutional and policy construction, since the displaced themselves rarely have a clearly phased or linear interpretation of the temporariness or durableness of their current life situation.

There are many refugees, especially in African host countries, who self-settle and start integrating as soon as they cross the border, usually without any organized intervention on their behalf. Some authors with an intervention-focus have also suggested that local integration should be planned for by refugee protection agencies even in the immediate emergency phase of refugee influx, and not only as a second-phase, medium-term option.[14] Jacobsen explicitly focuses on protracted conflicts during which refugees integrate in the host country while waiting for many decades to "return home."[15] Finally, integration is a concern for those refugees whose countries of origin have achieved some peace and stability but where the country of asylum offers different opportunities, has become "home" in various ways,[16] or has become enmeshed with the country of origin as a locality for cross-border livelihoods.[17]

While local integration is potentially an option at all stages of the refugee experience and for individual as well as large-scale refugee movements, this is not to suggest that it is always an option, or always the best option, or that all refugees wish to integrate in the short or long term. However, it is an option which is often overlooked or actively prevented by intervening institutions because of the assumptions about refugees and refugee protection outlined below. In order to understand in what situations refugees and hosts are likely to succeed in integrating on their own, when targeted outsider interventions are likely to facilitate or hinder the process, or when other forms of intervention are needed, we need a clearer understanding of the integration process itself.

Before developing my approach to local integration as political negotiation, I briefly outline the assumptions about refugee protection interventions that dominate mainstream discussions, including the anti-warehousing debate.

Encampment and Local Integration as Policy Options

Since the 1970s, the major international actors in refugee protection and the majority of academic commentators have seen local integration of refugees in poor host countries as problematic.[18] In terms of international expenditure,[19] academic attention,[20] and media and popular perception, refugee camps have become the dominant response to most mass displacement situations by both host states and the international community. This is especially the case in Africa and increasingly in Asia.[21] The Office of the United Nations High Commissioner for Refugees (UNHCR) and many states see camps as the best interim or preparation stage where displaced people are held and helped until the conditions are ripe for the preferred "durable solution" of repatriation to their country of origin.

In reality, this has not always been the case. For thousands of years, it has been the norm for people who have moved away from conflict (just like people who moved for other reasons) to integrate locally, and local integration was espoused as the natural and ideal solution at the inception of the international refugee regime in the 1950s.[22] Furthermore, a large proportion of displaced people today, whether refugees or internally displaced, still self-settle and integrate, often without contact with official state or international assistance programs. Estimates of independently self-settled refugees are notoriously unreliable,[23] but they have ranged from 30 per cent to 75 per cent of the total number of refugees in Africa.[24]

There are currently approximately 2.5 million refugees living in camps around the world, making up one-third of the refugees counted in the UNHCR's global statistics. In contrast to global percentages, 60 per cent of UNHCR-counted refugees in Africa are in camps.[25] This does not include the much larger numbers of internally displaced persons also living in camps or camp-like settlements. The dominant characteristics of encampment are that camp residents are segregated from the local population and that they have limited freedom of movement or economic independence. Camps are often financed and managed by international organizations, while some are managed by host states.

The policy and practice of refugee encampment has developed historically in explicit opposition to the settlement of refugees among the local population of the host country. Crisp describes the historical and political reasons why host states in Africa increasingly rejected local integration of refugees from the 1970s onward in favour of encampment. These included concern about economic and environmental burdens in poor countries (and in richer countries), security concerns, anger at being "abandoned"

by richer nations, fear of the domestic ramifications of popular xenophobia, and the perceived need to reassert sovereignty over porous borders.[26] Other writers note that host governments benefit from the international aid associated with encampment, which would not be forthcoming for self-sufficient, integrated refugees.[27] These arguments recognize a realist state-centric perspective and are based on the view that state rights (sovereignty) trump individual rights, and that citizen rights trump human rights. In this perspective, encampment is a legitimate means to prevent perceived threats and gain desired benefits for the state and for citizens without injuring any significant interests (since refugee interests are not considered *a priori* significant).

The trend toward camps and away from local integration comes not only from states but also reflects an institutional logic within the international "refugee protection industry" today.[28] This logic has seven elements which make it difficult for professional refugee protection institutions to recognize the localized and political nature of local integration.

First, refugee protection has become a specialized and bureaucratized industry with international, national, and non-governmental organizations dependent on recreating interventions for themselves.[29] Social and political processes which cannot be clearly traced to institutional interventions cannot be used to raise funds or claim positive impact. Second, beyond the immediate material incomes of specific organizations and specialists, there is a deeply held assumption that the responsibility for, as well as the cost of, refugee protection should lie with a centralized institution (the state or an international organization) rather than being diffused among the communities in which refugees might settle. Third, the idea that refugees can bring benefits to host communities, rather than only costs, is a common refrain in the mainstream refugee literature and in the publicity material of refugee assistance institutions, but interventions are rarely conceptualized around the resources and capacities which refugees have independently. Especially encampment is based on the assumption that all refugees are a problem and have problems; not that only those refugees who have problems and are problematic require assistance or intervention.

A fourth consequence of the bureaucratic focus is a tautological definition of who is a refugee: only those people who fit into an intervention-driven definition of refugee are counted and assisted; therefore a perception arises that all refugees are counted and assisted. Those refugees who self-settle and integrate are often not counted at all in the official statistics.[30] Even in situations like Guinea, where only 20 per cent of Sierra Leonean and Liberian refugees are in camps, the greater visibility of camps "strongly [shapes] the image outsiders have of all the refugees."[31]

Fifth, bureaucratization has led to a predilection for blueprint "solutions" and standardized procedures, of which refugee camps are particularly replicable examples. The problems associated with importing camp models without consideration for local specificities have been discussed elsewhere.[32] Sixth, in parallel to the programmatic specialization and blueprints, there have developed deep discursive specializations and blueprints. This includes the assumption that a discourse of refugee identification and refugee rights, as defined by international conventions, will in all cases be beneficial to the refugees concerned and therefore is desired by them. As Andrews points out,

> UNHCR and humanitarian agencies commonly use the category of "refugee" in order to determine the population eligible for aid or resettlement. However, for understanding … how the displaced themselves negotiate their survival with their hosts, this demographic category obscures more than it reveals.[33]

Finally, the international agencies mandated with refugee protection, as well as many academics, have accepted some of the host states' arguments against local integration.[34] Some authors argue convincingly that refugee protection is only possible with the co-operation of host states, and that their priorities and concerns must be taken into account.[35] This is clearly correct in terms of immediate advocacy goals. However, by accepting states' fears of permanence as associated with local integration, and therefore supporting "temporary" encampment interventions, international (and national) non-state actors have contributed to the construction of the refugee as a liminal and apolitical category, a temporary aberration in the "national order of things."[36] In addition to having wide-ranging practical implications for the lives and livelihoods of refugees, as well documented by authors like Smith and Harrell-Bond[37] among others, this depoliticization and dehistoricization of refugees has deep disciplinary and theoretical effects on our ability to understand how refugees actively respond on arrival in a new place.[38]

These assumptions about refugees made by host states and international refugee protection actors must be abandoned in order to understand local integration as an empirical, contextual, historical, and political process. Before describing this integration process in the next section, I briefly discuss the contribution of the "anti-warehousing" campaign, which for several years has been advocating against encampment and for increased use of local integration as a policy option in response to displacement.[39] I argue that while this campaign has merits, it is misleading to present local integration as a different but functionally equivalent policy to encampment, in that it is something which professional

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refugee protection institutions do in response to large-scale displacement of people. The "anti-warehousing" campaign is focused on identifying the problems with encampment, rather than understanding the process of integration *per se*. The campaign therefore challenges some of the assumptions underlying the logic of encampment and professionalized refugee protection, but not others.

In contrast to a state-centric logic, the dominant proponents of the anti-warehousing campaign explicitly advance the primacy of international law (such as the 1951 UN Convention relating to the Status of Refugees and the 1948 Declaration of Human Rights) and human and individual rights in informing their judgments.[40] The refugee rights codified in the Refugee Convention are presented as a minimum standard to which host states and especially international institutions such as the UNHCR have subscribed. Measured against this standard, refugee encampment is presented as not only illegitimate, but also "unnecessary, wasteful, hypocritical, counterproductive, unlawful, and morally unacceptable."[41]

As part of this argument, sovereignty and citizenship rights, as emphasized by host states, are acknowledged, but evidence is presented to debunk many of the security and resource competition concerns routinely expressed by host governments.[42] Smith, who identifies long-term camps not only as dehumanizing in general but also as racist, spells out the moral element very clearly. He points out that when Europeans were designing a system of refugee protection for other Europeans in the 1950s, camps were considered an unconscionable throwback to dictatorial practice and local integration was the assumed and natural route for refugees. If the architects of today's camps, including international actors and host governments, considered refugees as their own equals, they would not consign them to "warehouses."[43]

Regarding the assumption that professional institutions are the best placed to protect refugees, the anti-warehousing campaigners document rights abuses by the UNHCR and international NGOs in detail. They criticize the controlling approach to refugees in camps which often stems from narrowly interpreted organizational imperatives and the pressure on institutions to continue interventions for their own benefit rather than a consideration of refugees as human beings with rights and desires.[44] The conviction that refugees are a potential asset and not a burden is central to the anti-camps argument, which they document with extensive examples. Smith and Harrell-Bond and Verdirame also explicitly refer to the greater psychological well-being and health of self-settled and integrating refugees in comparison with camp-based refugees.[45]

I agree with the anti-warehousing campaigners and most commentators on refugee issues that human rights and the rights enshrined in the Refugee Convention are expressions of what every human being (which is what refugees are in the first instance) should have access to in their lives. What I am arguing is that conventional assumptions about refugee protection limit our ability to understand how refugees actually access and enjoy these rights and resources. There are three key assumptions, all related, which the anti-warehousing debate does not move away from sufficiently, and which are critical to answering the empirical question of how refugees access rights and resources and therefore to understanding the process of local integration.

The first assumption is that refugees are a particular group of people, categorically different from "locals" or other kinds of migrants, with different means of accessing rights and resources, whose actions can be understood through a specialized knowledge. I suggest that refugees negotiate access to rights in relation to local power holders like any other political actor. A second, related, assumption is that a discourse of refugee rights is always the strategically best way of assisting refugees. I submit that often refugees use other identities to claim rights to resources and power in a local context, such as ethnic identification, kinship networks, political clients or allies, etc. In some contexts, the refugee identification does indeed facilitate access to resources, but in others it can be counterproductive and alienating. The third assumption is that "durable solutions" and "refugee protection" are the result of specific interventions by specialized refugee protection organizations based on internationally defined refugee rights. I suggest that local integration often happens as a function of local relationships, in the absence of specific refugee protection interventions, and that it can be actively hindered by them. In fact, refugee protection can be seen as a by-product of successful integration processes, rather than integration being a result of refugee protection. These three points will be discussed in the following sections on the basis of African case studies.

Local Integration as Political Negotiation

My argument is that empirically, local integration is in the first instance a social and political process of incorporating newcomers into an existing political community. This process may or may not be connected to a discursive and institutional framework of "temporary" or "durable" solutions to displacement that assumes certain things about refugees, refugee rights, the role of the state and the role of international organizations.

The underlying questions for understanding integration as a political process is: how do refugees (actively) get what they need to live? This question is empirical and situational, not normative and universal: *what does enable* refugees to access the things they need, rather than *who should*

protect them. Academics should consistently be looking at how refugees gain access to actual power and resources locally, as achieved through negotiation with a variety of actors, some of whom but certainly not all may be agents of the state, international organizations, or NGOs. Within this framework, I agree fully with Verdirame and Harrell-Bond's assertion that "socio-economic integration is the best solution from the point of view of the refugees' enjoyment of their fundamental rights"[46] *because* it gives them more space to actively negotiate access to rights and resources with whatever local power holder can actually enable those rights at any particular time.

There are three guiding questions for a political analysis of refugee integration:

1. Who are the local actors who control access to power and resources and what are their interests?
2. What is the relationship of (different categories of) refugees to those actors—what resources do refugees have which these actors can use, or which threats do they (are they perceived to) present?
3. What tactics and strategies do refugees use within the framework of these relationships to negotiate access to power and resources?[47]

Local Power Holders and Interests

Local actors are all actors who impact directly on the local conditions in which refugees live. In the rural context of my own research in South Africa, powerful actors have been village headmen and religious leaders but also locally based officials of national state organs, such as the Department of Home Affairs, which is responsible for identity documentation. In this conception, local actors may also include staff members of international organizations, if they are present in that locality. I am counting state and international actors as "local" in this context, since the relevant points of interaction for refugees are the locally-based individual representatives of such larger institutions, and the ways in which those individuals act empirically, which may be quite different from the legal mandates or institutional interests their structures theoretically represent.[48] A focus on the specifics of the local is important, since, as numerous case studies point out, the conditions for integration are different from one district to another and from a rural area to the adjoining town, not least because different local actors hold power.[49]

In spite of much debate on "weak" and "failed" states in Africa and elsewhere, the state always remains a central power holder in refugee affairs. Particularly the question of legal documentation, as controlled by the state, is often a crucial constraining factor for refugee options.[50] The inclusion of a variety of actors in the analysis is not to negate the importance of state power to constrain or enable access to

rights in many situations. However, the particular character of state power in a particular locality, including the specific meaning and use of documentation, cannot be taken for granted.

Who can access documentation or who needs it is not always a question of the law and formal state policy. As Hovil points out about self-settled Sudanese refugees in Moyo district of Uganda, many have avoided the entire concept of refugeedom by paying tax and carrying "graduated poll tax tickets that act as a means of official identification" virtually equivalent to citizenship.[51] This is effective even though the government requires refugees to be registered and live in camps. Bakewell writes that legal documentation was only relevant for Angolan refugees self-settled in remote and rural Zambian villages if they wanted to travel to towns to work, and that many "locals" had a range of different identity documents, including refugee cards, for different purposes.[52] In South Africa, many Mozambicans with the requisite social or financial capital were "adopted" by South African families of the same ethnic group and acquired citizenship documentation through them.[53]

There are also cases where the state has little influence on border areas where refugees self-settle, such as in Zambia in the early 1990s.[54] In the absence of the state, other significant actors may be traditional leaders who control access to land and have an interest in increasing their political following; international organizations and NGOs who offer resources and have an interest in docile clients; and armed groups who offer or withdraw security and have an interest in recruits.

Matching actors and their interests also illustrates that different local actors will be most useful (or dangerous) to different groups of refugees depending on what resources the refugees bring with them and what strategies they are pursuing. In the Guinean case, for example, rural Mano refugees easily integrated in rural areas, where traditional authorities and the general population were the relevant local actors. Urban refugees from different ethnic groups did not have the resources, such as political clientage traditions, agricultural knowledge, and labour power, to negotiate with these actors and did not want to, and therefore addressed themselves to international actors and the state for aid by establishing a "spontaneous camp" in Thuo town.[55]

Verdirame and Harrell-Bond provide a sophisticated analysis of the roles and power relations between a plethora of actors involved in refugee protection in Kenya and Uganda.[56] They include not only the mandates of the various institutions, but their on-the-ground practices and individual belief systems of staff members. What is needed in studying other refugee contexts, including local integration, is a similarly complex understanding of the powerful actors

and their interests and assumptions, with the understanding that the roles of government and organized humanitarian actors may be quite marginal in certain contexts.

Refugee Resources

In the ideal international system of refugee protection, the main resource of refugees in relation to host states and refugee rights organizations is their ability to claim legal and moral capital as refugees, which is seen as sufficient to access resources and protection. In reality, however, refugees can rarely access rights purely on this basis, and many have to (or choose to) make use of other resources they bring with them. These may be material resources of exchange (financial resources, labour power and skills, trading relationships) or various forms of legitimacy claims (kinship, client-patron relationships, ideological affiliations). Hansen's early work on self-settled refugees in Zambia especially shows the relevance of cultural and social resources.[57] An analysis of resources enables us, for example, to see cases of co-ethnic integration not as "natural" occurrences, but rather as examples where negotiation for rights and resources is enabled through various existing legitimacy resources including language, cultural norms such as reciprocity, kinship ties, and common spiritual-religious origins (ancestors) which act along with other, more material considerations.

These resources, however, only facilitate integration if they are deemed valuable by local counterparts or used by refugees for the purpose of integrating. In Malkki's well-known work on Burundian refugees in Tanzania, for example, both camp-based and "town" refugees were of the same ethnic group, which was related to some of the local ethnic groups. For the "town" refugees this affinity assisted with an integration process based on remaining invisible to authorities and locals, while for the camp refugees it was irrelevant in their quest for a separate "mythico-historical" identification as exiles.[58]

Other useful resources which refugees can use to facilitate integration are labour power or their contribution to shifting demographic patterns. An increase in population density in a previously sparsely populated area can help locals attract state services. Bakewell's comment on Zambia applies just as well to Mozambican refugees in South Africa:

> The arrival of the refugees was regarded positively by Zambian villagers as not only did they cultivate the bush, but they also boosted the population to levels better able to draw in services such as schools and clinics. For the chiefs and headmen, the increased population also increased their prestige.[59]

In camp situations, the refugees bring the same potential economic, social, and political resources with them, but there is usually no demand from the side of those in power, leaving refugees with fewer bargaining tools. Kinship, language, and symbolic ties are usually non-existent with international actors, whose own prestige is not dependent on attracting political clients except to the extent that there are a sufficient number of "beneficiaries" who remain passive, needy, and controlled. Financial exchanges or individual patron-client relationships that develop between humanitarian staff and refugees in camps, which are so often decried as corrupt and deviant, should in fact be understood as part of the same process by which refugees, just like any other social group, use the resources they have and which are in demand by those in power to negotiate desired outcomes.

Arguing that refugees claim rights as a negotiation for mutual gain with powerful actors, rather than based on abstract principles such as "refugee rights," is not necessarily a purely realist argument. It is in fact a crucial, but often unstated, element of idealist debates on accountability. Rights are only truly protected if those claiming them have a means of sanctioning those with the power to grant or withdraw positive freedoms and rights and the power to infringe or protect from infringement of negative freedoms. Such sanction presupposes a mutual, not entirely one-sided, relationship. By being based on local political negotiation, which requires a measure of mutuality if not necessarily equality, local integration by definition includes more accountability in the relationship between refugees and power-holders than camp-based situations, even as refugee rights advocates and academics are arguing for greater accountability in humanitarian practice.[60]

Refugee Strategies and Tactics

Of course, there is no simple or automatic supply-demand mechanism of resources for rights; resources are deployed by refugees according to particular strategies, depending on the desired outcomes and depending on often significant constraints. Malkki's example is useful once again, as the "camp refugees," in contrast to the "town refugees," did not want to integrate locally but rather to develop and maintain a group identification centring on return to Burundi. They therefore targeted their claims to resources and rights at international actors on the basis of their "refugeehood." We do not know what would have happened if those same refugees had not had powerful actors like the UNHCR who were responsive to this strategy. What other actors would they have turned to for food and shelter? Would they have had to adopt a different strategy?

Refugees also employ more subtle tactics, such as the day-to-day construction of moral legitimacy through

the invocation of shared history by Shangaan-speaking Mozambican refugees in relation to their Shangaan-speaking hosts in South Africa.[61] While many, even most, Mozambican refugees remained extremely poor for twenty years after their arrival in South Africa, the mutually reinforced identity link with their hosts has meant that they have not experienced the often violent xenophobia which plagues refugees and migrants in other parts of post-1994 South Africa.[62]

Although I have been emphasizing negotiation for resources and power as an active process, there are clearly different levels of individual or collective agency in the choice of strategies and tactics. Some interactions (such as bribing a UNHCR status determination official to arrange resettlement or offering group allegiance to a chief) are more purposeful and active than others (such as increasing the population density of an area).

This broad model of political negotiation which looks at actors, resources, and strategies has several benefits. It allows us to describe and compare refugee responses across a variety of contexts and times and with a variety of other groups of actors, such as vulnerable citizens, internally displaced persons, and economic migrants. It is only seemingly paradoxical that a situationally defined approach would facilitate comparison; refugee studies has been obsessed with classification and labelling so that camp-based refugees are studied differently from returnees, who are again imbued with different characteristics to internally displaced. This kind of classification without a unifying theoretical model does not help to assess the relative achievement of rights. I am not proposing negotiated rights as a means of understanding local integration only; it is a means of seeing local integration as one scenario on a continuum of relative freedom to negotiate rights which stretches from warehoused refugees, slaves, trafficked children, etc. on the one end, to fully enfranchised citizens on the other. Along this continuum there may be more powerful refugees and vulnerable ones, as well as more or less marginalized citizens.

Sometimes, marginal citizens may have fewer rights than some refugees living among them, especially if we consider prominent political exiles or members of rebel groups befriended with the host state's government. Sudanese refugees in northern Uganda and Kenya enjoy certain rights not by virtue of being refugees, but through their association with the Sudan People's Liberation Army (SPLA) rebel group, which is in political allegiance with the respective host governments. SPLA membership cards allow freedom of movement in much of Uganda,[63] while, in contrast, Acholi citizens of Uganda have been resettled to government "villages" through a violent constraint of movement in the past twenty years. The warehousing critique correctly challenges the treatment of all refugees as a homogeneous, vulnerable, and dependent group, and the approach of analyzing the negotiation of rights gives us a means of acknowledging the more powerful as well as the vulnerable.

This negotiating-rights perspective also allows us to compare current negotiations for rights with historical periods when international refugee law and human rights concepts did not exist as benchmarks. This gives the study of refugee flows and responses a much longer historical context and allows for more cross-fertilization with historical studies in other disciplines. An active, political perspective therefore brings refugees "back into history" in more than one sense, comparatively over time and by not taking them out of a normal process of political change and development through refugee labelling and sequestration in camps.[64]

Local Integration through Refugee Rights?

Using the model of politically negotiated rights, "refugee rights" become one of many possible strategies that refugees can use to access rights within a set of structural constraints. However, claiming "refugee rights" will only be effective as a strategy if there are powerful actors present who are likely to react positively to this strategy. Some host governments, international organizations and NGOs are clearly responsive to this strategic claim.[65] But even in cases where the organization most mandated to respond to the claim of refugee rights—the UNHCR—is powerful, the legal rights of refugees as set out in the *Refugee Convention* have often been ignored in favour of UN-supported "warehousing." So the invocation of the refugee identification towards institutions mandated to respond to that label has just as often led to a direct constraint of rights as to an expansion of rights.

As noted above, other common strategies which refugees use for claiming access to rights include historical association, political allegiance, and ethnic identification. In the case of Angolan refugees in the Zambian border regions, Bakewell points out that there was an existing historical community spanning the formal border. In the absence of a strong central state presence in the border communities, this historical and ethnic connection was more important than differences of formal citizenship in accessing relevant resources such as land.[66] In terms of political allegiance, the case of SPLA members in Uganda is mentioned above.

The case of Mozambican refugees in South Africa serves as an example of ethnic identification, claimed in parallel, at different points in time, with other forms of legitimacy. Shangaan-speaking Mozambicans escaping the civil war in the mid-1980s were welcomed and integrated in South Africa by the Shangaan-speaking "homeland" government (located immediately on the border with Mozambique) as ethnic and black brothers in explicit opposition to a racist

central state.[67] Even though it did not obviate all discrimination or conflict with locals, ethnic identification was therefore an important strategy through which Mozambican refugees could access basic local rights (such as access to land, low-level employment by local residents, etc.) in the first ten years of their stay in South Africa.

After the 1994 transition to democracy in South Africa, the ethnic "homelands" were dissolved. Faced with a central state that still only had a fledgling refugee rights legislation or culture, Mozambicans' strategy shifted to claiming rights from the state (rather than only from local authorities), but by identifying themselves as long-term residents from a neighbouring country rather than as refugees *per se.* In 1995 and 1996, over 90,000 Mozambican refugees received permanent resident status by virtue of being counted as miners or migrants from within the Southern African Development Community (SADC). Only in 1999, fifteen years after their arrival, did the strategy of claiming "refugee rights" bear fruit for Mozambicans in South Africa when a government amnesty was specifically oriented around the right to legal regularization for Mozambican refugees.[68]

The negotiation for documentation and rights from the state as "migrants" and "refugees" continued to be paralleled by a local negotiation for rights from the host community on the basis of common ancestry and tradition, as mentioned above.[69] In fact, trying to claim local rights on the basis of being a refugee was seen by many Mozambicans as being counterproductive. While South African hospitality initially included empathy with the horrors the Mozambicans had experienced during the civil war and their extreme poverty on arrival in South Africa, this charity soon underpinned an unequal hierarchical relationship. To gain expanded access to resources and rights, many Mozambicans have worked hard to renounce the need for charity, pity, or special treatment on the basis of their refugeehood and have made claims for local equality on the basis of long-term residence, education level, or South African citizenship documents.

Local Integration as Refugee Protection Intervention?

People have moved to escape persecution and wars for thousands of years and have always found ways, sometimes with ease and more often with much difficulty, of establishing new homes among new people, or else moving on until they did. Only rarely were those fleeing war welcomed and integrated merely because they were displaced by war. Even since the invention of the modern refugee regime in the 1950s, most local integration has not been the result of a host-country or host-community strategy based predominantly on the aim of providing refugee protection.

The European Cold War–era refugee regime was centrally about geopolitical and ideological rivalry, rather than about humanitarianism.[70] In Africa, some refugees were welcomed by host states and societies as African brothers and neighbours (not as refugees *qua* refugees) during the wars of independence.[71] Some, such as the Mozambicans in South Africa[72] or the Liberians in Cote d'Ivoire,[73] have more recently been welcomed as co-ethnic brothers (again not as refugees *per se*). Other refugees have chosen to evade the host state's official refugee protection system and try their luck as "undocumented migrants" or pose as locals, calculating that there was some greater benefit in this arrangement.[74] In sum, those who were integrated officially were not integrated on the basis of being refugees *per se,* and those who are integrating unofficially feel that their lives and chances are better by not being recognized or identified as refugees. Neither is therefore really integration on the basis of intentional refugee protection.

There are many case studies of local integration where the *absence* of state and international interventions has been instrumental in facilitating integration. In Sierra Leone of the early 1990s, for example, Leach found that, "in local terms, 'self-settlement' and 'integration' were not special, but an inevitable and well-precedented way of dealing with [the arrival of Liberian refugees]."[75] Even in the European context, Zetter *et al.* note that "in Italy, the *lack* of a nationally coordinated framework of policies for settlement and control of geographical mobility appears to have the effect of facilitating integration and enabling local networks to consolidate and support labor market access and social mobility."[76] When refugees decide not to live in camps but rather to self-settle and integrate, they are often avoiding not only the specific strictures of the camp setting, but just as much the refugee label and concept itself and the involvement of external institutional actors in their lives.

There are three questions implicit in the relationship between local integration and intentional refugee protection interventions. One is whether local integration interventions explicitly motivated by refugee protection aims have had a good record in facilitating local integration. We have very few empirical examples of how well locally integrated refugees would do if they were supported by both governments and the UNHCR without the presence of additional political or institutional interests apart from refugee protection. As mentioned above, in those cases where the government explicitly welcomed refugees (such as Cote d'Ivoire in the early 1990s,[77] Tanzania of the 1960s,[78] or Malawi[79]) there was little UNHCR or NGO assistance and governments had other strategic imperatives. We do have evidence of cases where interventions intended for refugee protection have constrained refugee rights and imperiled existing local integration, including

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various examples of forced encampment of refugees living independently in villages or towns.[80]

The second question is whether local integration has had a good record in protecting refugees—*i.e.,* whether integrated refugees enjoy more rights and freedoms than refugees in other situations. Compared with long-term camp sequestration, the anti-warehousing advocates have convincingly argued that local integration is generally preferable in terms of basic rights such as the right to free movement, the right to work and self-sufficiency, and the right to association.[81] Others have argued that integration is also preferable to nominally self-sufficient settlements which nonetheless constrain free movement.[82] Still others note that health and socio-economic indicators for self-settled refugees are generally better than for those in camps.[83] Even where the economic conditions are more difficult for refugees outside camps, many choose to stay outside the camps because the freedom to determine their own lives is deemed more important than easy access to some services.[84]

We are left with the third, essentially normative, question concerning the relationship between local integration and refugee protection: what about those refugees who do not have the resources to negotiate for successful integration and what about situations where the local actors offer no space for refugees to negotiate or indeed attack them? What happens/ would happen to refugees in such situations in the absence of an international or national refugee protection intervention such as a camp? What about those subgroups considered the most vulnerable, and with the least independent resources for negotiation, such as unaccompanied children, women with small children, or refugees who are ill or disabled? What about Goma or Kosovo or Darfur, or any other large-scale (and high-profile) mass refugee exodus, especially where there is ongoing and widespread violence in the areas to which people are displaced?

There are undoubtedly contexts in which particular refugees do not and cannot survive without external assistance and without the kind of protection provided by a spatially separate and securitized camp. However, the existence of such particular needs and contexts does not invalidate the point of needing to empirically study and understand local integration where and when it happens. Furthermore, on the normative question of which type of protection (local integration or camp) is on average or aggregate better for particularly vulnerable refugees in contexts of ongoing violence or very large-scale movement, this may be impossible and indeed dangerous to answer, given the context-specific nature of refugee needs, desires, and options.

If we do attempt a review of the available evidence comparing the record of camps versus local integration in these extreme contexts, we have little clear evidence, as noted above, whether encampment interventions have a positive or negative effect in balance on refugee welfare, including for particular subgroups of refugees. It is even more difficult to make counterfactual suppositions; *i.e.,* what would it have been like if there were no camps. In order to make a counterfactual argument, we would have to take away not only the economy of the camps (for the international organizations and host states involved), but also the political option of camps which host states, host communities, and some refugee groups can now use to fall back on international actors. We would also have to imagine away the insidious discursive construction of helpless, dependent and burdensome refugees which comes with camps and which affects even those refugees who are currently not in camps.

We can look at cases where large-scale refugee movements have been absorbed by hosts without the need for camps. Guinea is, to a large extent, such a host country, as were Malawi, Tanzania, and also many European countries after the Second World War. We can also look at cases where refugees, including supposedly vulnerable subgroups, have chosen to remain outside available camps and brave the fight for survival on their own, or at least without handouts based on "refugee rights." Here we do have evidence that seems to show that self-settled refugees suffer less hardship than camp-based ones, or are willing to suffer greater economic hardship for the added freedoms of self-settlement. We should also be doing more comparative work with historical migrations, to see how refugees survived, or not, before the invention of an international system of refugee rights.

Conclusion

To pre-empt a range of criticisms which a focus on refugee agency and the social and political "normality" of the integration process may potentially and to some extent legitimately provoke, let me outline four dangers of this approach. First, it may seem to underplay the structural constraints which refugees face, most significantly the role of the state in deciding on who has rights within its borders. Second, it may seem to gloss over the hardship that many refugees certainly experience. Third, it could be misunderstood as a fatalistic perspective, which holds that if integration happens "naturally" it is inevitable, and if it does not happen "naturally" there is nothing which concerned institutions can do about it, even if vulnerable people are suffering. Finally, it may seem to underestimate the power and importance of the legal framework as a potentially progressive and protective or constraining and discriminatory force. It is certainly not my intention to suggest these things.

In relation to the first two points, I am simply arguing that we need to look at both structural constraints and hardship situationally in each case of local integration (or

where local integration is not happening), and how refugees empirically react to and manage them. In looking at how refugees negotiate protection, rights, and access to resources, we should not overlook informal non-state actors (such as community leaders, individual local residents, etc.) and their roles in protecting and enabling access to rights and the management of hardship in the local context. There is no suggestion that constraints and hardships do not exist where local integration takes place, or that they are *a priori* any greater or lesser than in encampment contexts.

In relation to the following two points—fatalism and law—we should be aware that both the dominant power structures and the laws which form the basis of the ideal refugee protection framework which is often held up as a model are, in fact, quite recent inventions, that they are not universally experienced, and that they have changed significantly in the past fifty, twenty and even five years. They will change again. Therefore, in understanding what actually happens on the ground, we should not start from a prescriptive idea of what *should be,* how states should act, and how the law should function, but rather start from a descriptive analysis of *how* states and communities act and how the law functions.

Finally, any comparison of local integration and encampment as ways of living needs to be clear on what benchmark is being applied. The "enjoyment of rights" by refugees is often touted as a measure, assessed through welfare indicators such as access to food, health, education, employment, etc. But this may be missing much of the point of how refugees experience local integration. The freedom to act politically and strategically, *i.e.,* the "freedom to pursue normal lives,"[85] may be the more important criterion from their perspective. The defining characteristic of encampment is the constraint of this freedom.

Hovil expresses the significance of freedom well in her study of Sudanese refugees in Moyo District, Uganda:

> The most striking contrast between those refugees living in settlements and those who are self-settled is not the difference in relative standards of living, but the response they have to their predicament. The feeling of powerlessness pervading the interviews with settlement refugees stands in direct contrast to those who had opted out of the refugee assistance structures and were taking responsibility for their lives. There is obviously a danger of over-romanticising the lives of self-settled refugees. By no means are their circumstances easy—not least of all because they are not recognized by the refugee assistance structures in operation. However, the fact remains that their ability to move freely has a positive impact on their lives, allowing them to utilize fully the resources around them and make choices based on where they exist.[86]

The actual physical constraint of the camp is matched by a much more subtle constraint, which I am arguing against. This is the assumption that it is up to "us," as professionals and institutions mandated with refugee protection, to "give" refugees freedom to negotiate access to their own rights. Justice Albie Sachs, in the introduction to Verdirame and Harrell-Bond's new book, shows how deeply this perception sits when he says: "there is a need for *giving* refugees a far more active role in deciding on their future."[87]

I have made an argument primarily about how we think about refugee responses and responses to refugees, not about what specific policy should be followed in response to displacement or to facilitate integration. Anti-warehousing advocacy campaigners are doing valuable work presenting arguments for a change in policy around encampment, within the context of the institutional arrangements (and the concomitant interests) that we have today. This debate *against camps* is appropriately based on a combination of arguments about human rights (contributing to showing up the hypocrisy and double standards of an aid system supposedly based on this concept), basic welfare, and cost-benefit analysis, thereby showing that camps do not provide a good service to refugees and only an illusory and morally indefensible service to states and international agencies. This campaign is a step in the right direction.

When the follow-on policy question arises, "Well, if not camps, what else shall we do with them then?" one can make many arguments about human rights, basic welfare, and cost-benefit analysis *in favour of local integration,* and can define government and international aid interventions which are likely to facilitate or constrain it. These are mainly to do with documentation, access to labour markets, and access to/ investment in basic services for all residents of a particular area, as has already been well-argued in documents such as the UNHCR Standing Committee's "Framework for Durable Solutions for Refugees and Persons of Concern,"[88] and various academic papers.[89] It is definitely desirable to raise the profile of local integration with refugee rights and advocacy organizations who are arguing within the current, dominant "durable solutions" paradigm.

But I am also suggesting that academics must take the additional step of looking beyond the current institutional arrangements and their demands for particular policy justifications.[90] Empirical research which does not start from an explicit policy perspective is not merely a luxury. Bakewell has argued that "research which is designed without regard to policy relevance may offer a more powerful critique and ironically help to bring about more profound changes than many studies that focus on policy issues from the outset."[91] This is partly because institutions, especially ones specialized in crisis management, tend to have short historical

memories and therefore tend to assume that things are as they are because they cannot be otherwise (or at least that only minor policy tweaks here or there are possible).[92] More importantly, by circling around a policy objective, the expert refugee industry is largely talking to itself and telling itself what it should do rather than considering all the actors and options available in real life. This is not in itself wrong, as institutions should be taking responsibility for monitoring their own interventions and holding themselves accountable as much as possible.

However, the problem remains that policy talk is inevitably and by definition skewed toward a consideration of existing institutional responses and logics. It is a simple fact that the majority of people we may call refugees does not actually experience the institutional interventions and logics as institutions assume they do. A significant proportion of refugees is not in camps and has never been "captured" in statistics or target-group specifications. For them, creatively negotiating power relations with local power holders is not a policy option; it is simply what they do. Even of those who are "captured" in the system, only a minority internalize it to the extent that they conform to the models institutions provide—either in camps or during repatriation drives or in local communities. By taking these models as the exclusive (explicit or implicit) benchmarks for refugee actions, we, as academics, run the risk of "warehousing" refugees not only with barbed wire and tents but also with words.

Notes

1. Lisa Malkki, "Speechless Emissaries: Refugees, Humanitarianism and Dehistoricization," in *Siting Culture: The Shifting Anthropological Subject,* ed. K. F. Olwig and K. Hastrup (London: Routledge, 1997.)

2. Oliver Bakewell, "Research Beyond the Categories: The Importance of Policy Irrelevant Research into Forced Migration," *Journal of Refugee Studies* 21, no. 4 (2008): 432.

3. Jeff Crisp, "The Local Integration and Local Settlement of Refugees: A Conceptual and Historical Analysis," Working Paper No. 102, New Issues in Refugee Research (Geneva: UNHCR, 2004).

4. See Art Hansen, *Refugee Self-Settlement Versus Settlement on Government Schemes: The Long-Term Consequences for Security, Integration and Economic Development of Angolan Refugees (1966–1989) in Zambia* (Geneva: United Nations Research Institute for Social Development, 1990); Gaim Kibreab, "Local Settlements in Africa: A Misconceived Option?" *Journal of Refugee Studies* 2, no. 4 (1989); Karen Jacobsen, "The Forgotten Solution: Local Integration for Refugees in Developing Countries," Working Paper No. 45, New Issues in Refugee Research (Geneva: UNHCR, 2001), 7.

5. Jacobsen, 9.

6. See also Kibreab.

7. Crisp, "Local Integration," 3.

8. Roger Zetter *et al.*, "Summary Report: Survey on Policy and Practice Relative to Refugee Integration" (commissioned by European Refugee Fund Community Actions and conducted by Department of Planning, Oxford Brooks University, Oxford, 2002); Maya Korac, "Integration and How We Facilitate It: A Comparative Study of the Settlement Experiences of Refugees in Italy and the Netherlands," *Sociology* 37, no. 1 (2003); Michael Fix *et al.,* "Los Angeles on the Leading Edge: Immigrant Integration Indicators and Their Policy Implications" (Washington, DC: National Center on Immigrant Integration Policy, Migration Policy Institute, 2008); Jill Rutter *et al.*, "From Refugee to Citizen: 'Standing on My Own Two Feet': A Research Report on Integration, 'Britishness' and Citizenship" (London: Refugee Support, 2007).

9. Jacobsen.

10. Wim Van Damme, "How Liberian and Sierra Leonean Refugees Settled in the Forest Region of Guinea 1990–96," *Journal of Refugee Studies* 12, no. 1 (1999); Oliver Bakewell, "Repatriation and Self-Settled Refugees in Zambia: Bringing Solutions to the Wrong Problems," *Journal of Refugee Studies* 13, no. 4 (2000); Lisa Malkki, *Purity and Exile: Violence, Memory and National Cosmology among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995); Lacey Andrews, "When Is a Refugee Not a Refugee? Flexible Social Categories and Host/Refugee Relations in Guinea," Working Paper No. 88, New Issues in Refugee Research (Geneva: UNHCR, 2003); Lucy Hovil, "Free to Stay, Free to Go?: Movement, Seclusion and Integration of Refugees in Moyo District," Working Paper No. 4 (Kampala: Refugee Law Project, 2002); D. Stone and M. De Vriese, "Refugee Livelihoods: Livelihood Strategies and Options for Congolese Refugees in Gabon. A Case Study for Possible Local Integration," EPAU Report (Geneva: UNHCR, 2004); Tania Kaiser, Lucy Hovil, and Zachary Lomo, "'We Are All Stranded Here Together': The Local Settlement System, Freedom of Movement and Livelihood Opportunities for Refugees in Arua and Moyo Districts," Working Paper No. 14 (Kampala: Refugee Law Project, 2005); Ana Low, "Local Integration: A Durable Solution for Refugees?" *Forced Migration Review* 25 (2006): 64–5; Lacey Andrews Gale, "The Invisible Refugee Camp: Durable Solutions for Boreah 'Residuals' in Guinea," *Journal of Refugee Studies* 21 (2008): 537–52.

11. My research was conducted as part of the Refugee Research Project, now part of the Forced Migration Studies Programme (FMSP) of the University of the Witwatersrand. From 2002–2006 I was resident in Bushbuckridge District, South Africa, bordering Mozambique, where approximately 30 per cent of the population in the east of the district are refugees from the Mozambican civil war. My methodologies included repeated structured and unstructured interviews with members of fifty-seven households in three

villages, half of South African and half of Mozambican origin, as well as key informant interviews and participation in public village events.

12. UNHCR, "2009 Global Trends; Refugees, Asylum-Seekers, Returnees, Internally Displaced and Stateless Persons" (Geneva: UNHCR, 2009).

13. I do not use the term "refugee cycle" here, since it has been so strongly associated with repatriation as the "natural" end of the "cycle."

14. Tom Kuhlman, "Responding to Protracted Refugee Situations: A Case Study of Liberian Refugees in Côte d'Ivoire," ed. UNHCR EPAU (Geneva: UNHCR EPAU, 2002), 40.

15. Jacobsen, 1.

16. Tara Polzer, "'We Are All South Africans Now': The Integration of Mozambican Refugees in Rural South Africa," Working Paper No. 8 (Johannesburg: FMSP, 2004).

17. Crisp, "Local Integration."

18. Crisp, "Local Integration"; NGO Statement on Local Integration Global Consultations on International Protection 22–24 May 2002, http://www.icva.ch/doc00000865.html. The UNHCR 1995 report *The State of the World's Refugees: In Search of Solutions* ignored local integration almost entirely.

19. Merrill Smith, "Warehousing Refugees: A Denial of Rights, a Waste of Humanity," in *World Refugee Survey,* ed. Merrill Smith (2004); Alexandra Fielden, "Local Integration: An Under-Reported Solution to Protracted Refugee Situations," Working Paper No. 158, New Issues in Refugee Research (2008), 3.

20. Jacobsen; Fielden, 1.

21. UNHCR, "2009 Global Trends."

22. See 1951 UN *Convention relating to the Status of Refugees,* Article 34.

23. Tara Polzer and Laura Hammond. "Editorial Introduction: Invisible Displacement," *Journal of Refugee Studies* 21, no. 4 (2008): 417–31.

24. Crisp, "Local Integration."

25. UNHCR, "2009 Global Trends," 1, 15. The estimates of up to 75 per cent of African refugees being self-settled assume that most of these refugees are not included in UNHCR statistics.

26. Crisp, "Local Integration," 5.

27. Jacobsen; Smith, "Warehousing Refugees."

28. Clearly, there are many different actors concerned with refugee protection and refugee rights, and there are significant variations in approach, influence, and impact. I do not wish to suggest that all intervening organizations or all host states share all of the assumptions listed in these two paragraphs. Nonetheless, I believe there is a core logic that informs most of the large-scale, high-visibility refugee protection institutions and interventions, such as the UNHCR and large NGOs involved in refugee camps, and that this core also structures what other, smaller actors do and think.

29. B. E. Harrell-Bond, *Imposing Aid: Emergency Assistance to Refugees* (Oxford: Oxford University Press, 1986).

30. Bakewell. "Research Beyond the Categories."

31. Van Damme, "How Liberian and Sierra Leonean Refugees Settled in the Forest Region of Guinea 1990–96," 36.

32. See for example Wim Van Damme, "Do Refugees Belong in Camps? Experiences from Goma and Guinea," *The Lancet* 346 (1995).

33. Andrews, "When Is a Refugee Not a Refugee?," 1; also Gale, "The Invisible Refugee Camp."

34. Guglielmo Verdirame and B. E. Harrell-Bond, "Rights in Exile: Violations of Refugee Rights in Camps" (paper, 9th IASFM, Sao Paolo, Brazil, 9–12 January 2005). See also Bakewell, "Research Beyond the Categories."

35. Jacobsen, 3.

36. Liisa Malkki, "Refugees and Exile: From 'Refugee Studies' To the Natural Order of Things," *Annual Review of Anthropology* 24 (1995).

37. Smith, "Warehousing Refugees"; Harrell-Bond, *Imposing Aid.*

38. Malkki, "Refugees and Exile"; Malkki, "Speechless Emissaries."

39. See the anti-warehousing campaign website, http://www.refugees.org/warehousing. See, most recently (late 2008), the initiative to entrench self-reliance as a standard of refugee care: http://www.refugees.org/conclusion. The extensive campaign to date has the support of over one hundred NGOs from around the world, predominantly from the South, as well as significant support from within the UN system. See Merrill Smith, "Warehousing Refugees"; Jacobsen, "The Forgotten Solution"; Jeff Crisp, "No Solutions in Sight: The Problem of Protracted Refugee Situations in Africa," Working Paper No. 75, New Issues in Refugee Research (2003).

40. Smith, "Warehousing Refugees"; B. E. Harrell-Bond and Guglielmo Verdirame, *Rights in Exile: Janus-Faced Humanitarianism* (New York and Oxford: Berghahn Books, 2004); Jacobsen, "The Forgotten Solution."

41. Smith, "Warehousing Refugees":38.

42. *Ibid.*

43. *Ibid.*, 39.

44. *Harrell-Bond and Verdirame, Rights in Exile: Janus-Faced Humanitarianism.*

45. Smith, "Warehousing Refugees"; Verdirame and Harrell-Bond, "Rights in Exile: Violations of Refugee Rights in Camps."

46. Verdirame and Harrell-Bond, "Rights in Exile: Violations of Refugee Rights in Camps,"12.

47. Certeau defines "tactics" as "small manoeuvres" that subvert and play with dominant meanings. "Strategies" refer to more calculated everyday efforts to advance one's position from within a given set of structural constraints; Certeau 1984: 37, cited in Graeme Rodgers, "When Refugees Don't Go Home: Post-War Mozambican Settlement across the

Border with South Africa" (PhD dissertation, University of the Witwatersrand, 2002), 4.

48. Michael Lipsky, *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services* (New York: Russell Sage Foundation, 1980).

49. Van Damme, "How Liberian and Sierra Leonean Refugees Settled in the Forest Region of Guinea 1990–96"; Oliver Bakewell, "Returning Refugees or Migrating Villagers? Voluntary Repatriation Programmes in Africa Reconsidered," EPAU Working Paper (Geneva: UNHCR, 1999), Malkki, "*Purity and Exile*"; Andrews, "When Is a Refugee Not a Refugee?"; Kaiser, Hovil, and Lomo.

50. Verdirame and Harrell-Bond, "Rights in Exile: Violations of Refugee Rights in Camps," 12; Crisp, "The Local Integration and Local Settlement of Refugees: A Conceptual and Historical Analysis"; Jacobsen, "The Forgotten Solution: Local Integration for Refugees in Developing Countries."

51. Hovil, "Free to Stay, Free to Go?," 6

52. Bakewell, "Returning Refugees or Migrating Villagers?," 12.

53. Chris Dolan, "The Changing Status of Mozambicans in South Africa and the Impact of This on Repatriation to and Re-Integration in Mozambique" (Maputo: Norwegian Refugee Council, 1997); Tara Polzer, "Adapting to Changing Legal Frameworks: Mozambican Refugees in South Africa – an Historical Overview," *International Journal of Refugee Law* 19, no. 1 (2007).

54. Bakewell, "Repatriation and Self-Settled Refugees in Zambia."

55. Van Damme, "How Liberian and Sierra Leonean Refugees Settled in the Forest Region of Guinea 1990–96," 39.

56. Harrell-Bond and Verdirame, *Rights in Exile: Janus-Faced Humanitarianism*.

57. Art Hansen, "Once the Running Stops: Assimilation of Angolan Refugees into Zambian Border Villages," *Disasters* 3, no. 4 (1979):370–371.

58. Malkki, *Purity and Exile*.

59. Bakewell, "Returning Refugees or Migrating Villagers?," 12; see also Polzer, "Adapting to Changing Legal Frameworks."

60. See the Humanitarian Accountability Partnership International, http://www.hapinternational.org/.

61. Rodgers; Polzer, "Adapting to Changing Legal Framework"; Tara Polzer, "Invisible Integration: How Bureaucratic, Academic and Social Categories Obscure Integrated Refugees," *Journal of Refugee Studies* 21, no. 4 (2008): 476–97.

62. Tara Polzer, "Lessons from a Border Area: Why There Is Relatively Little Xenophobia against Mozambicans in Bushbuckridge, Mpumalanga," In *Submission to Open Hearing on Xenophobia and Problems Relating to It, Hosted by the South African Human Rights Commission with the Portfolio Committees of the Departments of Foreign Affairs and Home Affairs, Johannesburg, 1–3 November 2004* (Johannesburg: Acornhoek Advice Centre, Wits University, 2004).

63. Hovil, "Free to Stay, Free to Go?," footnote 69.

64. Malkki, "Refugees and Exile."

65. By using the term "strategic" I do not intend to question that many refugees who use this strategy are genuine refugees under the Convention definitions. I am merely pointing out that genuine refugees can also choose to use other bases for claiming rights.

66. Bakewell, "Repatriation and Self-Settled Refugees in Zambia."

67. E. Ritchken, "Leadership and Conflict in Bushbuckridge: Struggles to Define Moral Economies within the Context of Rapidly Transforming Political Economies" (PhD dissertation, University of the Witwatersrand, 1995).

68. Polzer, "Adapting to Changing Legal Frameworks."

69. Rodgers, "When Refugees Don't Go Home."

70. Laura Barnett, "Global Governance and the Evolution of the International Refugee Regime," *International Journal of Refugee Law* 14, no. 2/3 (2002): 238–62.

71. J. R. Rogge, "Repatriation of Refugees: A Not Simple 'Optimum' Solution," in *When Refugees Go Home,* ed. Tim Allen and Hubert Morsink (London: James Currey, 1994): 18.

72. Polzer, "Adapting to Changing Legal Frameworks."

73. Kuhlman, "Responding to Protracted Refugee Situations."

74. See Malkki, *Purity and Exile;* Hovil, "Free to Stay, Free to Go?"; Harrell-Bond and Verdirame, *Rights in Exile: Janus-Faced Humanitarianism* for some studies of refugees who have consciously avoided camp settlement.

75. M. Leach, "Dealing with Displacement: Refugee Host Relations, Food and Forest Resources in Sierra Leonean Mende Communities During the Liberian Influx 1990–91," in Research Report No. 22 (Brighton: Institute of Development Studies, 1922), 2, as quoted in Rodgers.

76. Zetter *et al.,* "Summary Report: Survey on Policy and Practice Relative to Refugee Integration" (emphasis added).

77. Kuhlman, "Responding to Protracted Refugee Situations."

78. Loren B. Landau, "Beyond the Losers: Transforming Governmental Practice in Refugee-Affected Tanzania," *Journal of Refugee Studies* 16, no. 1 (2003).

79. Harri Englund, *From War to Peace on the Mozambique-Malawi Borderland* (Edinburgh: Edinburgh University Press for the International African Institute, 2002).

80. Guglielmo Verdirame, "Human Rights and Refugees: The Case of Kenya," *Journal of Refugee Studies* 12, no. 1 (1999); Simon Turner, "Suspended Spaces—Contested Sovereignties in a Refugee Camp," in *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World*, ed. T. B. Hansen and Finn Stepputat (Princeton: Princeton University Press, 2005); Harrell-Bond and Verdirame, *Rights in Exile: Janus-Faced Humanitarianism*.

81. Harrell-Bond and Verdirame, *Rights in Exile: Janus-Faced Humanitarianism;* Smith, "Warehousing Refugees."

82. Kaiser, Hovil, and Lomo.

83. Van Damme, "Do Refugees Belong in Camps?"

84. Smith, "Warehousing Refugees."

85. *Ibid.,* 38.

86. Hovil, "Free to Stay, Free to Go?," 22.
87. Harrell-Bond and Verdirame, _Rights in Exile: Janus-Faced Humanitarianism_ (emphasis added).
88. UNHCR Standing Committee, "Framework for Durable Solutions for Refugees and Persons of Concern," ed. EC/53/SC/INF.3 (September 16, 2002).
89. Jacobsen; Crisp, "Local Integration," 6; C. Dolan, "Aliens Aboard: Mozambicans in the New South Africa," _Indicator SA_ 12, no. 3 (1995).
90. Bakewell. "Research Beyond the Categories."
91. Bakewell. "Research Beyond the Categories," 433.
92. Larry Minear, "Humanitarian Action and Peacekeeping Operations" (background paper for UNITAR/IPS/NIRA Conference, Singapore, 24–26 February, 1997).

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Histories of Integration;

The local politics of Mozambican Refugees in South Africa, 1830-2006

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This paper argues that analyses of refugee integration processes need to be 'brought back into history' by comparing recent cases with refugee flows before the introduction of the current regime of international refugee protection conventions and institutions. The integration strategies pursued by two waves of Mozambican forced migrants (from the 1830s-90s, and in the 1980s) in a rapidly changing South Africa are explored. Tracing how different waves of forced migrants have integrated shows that the bases for negotiating integration change radically depending on shifting local power structures, including tribal leaders, colonial government, missionaries, Bantustans, traditional community leadership, democratic local and national government, and refugee rights NGOs. The strategies employed by refugees and hosts at different points in time should therefore not be thought of as a policy or intervention derived mainly from international law, but rather as local politics.

Introduction

Since the field's inception in the 1980s, authors have lamented the ahistorical nature of much of the refugee studies literature (Malkki, 1997, Harrell-Bond, 1986). This paper argues the importance of bringing the analysis of refugee integration processes 'back into history' (Malkki, 1997, Gemie et al., 2009) by comparing recent cases of refugee

integration with refugee flows which occurred before the introduction of the current regime of international refugee protection conventions and institutions. I explore the integration strategies pursued by two 'waves' of Mozambican forced migrants (from the 1830s-90s, and in the 1980s) in a rapidly changing South Africa. A historical comparison shows that theoretical frameworks for analysing integration processes cannot take the legal, institutional and normative assumptions of one specific period for granted, but must be capable of capturing and reflecting different forms of and motivations for integration across epochs. To this end, the paper analyses refugee integration as 'local politics' (Polzer, 2009) rather than as a specialised form of apolitical and ahistorical policy intervention (Malkki, 1997).

Even though an early journal special edition on refugees called for a 'comprehensive, historical, interdisciplinary and comparative perspective which focuses on the consistencies and patterns in the refugee experience' (Stein and Tomasi 1981:6, quoted in Black, 2001:59), the lack of historical analysis in refugee studies has been a common critique for several decades. Mainstream publishing and conferences in the field continue to reflect a focus on the period since the establishment of the current international refugee protection regime in 1951. As illustration, only 9 out of 80 full articles in the 2009, 2010 and 2011 editions of the Journal of Refugee Studies include any references to refugee movements, or indeed events, before the 1950s, and only two are substantively about pre-1950s events. Even the conference on 'Writing Refugees into History', summarised in the Journal, while usefully bringing a historical disciplinary focus to the field, only included case studies from the twentieth century (Gemie et al., 2009). Recent reviews of literature on refugee (and immigrant) integration follow the same trend (Smyth et al., 2010, Strang and Ager, 2010, Ager and Strang, 2008, Jacobsen, 2001, Castles et al., 2001, DeWind and Kasinitz, 1997). There is literature which deals with histories of displacement and integration from various disciplines, such as the authors I use for my historical analysis here (Ritchken, 1995, Niehaus, 2002, Harries, 1989) and others (Vigne, 1994, Kaprielian-Churchill, 1993, Lust-

Okar, 1996), but such authors often do not see themselves as part of refugee studies, and they are generally not quoted in mainstream 'refugee studies' forums.

The current international system of refugee rights, supported by international law and refugee protection institutions, is a recent invention (Black, 2001), still does not reach many refugees today (Bakewell, 2001), and does not protect many of the refugees it does affect in the way it was intended (Smith, 2004, Harrell-Bond and Verdirame, 2004, Polzer, 2008, Polzer and Hammond, 2008). Refugee rights, just like human rights, while a useful benchmark for judging our progress as a community of peoples and of states, is not a good starting point for understanding *how* and *on what basis* refugees integrate in practice (Polzer, 2008). In cases where institutions who subscribe to the international refugee rights Conventions (including state and non-state actors) play a significant role in refugee lives they are always only some actors among many others (Bakewell, 2008). They therefore need to be understood within this wider local context to judge their impact on how refugees live and on the choices they (are able to) make.

The lack of historical reflection highlights two related characteristics of refugee studies as a field. The first is the overall policy focus (Black, 2001) and policy category dependence (Bakewell, 2008, Malkki, 1992, Malkki, 1995bb) of the field (2009, see also Polzer, 2008), so that time periods in which different policies and categories apply become incomprehensible. Second, and more specifically, there is often a focus on the perspective of international organisations, the 'administrator gaze' (Malkki, 1995bb:505), rather than on the actions and perspectives of local actors. International organisations often constitute refugees as a depoliticised 'ahistorical, universal humanitarian subject' by '[leaching] out the histories and politics of specific refugees' circumstances' (Malkki, 1995aa:224). The aim of this paper is to focus on specific histories and politics and document the ways in which refugees (and indeed hosts) are indeed 'historical actors rather than simply… mute victims' (ibid). This is not an ideological enterprise, but something which is quite simply there in the historical

record, and it becomes easier to see if one looks at periods of time and places where there were no international organisations and therefore less rhetoric about 'refugee protection.'

Elsewhere, I have discussed the implications of looking at the process of refugee integration as a political negotiation (Polzer, 2009). I follow three guiding questions to present a political analysis of refugee integration processes in different time periods:

1. Who are the *actors* who control access to local power and resources and what are their *interests*?

2. What is the relationship of (different categories of) refugees to those actors – what *resources* do refugees have which these actors can use, or which threats do they (are they perceived to) present?

3. What *strategies* do refugees use within the framework of these relationships to negotiate access to power and resources?

Re-historicising refugee studies and using such a political analysis has several effects. It de-naturalises the policy and institutional regimes of any particular time period, showing not only how institutions and their policies change but also how they may be of very limited relevance to the actual integration processes of particular times and places. Second, it broadens our consideration of relevant actors and institution based on who actually makes and influences decisions regarding the local integration of displaced persons. Third, it dissolves categorical distinctions (based on legal categorisations rather than empirical differences) between 'refugees' and 'hosts' and between different 'kinds' of people who move. It therefore allows the recognition of continuities and linkages, both between groups at one point in time and within groups over time (e.g. refugees becoming hosts or labour migrants becoming refugees). Similarly, the focus on negotiating for resources and power in different ways over time allows us to see refugees, other migrants, and indeed locals, as acting in the same social and political spaces with the same political tools, without the assumption that

forced displacement, or even voluntary movement, makes a person somehow categorically different and necessarily more vulnerable or agency-less than others (Malkki 1995a, 1997).

A historical and political analysis also allows for the use of case studies of refugee movements to directly engage with debates in the social sciences which are not related to narrowly defined refugees or refugee policy. One such debate is the extent to which the late 19th and early 20th century link between the European history of nation-building and the construction of a 'refugee problem' (White 2002:74) is mirrored in other regions of the world, or whether there are alternative interactions between a developing national consciousness and the treatment of displaced people. A second important debate is the nature of ethnic group identity construction. The research on which I draw for much of the historical evidence in this paper is framed largely in terms of anthropological debates on ethnicity (Harries, 1989, 1994, 1988, Niehaus, 2002, Ritchken, 1995). My discussion of how different waves of Mozambican refugees have negotiated becoming South African 'Shangaans' can also be read as a contribution to 'theories of complexity' which go beyond ethnic identity construction as 'manipulation from above' (Niehaus, 2002: 559, referring to an approach by Vail 1989) to a more multidimensional perspective, recognising 'the diverse processes of ethnicization, and [celebrating] the capacity of ordinary people to adopt terms of their own definition as the basis for collective assertion.' (Niehaus, 2002: 558).

Before continuing with the case study, let me clarify how and why I am using the term 'refugee' in this context. Both 'waves' of Mozambican arrivals in South Africa crossed an international border to escape the chaos and violence of war. In this they fulfil the legal definition of a refugee, based on the 1969 OAU Convention. My concern is not to try to apply legal categories retrospectively, which would be anachronistic. Indeed my argument about the nature of local integration is that international legal categories often have very little influence even when they are in force. I am rather using the term

to point out a comparison and continuity over time. The Mozambicans who came to South Africa in the 1980s were (eventually) granted refugee status on the basis of the OAU Convention. Even though it was 100 years before the international Conventions on refugee rights came into force, the Mozambicans who entered the Transvaal in the 1830s-1890s were also fleeing general insecurity caused by civil war and colonial occupation, and they moved along almost exactly the same path as their later compatriots. It is therefore useful to compare their experience with the experience of the more recent Mozambican arrivals in South Africa. As a means of engaging the field of 'refugee studies' on the value of studying such continuities, I apply the same terminology across epochs, without thereby implying any actual legal status. Some of the literature I draw on for this article uses 'refugee' in a similar fashion (Niehaus, 2002).

Finally, a brief note on methods. My analysis of Mozambican integration in the 1800s and early 1900s is based on evidence presented in secondary sources. The discussion of integration from the 1980s-2006 is based on a combination of archival research about responses to the refugees' arrival in the 1980s, data collected by colleagues in the Bushbuckridge-based Refugee Research Project of the University of the Witwatersrand between 1993 and 2002 and my own extensive primary research with the Wits RRP from 2002 – 2006.

Mozambican refugees in South Africa

I will look at how two 'waves' of Mozambican refugees in South Africa have integrated in order to show how refugees respond to different constellations of actors and interests to claim political space for themselves. Each wave acts as a separate case study, although they also show how migration, integrating, and being 'local' are continuous processes.

First I will outline the process through which the first Shangaan-speakers,[1] who came to the South African lowveld in the 1830s-1890s fleeing colonial and chiefly succession wars, established themselves to the point of claiming a separate ethnic 'homeland' on the basis of ethnic autochthony in South Africa from the 1930s to the 1970s. Then I will describe a more recent flow of refugees from the 1975-1992 Mozambican civil war to the Bushbuckridge district in the lowveld. Here, I will look at two periods of time: 1985-93 when the civil war refugees first arrived in the Bushbuckridge area and settled under the 'homeland' system of the apartheid regime; and 1993-2006, in the context of the newly democratic South Africa, in which time 80% of the Mozambicans decided not to repatriate and 80% of those who remained received permanent resident or citizenship status from the South African government.

1830s – 1970s

In the mid-1800s, the societies of the Southern African lowveld, what is now the border area of South Africa and Mozambique, were characterised by conflict and migration. Indigenous nations were warring on both sides of the border, and contested chiefly successions coincided with accelerating colonial encroachment from both east (Portuguese) and west (British and Boer). From the 1830s-1890s several groups of people, speaking various related languages (later to be standardised into Tsonga/Shangaan, as discussed below) moved west from Portuguese East Africa (now Mozambique) into the South African lowveld to escape the political turmoil (Niehaus, 2002, Hartman, 1978). They found an ethnically mixed population, sparsely settled (Niehaus, 2002:559). There was no single dominant ethnic group or leader and 'anarchic' local power structures were wracked by conflict (Ritchken, 1995:38ff). The

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[1] There is some debate over the proper terminology for referring to the 'ethnic group' and language in question. As one of South Africa's eleven official languages it is called XiTsonga, but for simplicity and following local colloquial usage in Bushbuckridge (when speaking English), I will refer to the people as well as the language as 'Shangaan.' This also follows Niehaus' usage in NIEHAUS, I. 2002. Ethnicity and the Boundaries of Belonging: Reconfiguring Shangaan Identity in the South African Lowveld. *African Affairs,* 101**,** 557-583..

refugees scattered and settled under different chiefs in the region. 'They were attached to homesteads as individuals, or, as small groups under their own headman, were scattered throughout the veld, colonising those areas where human and animal diseases, poor soil or lack of water had previously restricted settlement.' (Harries, 1989:84)

In this fragmented political context (Ritchken, 1995:38ff), the most important local actors, with control over resources and power, were the chiefs. The chiefs determined access to land for subsistence agriculture, access to the law of the court in the case of disputes, and spiritual protection. The followers of chiefs were ethnically mixed, since 'the ability to provide protection, rather than ethnic affiliation, determined residents' loyalty to a chief.' (Ritchken, 1995:53) The refugees, in spite of differing culture and language, were able to offer the resource of political clientage and receive protection in return, albeit as political dependents rather than as independent settlers or conquerors. In this political context, the integration strategy of patronage depended on not emphasising a distinct political group identity, but rather in assimilating as individuals and families. Intermarriage was common, and many refugees adopted the languages and practices of other groups, including the Pulana (a Sotho sub-group) practice of male circumcision and initiation, as well as attending Pulana courts as councillors (ibid:179, Niehaus, 2002).

In the first decades of the twentieth century, a new powerful actor with different interests gained increasing importance in the lowveld: the South African colonial state. This offered the refugees, as well as other residents of the lowveld, access to different kinds of power and resources and demanded that they use different strategies of self-presentation. The state, represented mainly by Native Commissioners and the Native Affairs Department, intervened in the fluid and heterogeneous political system of multi-ethnic chiefdoms to create an increasingly rigid structure of state-recognised chiefly authority based on 'tribal' affiliation. Not least, the influential Ramsey report of

1940 recommended to the Native Affairs Department of the central government that the 'district should be divided into Shangaan and Basotho spheres of influence.'(Niehaus, 2002:564) But beyond this 'manipulation from above' Ritchken recounts a case which shows how ordinary people, in this case the relatively recent arrivals from Mozambique, used the new power broker, and the state's ideology of 'tribes', to advance their interests in relation to local native leadership. In order to move from dependent patronage to recognised self-rule under the new set of power relations, the new strategy of ethnic group identification became useful.[2] The case also illustrates how renewed migration, i.e. 'exit' (Hirschman, 1970), was still an important tool to express the search for rights and representation.

> After the Boer war a "petty Shangaan chief" named Masipali arrived in the district with a "handful" of followers from Mozambique. They were settled under an Mbayi chief, Mangulube. On the death of Masipali, his family sent a delegation to the Sub Native Commissioner (SNC) at Graskop requesting recognition for Shugela Ndlovu, Masipali's son. The basis for the request was that they had "nothing in common with the Mbayi people" whose customs were "totally different" from theirs… After the Commissioner checked that Shugela did have majority support from the refugees, Shugela was recognised for administrative purposes. A small section of 11 families, involved in a succession dispute with the recently recognised chief, requested and were given permission to leave the district for Mozambique following the appointment of Shugela. (Ritchken, 1995:62)

From 1913, Shangaan chiefs were able to consolidate their independent political position by entering into allegiance with another new powerful actor, the Swiss Mission Church. The Swiss Mission was looking for converts, and for their own 'tribe' to modernise beyond the people 'belonging' to other missionary churches (Ritchken

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[2] This is not to suggest that previously there was no self-identification as 'Shangaan' among refugee groups in the lowveld, but that now it became a means of accessing independent political power.

1995). Harries documents how this process included the 'invention' of a common Shangaan culture in the diaspora (Anderson, 1991), based on a language documented and standardised by the Swiss Mission, out of previously disparate groups from different areas of Mozambique (Harries, 1989:106). Even though 'one should not over-state the agency of a few European missionaries in the making of local African identities' (Niehaus, 2002:562), by making external judgements on the legitimacy of essentialised 'tribes' and by constructing concrete indicators of 'tribes' such as language and political affiliation, the church, along with the state, provided Shangaan leaders with opportunities to actively consolidate their constituencies in the new territory and with ammunition to claim indigenous political status for that constituency. The changing opportunity structure enabled a shift from political assimilation (integrating with the locals) to political autochthony (being the locals).

In the 1950s and 60s, when the South African state was apportioning 'independent homelands' to South Africa's 'native tribes', the Shangaan claim of autochthonous status in the lowveld led to a direct conflict with Sotho-speaking groups. '[M]embers of the 'Sotho' group attempted to equate being 'Shangaan' to being a refugee, and on the basis of this definition, demand a 'Sotho' monopoly of political power.' (Ritchken, 1995:168) For the Pulana, their autochthony arose from having conquered the land, in contrast to the 'refugees' who had settled through political allegiances (Niehaus, 2002:560). Through superior education (from the Swiss Mission) in how to conform with government expectations of a subservient native 'tribe', Shangaan Chiefs countered the 'Sotho' accusation by claiming to be first settlers on land owned by the (white) SA state (Ritchken, 1995:168). They succeeded in overriding Sotho claims to the extent of being granted an 'independent homeland' in the lowveld in 1973 (Ritchken, 1995:189), next to the 'homeland' for Sotho-speakers. This 'homeland' was named *Gazankulu*, the great Gaza, in direct reference to the Gaza region of Mozambique.

The early 20th century Mozambican refugee strategy was therefore alliance with the state for political autonomy on the basis of 'tribal' identity and culture, instead of assimilation with 'local' groups. This led to complete *formal* integration and rights in South Africa, in the sense of being granted full legal status by the state (as far as possible for any Africans under a draconian and racist colonial and later apartheid system). Significantly, as the naming of the 'homeland' illustrates, this achievement of political and legal integration in South Africa on the basis of tribal autochthony did not preclude a continued acknowledgement of Mozambican roots. This would be important later, when the second wave of Mozambicans arrived in the lowveld.

This case illustrates the length of time which may be required for such an integration process: over 100 years from arrival. It also shows that integration is not necessarily linear. The resurgence of 'Sotho' rhetoric about 'Shangaan refugees,' after peacefully co-existing and intermarrying with them for 100 years, demonstrates the long-term danger of claiming rights only from one actor, like the state, when other local groups do not accept claims to those rights or do not accept the basis on which those claims are made. Finally, the disagreement between the colonial state and Sotho groups about legitimate bases for claiming autochthonous status exemplifies how powerful actors can create competing opportunity structures for refugees, which then have to be negotiated and which can lead to conflict.

1985-2006

From the early 1900s to the 1970s, Mozambicans continued to move into South Africa, including into the lowveld, but in smaller numbers and mainly as labour migrants to the growing mines and commercial farms. In 1985, the civil war, which had been raging in independent Mozambique since 1975, escalated in the south of the country, driving c. 320,000 Mozambican refugees into South Africa over the next five years (Dolan, 1997).

They were mostly Shangaan- and Ronga-speaking (which is related to Shangaan) peasants.

The white minority-ruled Republic of South Africa did not recognise refugees. It had not signed any of the international Conventions on refugee rights and had no domestic law distinguishing between refugees and other migrants. It had accepted white settlers fleeing independence in Mozambique (1975) and Zimbabwe (1980) as immigrants, not refugees, and quickly offered them citizenship. In contrast, all black Mozambicans were treated as illegal aliens, including an active deportation programme back to Mozambique.

However, the national government informally allowed the 'independent homelands' to accept the refugees if they chose to (Polzer 2007). The government of Gazankulu explicitly welcomed the refugees as Shangaan brothers, and the majority settled there.[3] The neighbouring 'homeland' Lebowa, which had been set up for Sotho-speakers, refused the refugees protection, although they were accepted by the Swazi 'homeland' KaNgwane further south.[4]

The relevant power holders at this time were the central apartheid state, the Gazankulu political leadership, traditional village headmen who controlled land allocation, and the general population of Gazankulu. The lack of recognition by the central state was highly significant in constraining the ability of most refugees to achieve secure livelihoods. The South African state was extremely controlling of everyday life. The 'homelands,' as densely populated 'labour reserves' for the minority-ruled economy, offered few employment opportunities and virtually no option of subsistence agriculture. In contrast to Angolan refugees in rural Zambia, for example

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[3] Significant numbers of Mozambican refugees settled in other areas of South Africa among local populations of different language groups, including in the main urban areas. The context in which they had to negotiate access to rights was very different from Gazankulu, but will not be described here.
[4] The long-term migration history of some Shangaan-speaking groups also includes periods in Swaziland and Swazi-speaking areas.

(Bakewell, 1999), who could live off agriculture on land allotted by local authorities without much constraint by the state, Mozambican refugees had little option but to engage with the state by sending men to the cities to work along with their citizen neighbours. This exposed the men (and by extension the families dependent on their incomes) to the dangers of deportation, since they had no documentation, and severely limited the economic options of those who did not take the risk. The lack of documentation also precluded access to government welfare like old age pensions. This legal constraint on access to the major livelihood options in the 'homelands' limited the ability of many refugees to improve their socio-economic status and made them exploitable by Shangaan 'locals' and commercial farmers in the area. A further effect of the lack of refugee recognition by the state was that there was no significant international aid, no UNHCR presence, and only limited domestic aid, mainly from the local homeland government and churches.

The refugees had no means of negotiating with the central state for better conditions as they had no political purchase on the apartheid regime. Already an international pariah, it was unimpressed by international legal norms. The (very few) pro-refugee academics writing at the time were reduced to arguing at the most basic level that Mozambicans were indeed refugees (and not illegal immigrants or terrorists) and that deporting them amounted to *refoulement* (Murray, 1986). The strategy which some refugees therefore tried to follow, if they had the necessary resources, was to evade and subvert state categories by acquiring South African documentation and 'passing' as South African (Niehaus, 2002:574).[5] The host population in Gazankulu was crucial in this endeavour, as described below. The lack of legal recognition as refugees and the lack of refugee-specific aid or camps, therefore, to some extent facilitated local integration in that it forced refugees to engage fully with local actors in Gazankulu.

[5] See also GOFFMAN, E. 1979. *Stigma*, Harmondsworth, Penguin. on the concept of 'passing'.

The Gazankulu government, the second main local actor, welcomed the refugees specifically because the white government rejected them and because of the apartheid government's involvement in the Mozambican civil war. It welcomed them as ethnic brothers in explicit parallel to the white government's acceptance of white Mozambicans ten years previously (Dolan, 1997:footnote 120). This was by no means inevitable. Only a few months before the mass influx of new refugees in 1985, the Gazankulu government had dealt with an outbreak of violence over the 'border' with Lebowa (Niehaus, 2002:567), in which Sotho political organisations had called for all Shangaans to 'go to Mozambique because there is no place for them here.'(Ritchken, 1995:230) This recent challenge to Gazankulu's political legitimacy could have led to a rejection of the new refugees (since solidarity with them could be seen to support the claim of Shangaan foreignness), but instead the Gazankulu government chose to welcome them as an explicit challenge to the apartheid government's policy of ethnic segregation and racist exclusion (Rodgers, 2002:15). This can be seen as a parallel to Western Europe's acceptance of refugees from the communist Block during the Cold War, i.e. a political statement which went beyond the specific identities of the refugees themselves. The colonial government, which had provided the descendants of Shangaan refugees with the basis for claiming autochthony twenty years earlier, now became the opposition against which cross-border brotherhood and ancestry were invoked.

The refugees were welcomed by village headmen, the third important group of local actors, and allocated communal land on the outskirts of established villages on which to settle and grow crops. This was in spite of the fact that Gazankulu was already very densely populated due to forty years of forcible resettlement of black residents within South Africa. Individual headmen's and chiefs' influence and incomes increased with the additional subjects and tribal authority taxes levied from the refugees (Harries, 1989, Dolan, 1997, Rodgers, 2002:15, De Jongh, 1994). As in the 1800s, the refugees' strategy toward the chiefs was clientage. Villages with large refugee populations were

also able to claim more services, such as new schools and additional teachers, from the state – many teachers today still acknowledge that they owe their jobs to the presence of the refugees.[6]

In relation to the general population, finally, refugees developed a complex and ambivalent relationship based on a combination of vulnerability and strength. Similar ambivalence is reported in many other host-refugee interactions (and Hovil, 2002 on Sudanese in Uganda, see Van Damme, 1999 and Andrews 2003 on Liberians in Guinea). Because of their vulnerability in relation to the state, many refugees accepted a 'second class' status of dependence and provided more established Shangaans (as well as commercial farmers in the area) with cheap agricultural and domestic labour in return for a meagre income or food and shelter. This directly benefited the 'locals' and gave them an interest in assisting and accepting the refugees. Assistance was also offered in the belief that the refugees would not stay for long but would return to Mozambique with the end of the war. Apart from cheap labour power, the refugees had a strong negotiating position due to the long history of migration in the area. It has been pointed out that it is not the fact of common ancestry, but rather the recognition and validation of it which is relevant in political terms (Barth, 2000, Anderson, 1991), and in Gazankulu of the 1980s the ancestral origin of all Shangaans in Mozambique (i.e. from the first wave of refugees described above) was explicitly acknowledged. Rodgers expresses it well:

> In terms of local historical understanding of the [border] landscape, it was not only the recent refugees who appeared out of place, but *all* Tsonga [Shangaan]-speaking people in the Bushbuckridge area (part of Gazankulu). In fact, because the refugees were the more recent arrivals in South Africa, they appeared historically as *less displaced* in South Africa than their South African kin, who were the descendants of migrants and refugees who

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[6] Interview with teachers in Clare Village, 13 May 2004.

arrived from Mozambique during the nineteenth century... Ironically, by emphasising the "Machangana people" as belonging in Mozambique through everyday practices, history "worked" for Mozambicans by destabilising the host communities' sense of belonging in South Africa."(ibid:104)

The grandparents of many South African Shangaans had come from Mozambique in the late nineteenth century, in living memory. Furthermore, labour migration from Mozambique to the lowveld had continued throughout the nineteenth and twentieth centuries and many refugees had family members who had been to South Africa or had settled there. Therefore some refugees could mobilise the resource of kinship or friendship from previous labour migration to evade dependence, second class status and the state imposed stigma of 'alien.' They almost immediately assumed a 'South African' identity, including identity documents, and settling in established villages, away from easily identifiable 'refugee settlements.' Intermarriage was common and generally accepted. This strategy of assimilation was accepted and facilitated by the 'locals.' The strategy of evading the state was therefore only possible because of the simultaneous strategy of assimilation with the local population. This combined strategy was only available to some individuals and families, however.

Ethnic and ancestral affiliation did not lead to complete goodwill from 'locals.' There were wide-spread perceptions among 'locals' that the refugees were thieves and witches, leading to (and expressing) social discrimination and segregation. While this clearly resulted to hardship for many people, it should not be seen as a purely disempowering relationship. In the context of legal insecurity and exploitability, the resource of (perceived) strong spiritual power, including the ability to magically punish anyone who harmed a Mozambican, provided a measure of protection from physical violence and trickery. Spiritual healing power, especially as practiced by Shangaan women healers who channelled spirits from different ethnic backgrounds (including

Sotho ancestors), was also a form of 'ethnic assimilation' (Niehaus, 2002:572). Among Shangaans today, witchcraft is associated with *xintu* (tradition), in contrast to the modernising influences of *xilungu* (the ways of the whites) (Rodgers, 2002). It can therefore be understood as part of the larger tactic to claim political space and legitimacy by emphasising the common 'traditional' ancestry of all Shangaans in Mozambique. As Rodgers puts it:

> Unlike in other refugee situations, Mozambicans in South Africa never experienced much pressure to prove the "well founded-ness" of the fear that drove them into exile, in any international legal sense. The *ad-hoc* nature of aid also meant that they did not need to perform their suffering, to appeal to an international humanitarian discourse. However, through being incorporated into a "traditional" local authority structure, Mozambican refugees found themselves in a situation where the demonstration of their traditional purity and cultural authenticity was important to advance their settlement interests in South Africa. (Rodgers, 2002:16)

In summary, Mozambican refugees in the 1980s were able to establish a moral right to be in Gazankulu through ethnic and ancestral linkages to a particular segment of the South African population, even as, and indeed because, the state denied them the moral right to access the rest of the national territory as refugees. They were able to use this sub-national moral capital to mitigate the hardship resulting from a lack of legal protection, some more successfully than others.

From 1993, the political context and constellation of actors with which the refugees were engaged changed dramatically, leading to a change of strategies and tactics toward integration. The Mozambican civil war ended in 1992, coinciding with a transformation in South African domestic politics culminating in the 1994 democratic

election of a majority (black) government. After the end of the civil war, c. 67,000 refugees returned to Mozambique from South Africa, according to UNHCR figures. This includes 31,589 formally repatriated by the UNHCR in 1994-95 and 35,471 who returned independently (Dolan, 1999). Even if the actual number who returned uncounted was much higher, it is safe to estimate that around eighty per cent of the original estimate of 320,000 retained some family members, if not the entire family, in South Africa. As part of the new dispensation after the 1994 elections in South Africa, the 'homelands' were abolished as 'semi-autonomous' administrative units and their territories and populations were incorporated into the overall South African state. While the authority of the unified South African government, and its forms of elected local government, were extended over former 'homeland' areas, they also retained, under the new 1996 Constitution, parallel systems of 'traditional' governance, including formally recognised 'Tribal Authorities' and communal land ownership (2004, Ntsebeza, 1999). The main actors whose changed interests the remaining refugees had to contend with and adapt to were therefore the new African National Congress (ANC) government, the UNHCR and new domestic refugee rights advocates, new local government structures, and transforming local communities.

The new ANC government offered an ambivalent context within which the Mozambican refugees could claim rights, both enabling and constraining access to legal status and resources. On the one hand, it created a strong legislative framework, domestic and international, through which refugee rights in South Africa are protected. In 1993, even before the formal change of government and after the peace agreement in Mozambique, the South African and Mozambican governments made a special agreement with the UNHCR to retrospectively grant all Mozambicans who had come to South Africa on account of the war group refugee status. As described further below, this lasted until 1996, when the cessation clause was invoked (1951 Convention, Art. 34). South Africa acceded to the 1951 UN Convention and the 1969 OAU Convention in 1995 and 1996 respectively. It passed a domestic Refugee Act in 1998 which came into

force in 2000. Finally, South Africa's Constitution of 1996 codifies extensive rights to 'everyone' resident in the country, not only citizens. This legal framework has significantly improved how the South African state deals with new refugees from around Africa today (even though there remains much room for improvement (Landau, 2004ba, Landau, 2004ab, de la Hunt, 2002, Handmaker et al., 2008). However, this legal framework was only selectively applied to Mozambicans from 1993-96 (see below and Polzer 2007), and the Refugee Act has never impacted on them, since they were no longer considered refugees after 1996. Nonetheless, the framework allowed non-governmental actors to advocate on behalf of the Mozambican refugees in various ways (see below). This was an important contrast to the apartheid years, when the concept of refugee rights was not accepted at all.

The government also provided various opportunities for Mozambican refugees to access legal documentation. This included an amnesty for miners in 1995, for which many refugees were eligible; another amnesty for citizens of Southern African Development Community (SADC) countries in 1996, when 85,000 Mozambicans, mainly refugees, received permanent resident status; and finally an exemption programme specifically for 'former Mozambican refugees' in 1999-2000, when 82,000 more refugees became permanent residents. By the end of 2000, c. 80% of those Mozambican refugees who had remained in South Africa had legal documentation as permanent residents or citizens. Notably, more refugees received legal status as miners or migrants than as refugees (Polzer, 2007).

On the other hand, a draconian regime for controlling illegal immigration survived largely intact from the apartheid days, and many Mozambican refugees continued to be threatened with deportation when trying to work outside the (now former) homeland areas. Even when they had been accorded formal refugee status by the state, this did not include the distribution of documentation to this effect, and so Mozambicans remained vulnerable to arrest as illegal aliens (Polzer, 2007, Dolan, 1997,

1999). The numbers of deportees to Mozambique in fact escalated massively from 1993 onward, so that Mozambicans were actually more likely to be deported during the years they were recognised as refugees than before (Polzer, 2004). Even once many refugees had permanent residence documents, the levels of xenophobia in the police forces meant that Mozambicans with proper documentation were still regularly deported on accusation of having fraudulent documentation.

The Mozambican refugees had various means of negotiating with this new government. Most immediately, large numbers voted in the 1994 elections. As part of the pre-election preparations to empower the maximum number of (black) voters, identity documents were distributed widely and non-citizen residents were allowed to vote. A former refugee now living in Mozambique said: 'we voted for Mandela... He won the elections for our cause. There are many Shangaans in South Africa.'[7] (see also Polzer, 2007). The expectation by the refugees, and indeed the promise made by the ANC at the time, was that those who voted would be given documents and the right to stay in South Africa. Another former refugee expressed this succinctly: "We were guaranteed that if we voted, we would be South African citizens and wouldn't have to return [to Mozambique].'[8] Importantly, the refugees did not make this claim for legal integration towards the government on the basis of being refugees. They voted for the ANC as Shangaans, and they expected citizenship along with all the other long-term resident 'illegal aliens' from neighbouring countries who had been denied formal residence rights under apartheid. Finally, they referred to the protection which Mozambique accorded the ANC in exile, which they felt should have been reciprocated now that the ANC was in government. The election promise was broken, and it took several long years of legal insecurity before the government acquiesced to an amnesty for migrants from neighbouring countries.

7 Interview in Simbe, 17 April 1996. All quoted interviews in Mozambique were carried out by Caetano Simbine under the direction of Chris Dolan for the Wits Refugee Research Programme
8 interview in Matongomane, Mozambique, 25 April 1996

The strategy of voting also reflects the basic relationship of Mozambican refugees to the post-1994 state. While in the early 1900s recently arrived Mozambican Shangaans interacted with the state as an autochthonous 'tribe', and in the 1980s as illegal aliens and 'homeland' brothers, in the 1990s they interacted with the state as potential citizens in the expanded democratic state. This placed them, along with other recent immigrants, in perceived competition with existing citizens for the new services and rights being extended to the previously disenfranchised black majority (Polzer, 2005). It is a significant indicator of the strength of local social integration, as described above, that the Mozambicans in Bushbuckridge did not experience the same levels of xenophobia that resulted from this perceived competition for rights elsewhere in the country (Crush, 2000, Crush, 2008, Harris, 2001, Human Rights Watch, 1998, Landau, 2009, Misago et al., 2009, Monson and Misago, 2009, Polzer, 2005).

A second strategy that refugees used for interacting with the state arose from the combined strength of the post-1994 state (in providing services and limiting free movement), and its weakness (in administering rural areas): this strategy was fraud. The crucial identity document which is the key to legal and economic integration is issued by the Department of Home Affairs, one of the most incapacitated departments at the local and the national level. A national computerised system has made the local arrangements prevalent under the 'homelands' impossible (many IDs that had been issued to Mozambicans in Gazankulu were cancelled in the mid-1990s through the computerisation of the system) and the xenophobia of many non-local Home Affairs officials working in the rural areas has created more barriers for South African sponsors willing to assist neighbours of Mozambican origin to register for documents as their kin (Polzer, 2007). As is the case anywhere in the world, a rare but necessary commodity will create its own market, and South Africa's restrictive policies on documentation for immigrants has led to the widespread sale of identity documents, either by enterprising forgers or by Home Affairs officials themselves. In this, Mozambicans in

Bushbuckridge who buy IDs are no longer following a specifically local strategy but have become part of a national response to the state.

The refugees' third negotiation strategy with the state was through domestic NGOs and refugee rights advocates (many of them foreigners), who became significant actors for Mozambican refugees after 1994. They acted primarily as conduits to the state, rather than as direct service providers. It is slightly misleading to call this relationship a negotiation strategy, since NGO pressure on the state was rarely initiated by the refugees themselves. Nonetheless, the refugees benefited from the pressure which (mainly legal, human rights oriented) NGOs placed on the government to comply with international standards of refugee treatment and make up for the bad treatment of the previous regime. This pressure pushed through the 1998 Refugee Act and the 1999 Exemption for former Mozambican refugees, both of which the government was very slow in implementing. The Refugee Act and most refugee-rights related campaigns in post-1994 South Africa have focussed mainly on new refugees from other countries. Because of this, and because the retrospective advocacy for Mozambicans on the basis of a (legal) refugee identity was conducted in the main cities, far from the actual refugees and largely without their direct participation, it did not require the Mozambicans in Bushbuckridge (or elsewhere) to 'perform' their refugee-hood (Rodgers, 2001, Rodgers, 2002).[9] It is significant that the UNHCR played a very minor role in arguing for the rights of Mozambican refugees in South Africa. After the 1994-95 voluntary repatriation was declared a success by the UNHCR, even though it was only used by 13% of the potential 'case load', and formal refugee status was revoked in 1996, the UNHCR held a narrow interpretation of who was a refugee and who was not and where its mandate therefore ended.

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[9] On the performance of refugee identities, see also HELFF, S. 2009. Refugee Life Narratives The Disturbing Potential of a Genre and the Case of Mende Nazer. *Matatu - Journal for African Culture and Society,* 36**,** 331-346.

Because of my own dual 'identity' in Bushbuckridge – as a researcher and as the Director of a paralegal advice centre which assisted Mozambican refugees to access legal documentation – I have had (the opportunity) to reflect on what strategic basis claims for rights should be made in this context. While the unit (in existence since 1992) had originally worked explicitly on 'refugee issues' and advocated on the basis of 'refugee rights' (Dolan et al., 1997, Johnston, 2001, Johnston, 1999, Johnston and Simbine, 1998), it became clear that after the 1999/2000 Exemption for Former Mozambican Refugees, a strategy of advocating for rights on the basis of a 'refugee' identity was not only inappropriate for a largely integrated community but also potentially counterproductive. One reflection of this recognition was to change the name of the unit from Refugee Research Programme to Rural Research Project, to emphasise its concern with all residents of the area and not only a particular externally defined sub-group. Secondly, our paralegal advice office was opened to all residents requiring paralegal support, and focused on assisting Mozambicans with all their concerns, including issues like domestic violence which were not directly related to their status as non-citizens. The Mozambican clients, for their part, presented themselves for assistance not on the basis of being refugees, but on the basis of being long-term residents of Bushbuckridge who felt a right to government services equal to that enjoyed by citizens. Thirdly, the main RRP advocacy initiative conducted when I was present, driven by the direct request of former refugees who had permanent resident status, was for equal access to government social grants such as child support grants and old age pensions. This 2003/2004 campaign through the Constitutional Court (fought by the Legal Resources Centre) was explicitly argued on the basis of the Constitution's guarantee of rights for 'everyone,' even though most of the beneficiaries were former refugees (Khosa and Mahlaule 2003a).

The third important group of local actors for former refugees in Bushbuckridge today are the local traditional and elected authorities. As the 'homelands' were dissolved in the democratic South Africa, along with the national political salience of ethnic

affiliation, 'Shangaanness' as a tactic has lost some of its political clout. This is especially as the importance of contrast with Sothos has been reduced. Niehaus discusses the shift 'from ethnicity to regionalism', as evidenced by the Bushbuckridge border dispute from 1994-1998 when Shangaan- and Sotho-speakers worked together against the national government (unsuccessfully at the time) to have their shared district of Bushbuckridge placed in one province rather than another (Niehaus, 2002:575). The moral legitimacy of refugees based on shared Shangaan ancestry described by Rodgers above remains important, however. Added to this is a new discourse of legitimacy used by South Africans and Mozambicans alike in Bushbuckridge: the 'we are all Africans' discourse associated with the first democratic President Nelson Mandela (Niehaus, 2002:575, Polzer, 2004). When it became clear in the mid-1990s that the majority were planning to stay, however, many 'locals' refer to the speeches of President Mandela as significant in convincing them that the Mozambicans had the right to stay.

Local community leaders, including Chairmen of Village Community Development Forums, Ward Councillors and traditional village headmen today say that they actively discourage the use of terms like 'Mozambican' or 'refugee' and derogatory words like *mapoti* (from Portuguese) to describe long-term residents of their villages. Bakewell describes something similar in Zambia where 'the late senior chief Kanongesha, …decreed that nobody should be referred to as a refugee in his area, as that they were all simply (his) people.'(Bakewell, 1999:11) While this rhetoric of inclusion certainly covers up some continued discrimination and prejudice, it is nonetheless significant as a political aspiration, especially given the atmosphere of xenophobia which is so common in other parts of the country (Crush, 2000, Crush, 2008, Harris, 2001, Human Rights Watch, 1998, Landau, 2009, Misago et al., 2009, Monson and Misago, 2009, Polzer, 2005).

Mozambican refugees in Bushbuckridge today have a clear expectation of inclusion as citizens with equal rights, both in relation to the state (such as through access to government welfare grants) and in relation to the local community, the final local actor. The security of legal status has superseded the strategic need to accept the 'second class' status of the 1980s and given the refugees the ability to negotiate not only for tolerance but also for acceptance by 'locals.' The demand for acceptance is now made independent of their socio-economic status, which is in many cases still lower than the average for South Africans, but which is likely to improve with the eligibility for social grants. One example of the change in confidence is a recently established group of men in Hluvukani village, mainly children of former refugees, who call themselves 'Baghdad' and who threaten to beat up anyone who uses the term *mapoti* to refer to Mozambicans.[10]

In summary, the process of legal integration of Mozambican refugees from the 1980s is virtually complete in democratic South Africa. The process of social integration, even though it started much earlier than legal status, is still being negotiated, albeit on better terms now than previously. The refugees have been able to make use of multiple strategies in negotiating for rights, including a continued reference to ancestral connection with South African Shangaans, themselves descendants of previous waves of refugees. Reference to refugee rights in relation to NGOs and the state has been useful only in very limited circumstances. The main strategy of the 1990s, however, has been the claim to citizenship rights on the basis of long term residence, support for the ruling party (and especially former President Mandela), and reference to the inclusive Constitution.

[10] Thanks to Aderito Machava for pointing out this story to me.

Conclusion

Mozambican refugees of the 19th and 20th centuries have been able to stay on South African territory and there gain access to power and resources with only very limited reference to 'refugee rights' or any international (or even national) legal protection. In the two historical periods outlined here, the dominant actors have changed from chiefs to the colonial state, from homelands and the local community to the democratic state and citizenry. Strategic relations included those based on clientage, autochthony, ethnic brotherhood, spiritual power and current claims to respect and equal treatment as residents of South Africa and South African permanent residents under the Constitution.

Integration has been a very long process and in both epochs can be argued to be incomplete. Within the South African national context, 'Shangaans,' no matter whether they can trace their ancestry in South Africa for 150 years or 15 years, are still associated with Mozambique and with rural backwardness, tradition and superstition in South African ethnic stereotypes and are ridiculed and even sometimes persecuted by other ethnic groups. But generally, and certainly formally, they have all rights as citizens or permanent residents under the constitution. The achievement of rights has also not been linear or homogenous for all who arrived at the same time – some individuals or groups who arrived in the 1980s immediately assimilated completely and are now indistinguishable from 'locals' (Golooba-Mutebi, 2004). Some have not been able to muster the resources and remain very poor and politically vulnerable even today. It is important that the state has always been only one actor among many in relation to which the refugees negotiated their status. For the first 'wave', groups of refugees challenged constraining local social and political arrangements by appealing directly to the state, while for the second 'wave', constraints imposed by the state were subverted with local political and social support. Finally, in the last and most

recent epoch, an inclusive discourse of citizenship and Africanness provided by the state was once again used to argue for more inclusive treatment at the local level.

This analysis of the complex interplay of shifting actors, interests and strategies gives us a rich understanding of how Mozambican refugees have managed the integration process in South Africa, where this process has been facilitated and where it has been stymied. It is clear that interventions by actors arguing specifically on the basis of refugee rights have been of marginal significance in the process, in the first epoch because the refugee concept was not present, and in the second epoch because it has only tangentially applied to this group of people. Significantly, by comparing the two epochs discussed here, we can see that refugee integration was at different times facilitated by very different powerful actors. Even in relation to one actor – the state – different conditions and policies have had impacted on refugee integration, including policies to construct ethnic groups, to create racially and ethnically segregated governance systems, and to transform politics into democratic rights- and welfare-based citizenship.

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Invisible Integration: How Bureaucratic, Academic and Social Categories Obscure Integrated Refugees

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This paper shows how successfully integrated refugees are often made invisible to institutions, academics and within social contexts. It argues that certain elements of social and institutional categorization processes—including partiality, functionality, conflation, immutability, self-confirmation and negotiability—tend to obscure people who are integrated. The paper presents a case study which juxtaposes the ways in which three different kinds of categorization have been applied to people of Mozambican birth who settled in a rural South African border area after fleeing the Mozambican civil war in the 1980s. The three cases of categorization come from the South African government for the purpose of legal regularization; from an academic unit of the University of the Witwatersrand for the purpose of demographic and public health research; and from residents of Bushbuckridge District to describe and manage their relationships with each other. The paper demonstrates how each of these different perspectives obscures the experiences of integrated Mozambican refugees.

Keywords: Mozambican refugees, South Africa, categorization, integration, invisibility

There is very little information available about successfully integrated refugees, especially in the global South. There are a few studies of refugees 'making it' in developed countries (Portes 1969). However, there are very few which describe the experience of refugees who have either been officially granted full and 'durable' protection by the host state through permanent residence or citizenship, or have achieved a state of 'local integration' independently of overt host state policies. Exceptions are studies of cases where such integration was challenged or negated by governmental repatriation programmes (Bakewell 1999), or by the constant need to hide from officials (Sommers 2001), or where integration collapsed into violence (Andrews 2003). Some reasons for this limited coverage of 'successful' integration include the general dearth of scholarship on self-settled refugees (Crisp 2004) and the overwhelming focus on the 'durable' and not-so-durable solutions of camps, repatriation and resettlement (Jacobsen 2001). In addition, the overall policy-orientation of

refugee and forced migration studies (Bakewell, this volume) makes successfully integrated refugees seem uninteresting to many academics and practitioner institutions because they 'don't need help'. There are also logistical difficulties of identifying and sampling people who are dispersed and not immediately distinguishable from the general population (Vigneswaran 2007). Finally, for many refugees, the invisibility of being integrated is a strategic choice, adding an ethical difficulty to studies which seek to make people visible who have chosen to 'disappear'.

The argument for 'making visible' groups which are excluded and overlooked by institutions or academics is usually that they are marginal and vulnerable (Sender and Johnston 1996; Chambers 1997; Malkki 1997; Bean et al. 2001). This is undoubtedly important, but I argue that it is equally important to be aware of those whose integration experiences have been successful. Allowing successful integration to remain invisible and unrecognized has an impact on our understanding of the processes of refugee adaptation and integration and perpetuates the idea of refugees as eternally vulnerable and dependent on institutional intervention. The goal is clearly not to reify or impose the 'refugee' label even as individuals integrate, but to be able, as academics, to trace individuals as they transition from the status of 'refugee' to other statuses, such as 'citizen' or 'local'.

Furthermore, I argue that the invisibility of integrated refugees is not only a function of methodological, political or policy preconceptions within the field of refugee studies. I suggest that it is also a result of the more general processes of categorization. These processes affect a wide range of institutions and actors collecting and processing information about social groups, including refugees. The bias of refugee studies against studying integration is therefore reinforced by an epistemological blind spot which makes it much more difficult to 'see' the integrated and the non-vulnerable as a part of the overall population to be studied. This paper is consequently not about the nature of or conditions for successful integration *per se*, but rather focuses on the nature of this epistemological challenge of categorical 'invisibility'.

Grouping individuals into categories is one of the most basic social processes (Jenkins 2000). We cannot think or act socially without social groups, and institutions cannot function without them. The process of categorizing people into groups, by emphasizing certain characteristics over others and by drawing boundaries, inevitably makes particular people 'invisible'. This applies to a wide range of contexts in which categorization takes place, from bureaucratic labelling, to the operationalization of academic concepts through the categorization of research subjects, to the construction of social groups within a community. Categorization clearly cannot and should not be avoided, but a key aspect of social scientific academic enquiry is a critical awareness of the constructedness of categories. This includes an awareness of how we use data constructed by institutions, how we evaluate group claims made by communities about themselves and others, but also how we form and manipulate our own constructed categories.

In this paper, I directly juxtapose the ways in which three different kinds of categorization—bureaucratic, academic and social—have been applied to the same people. In this case, these are people of Mozambican birth who settled in a rural South African border area, Bushbuckridge District, after fleeing the Mozambican civil war in the 1980s. The three cases of categorization come from the South African government for the purpose of legal regularization; from an academic unit of the University of the Witwatersrand for the purpose of demographic and public health research; and from residents of Bushbuckridge District to describe and manage their relationships with each other. I demonstrate how each of these different perspectives obscures particular people and experiences, and, furthermore, how these three very different categorizations conceal the same people: namely, those Mozambicans who have acquired South African identity documents, who live in areas where South Africans predominate, and who have adopted 'South African' lifestyles. In effect, they all make successfully integrated Mozambican refugees invisible. Before describing these cases, I briefly outline what I mean by 'processes of categorization'.

There are many ways of thinking about categorization in the social sciences. Barth's seminal work, *Ethnic Groups and Boundaries*, presents reasons and contexts for the construction of social categories as oppositions rather than inherent descriptions, as well as emphasizing the maintenance of such categories 'despite changing participation and membership' of the constructed groups (1969: 10). Anthias (1998), in her discussion of sociological approaches to social divisions (such as gender, ethnicity and race), also emphasizes that categories are 'social realities', and argues that it is necessary to take into account their experiential, intersubjective, organizational and representational forms. Scott's theorization of how the modern state constructs simplified and standardized categories to control its territory and population focuses on the institutional purposefulness of categories, as well as their social impacts, and on how they are resisted (1998). Zetter's (1991) five characteristics of bureaucratic labelling—stereotyping, conformity, designation, identity disaggregation and political/power relationships—are also useful signposts for the micro-politics of certain kinds of categorization.

Given my concern with how categories make people invisible, and drawing selectively on the above theorists, there are six elements of categorization which I consider most relevant to the creation of invisibility. They are partiality, functionality, conflation, immutability, self-confirmation and negotiability.

Partiality means that all categories have a source: an actor or actors who construct the category. The category does not exist in isolation from the characteristics of those actors and their intentions (Barth 1969), and so categorizations must always be analysed through a particular and partial perspective. As illustrated below, the perspectives of the state, an academic demography census and a local counsellor will be quite different when describing the same people.

Functionality refers to the fact that categories are functional for the institutions or social collectives which create and use them. This functionality defines the characteristics of the category. Apart from necessitating a simplification and standardization of characteristics as discussed by Scott, Zetter and Anthias (which the latter two refer to as stereotyping), a hierarchy of characteristics is created in which some take precedence over others in defining the nature of the group and its membership. People who do not have high-priority characteristics, although they might share lower-order characteristics with the group, are made invisible. For example, an NGO may define 'refugees' in order to distribute aid, so those who do not need or want aid become invisible.

Conflation is an aspect of how the hierarchical, functional characteristics of a category become implemented. Conflation not only homogenizes members of the category (as in Anthias' 'principle of collective attribution' (1998: 516)), but also means that various other characteristics are assumed to correlate with the high-priority characteristics. Using our example, the NGO giving aid may assume that everyone who needs aid is also female and concentrated in one place. Those who do not conform with the entire purported bundle of characteristics, even though they may share the priority characteristic, are not seen.

Immutability refers to the relationship which categorization has with change over time. The functionality of a category sets it at a particular point in time, when the action or relationship that the category is intended to facilitate is taking place. However, the process of categorization is usually based on a claim of timelessness, 'common sense' or 'nature' (Anthias 1998: 517). Categories therefore rarely incorporate an awareness of the different trajectories and identities members may have taken previously, nor do they allow for members to take different future trajectories. The implication for invisibility is that those people who take a different path than that assumed for the group may exit the category without being seen to do so. Aid-receiving 'refugees' who become self-sufficient, for example, may simply cease to be viewed as 'refugees' without there being a change in the characterization of the category 'refugee-as-aid-recipient' to a revised 'refugee-as-self-sufficient'.

Self-confirmation refers to the process through which the impression of immutability is self-reinforcing through the creation of 'knowledge', data and an archive about a group using the defined characteristics and boundaries (Foucault 1972). Sources of information about a category are therefore important and different kinds of information sources make groups invisible in different ways. Categories are often constructed using endogenous information sources. A common example is institutional interventions which define a 'target group' on the basis of the intervention itself. A humanitarian NGO which only assists refugees in camps may define only those people who are in camps as refugees and then claim to be assisting all refugees.

Negotiability, finally, is the process through which categorization is always an engagement between groups of actors. A focus on negotiation contradicts Zetter's description of labelling as being designation, without the participation of those being labelled (Zetter 1991). In fact, people in the group being

defined can take part in and respond to the grouping process in several ways. In the case of both institutional and social categorizations, they can embrace it, internalize it or instrumentalize it, or they can resist and subvert it (Scott 1985, 1998). As we are interested in invisibility, the question is to what extent someone being targeted for categorization, as it were, can choose to remain invisible to the process.

These six processes apply broadly to many different contexts and kinds of categorization. They are not in themselves problematic for many of the functions of social categorization, but they make it dangerous to accept the resultant 'group' as a given for any other function than for what it was defined. Five questions encapsulate these theoretical concerns and enable us to practically interrogate the categories which we and others use:

1. Partiality — Who is defining the category?
2. Functionality and Immutability — What is the purpose of defining the category at a particular point in time?
3. Conflation — What characteristics of the category are emphasized over others?
4. Self-Confirmation — What sources of information are used or created to confirm the existence of the category?
5. Negotiability — What reasons and opportunities are there for the individuals who are targeted for categorization to remain invisible?

Before applying these questions to the three categorization processes that have been applied to Mozambicans in Bushbuckridge—bureaucratic, academic and social—I present a brief background on the case study at hand.

Historical Background

Between the mid-1980s and 1992, over 300,000 people fled southern Mozambique into South Africa to escape the Mozambican civil war (Dolan 1997). Most settled in the north-eastern border area of South Africa where there was a long previous history of cross-border migration and shared language. Bushbuckridge district, my case study area, is one of the areas of highest concentration of settlement. South Africa's white minority government did not legally recognize the Mozambicans as refugees when they arrived in the 1980s, and there was no large-scale international aid intervention. However, several of the semi-autonomous, ethnically-defined 'Bantustans' in the border area welcomed the Mozambicans based on shared ethnicity and history (Ritchken 1995; Rodgers 2002; Polzer 2007). After the end of the civil war in 1992 and the transition of South Africa to democracy in 1994, the vast majority of people who had come from Mozambique and settled in the border areas remained in South Africa rather than returning to Mozambique (Dolan 1999). Today, over 80 per cent of those who remained in Bushbuckridge either have permanent residence or citizenship status in South Africa (Polzer 2007).

In the south-eastern parts of Bushbuckridge, closest to the Mozambican border, 29 per cent of the district's population self-identify as Mozambican (i.e. of Mozambican origin, independent of their current legal status), according to the Agincourt Health and Population Unit's demographic census discussed below. Mozambicans live in villages alongside South Africans and use the same public services and the same traditional local governance system of village headmen and chiefs. There are still clearly identifiable areas in many villages where Mozambican households are concentrated, based on land which was granted them by traditional leaders when they first arrived. However, spatial integration is substantial, as at least half of the households headed by Mozambicans are located outside these 'Mozambican' neighbourhoods in mixed village sections (based on data from the Agincourt census). Intermarriage is increasingly common, and there is a strong public expression of the will to integrate from local South African elites (teachers, pastors, elected councillors), and from South African and Mozambican residents (Polzer 2004).

My description of the three categorization processes is based on four years of living and researching in Bushbuckridge district (2002–2006). Insights on the state's categorization of Mozambicans through an amnesty process come from official documentation and from colleagues who actively participated in the process at the time, as well as through my association with the Acornhoek Advice Centre which assisted Mozambicans to apply for identity documents from 2000 to 2006. Regarding the demographic survey, I have been working in partnership with the Agincourt Health and Population Unit of the University of the Witwatersrand to analyse their data on Mozambicans. Finally, my own research focused on the social construction of group identities such as 'Mozambican' and 'South African' in Bushbuckridge, using a variety of qualitative methods in three villages. The methods included participation in public gatherings, key informant interviews with village leaders (headmen, school principals, pastors, elected counsellors, Community Development Forum chairmen), and repeated structured and life history interviews with 57 respondents, 29 of South African and 28 of Mozambican birth, and other members of their households.

Case Study 1: Bureaucratic categorization: the 1999/2000 Amnesty for Former Mozambican Refugees

From the mid-1990s, the government of South Africa decided to grant various groups of immigrants the opportunity to apply for permanent resident status in South Africa. These 'amnesties' included one for mine workers in 1995, for citizens of the Southern African Development Community (SADC) countries in 1996, and for 'former Mozambican refugees' (FMR) in 1999/2000. The latter was agreed to by Cabinet on 4 December 1996, but only implemented at the end of 1999. Out of 150,592 applications for the FMR amnesty, 81,969 people were granted permanent resident status, 16,772 were rejected and 32,007 remained pending, of which most were never processed.

On the question of partiality, the dominant actor in these amnesty processes was the South African state as represented by the Department of Home Affairs.[1] As with other amnesties in South Africa and elsewhere, the central motivation of the state in the case of the FMR amnesty was to 'regularize' and therefore be able to 'see' thousands of residents of the country who were until that point undocumented and therefore administratively invisible to the state. A subsidiary stated motivation of the FMR amnesty was to right a historical wrong, since refugee status and permanent residence had been denied to Mozambicans (and other Africans) under the apartheid regime, even if they had been living and working in South Africa for many years. These aims were to be fulfilled without encouraging or enabling new immigration and without opening the opportunity for other non-citizens residing illegally in South Africa to gain legal documents.

In relation to functionality, therefore, the characteristics of the category 'former Mozambican refugees' were defined to fulfil the dual aims of legal regularization and preventing new migration. According to Home Affairs Departmental Circular No. 34 of 1999, Section 1.2,

> Mozambican refugees are citizens of Mozambique who entered South Africa between 1980 and 1992 and live mainly in the Gazankulu, KaNgwane and Winterveldt areas (i.e. the Northern Province, Mpumalanga and North West). Some have also settled in the northern parts of Kwazulu Natal[2] (Department of Home Affairs 1999).

This definition explicitly sets out three criteria for belonging to the category of 'former Mozambican refugee': country of origin, date of arrival, and place of residence. A fourth criterion is implicit: lack of documents. This last arises from the aim of regularization—i.e. moving from having no legal status to acquiring legal status—while the first three are meant to distinguish eligible applicants from other foreigners or new immigrants.

Critical legal and NGO analyses of the amnesty have emphasized the groups which were excluded from the benefits of the amnesty process because of the first three criteria (Johnston 2001; Handmaker and Schneider 2002). Many applicants could not prove their Mozambican citizenship due to a lack of documentation from either the Mozambican government before their flight or the Mozambican consulate in South Africa. Others could not prove their date of arrival in the country. The largest number of people was excluded by the place of residence restriction, since many Mozambicans had, along with their rural South African neighbours, moved to the urban areas in search of work. This also affected families in the designated rural areas whose (mostly male) heads of households were in urban areas.

In contrast to the primary criteria of country of origin, date of arrival, and place of residence, the effect of a lack of legal documentation has only been touched upon tangentially in the legal and NGO literature. This literature focuses on those Mozambicans who had previously acquired fraudulent South African identity documents and wanted to apply for legal documents

during the amnesty. In fact, many of the Mozambicans who had arrived in South Africa during the 1980s had already received documents by various formal and informal means. Formal options for acquiring permanent residence documents included the 1996 SADC Amnesty mentioned above, or registering for permanent residence as a spouse of a South African. Common semi-formal means of accessing citizenship documentation consisted of using the same official channels as South Africans to apply for documents, claiming to be born in South Africa. These included receiving documents when they were widely distributed to previously unregistered rural residents in advance of the 1994 elections; registering youth in schools along with their South African classmates; registering for a 'late registration' ID on the basis of a 'relative's' affidavit (using South African neighbours and friends as references);[3] or applying for documents through employers (Polzer 2007). Finally, there was the option of buying an ID from corrupt Home Affairs officials or private agents. Those who still did not have documents in 1999 were therefore in many ways a marginal 'rest' group with specific age and gender characteristics (older and more female, not working) who had not been able to use work, social connections, school attendance or bribes to get documents previously. Of those who had arrived in the 1980s as refugees, therefore, by 1999 only those who were not already seen as SADC 'economic migrants' or 'South Africans' by the South African state were still undocumented and therefore available to be categorized as 'former refugees' for the FMR amnesty process.

Our fourth guiding question is what sources of information the state used or created to confirm the existence of its category of 'former Mozambican refugees'. In this instance, there was virtually no prior data on the numbers of 'Mozambican refugees' living in South Africa before 1996; neither the apartheid nor the democratic state had tried to formally define or count this group of people. In 1999, the Department of Home Affairs therefore commissioned various NGOs to conduct research to estimate the numbers of people who would need and want regularization, or who wanted help in returning to Mozambique. However, these surveys were methodologically flawed and designed to confirm the biases of the amnesty categorizations—a purely rural focus on the undocumented (Handmaker and Schneider 2002). In the end, the actual applications for the regularization programme became the data source according to which FMR were defined. This made the invisibility of those Mozambican refugees who did not come forward for the amnesty absolute in the eyes of the state.

In relation to our fifth question on the extent to which 'capture' by the state's categorization process was negotiable, there were several reasons why some Mozambicans would choose to remain invisible to the state during the amnesty period. In addition to those who had fraudulent IDs and feared punishment, those who had acquired 'legal' South African citizenship through social connections or schooling had no reason to reduce their status to permanent resident by making themselves visible to the state during the amnesty process. Finally, many who did not have documents feared the state,

which they associated with arrest and deportation, and suspected the amnesty to be a ploy to identify and remove Mozambicans from the country. By the time successful applicants showed that this fear was unfounded, the six-month application period had already passed, leaving many potential applicants undocumented.

Mozambicans therefore remained invisible to the state in various ways. Since the categorization of FMR was based on active self-identification, invisibility came from the exclusion of those who were not allowed or enabled to identify themselves, even if they might have wanted to; oversight of those who might have conformed with the criteria set out, but did not wish to identity themselves; and lack of need by those who already had documents. Furthermore, there were no effective sanctions for non-self-identification. Theoretically, those who did not register for documents were relegated to 'illegal alien' status and deportation programmes were increased during and after the amnesty application period. In practice, however, this was not an effective sanction because the deportation campaigns were concentrated in urban areas while the amnesty was targeted at rural areas, there was no effective follow-up to find and deport rural non-applicants or rejected applicants, and those people who had already organized documents independently were not at direct risk of reprisals.

In summary, the state's bureaucratic categorization made the more successfully integrated Mozambicans invisible in several ways. Firstly, the intervention was targeted only at those who were still undocumented after being in the country for over fifteen years, making those with the social connections and money needed to acquire IDs invisible. Secondly, the self-identification principle enabled those who did not require the intervention because they were already established, to choose to remain invisible. Finally, its geographic focus on areas that were already associated with marginality, rural former Bantustan areas, made those Mozambicans who had found work in or who had otherwise moved to less stereotyped 'migrant' areas invisible.[4]

Case Study 2: Academic Categorization: the Agincourt Health and Population Unit

My second example of academic categorization is very different from the first example of state categorization. Nonetheless, the same framework questions allow us to interrogate the categories created and to become aware of invisibilities.

Since 1992, the Agincourt Health and Population Unit (AHPU) of the Public Health Department of the University of the Witwatersrand has been conducting a yearly demographic census in 21 villages in the south-east of Bushbuckridge district (known as the Agincourt Health and Demographic Surveillance System or HDSS). The census comprises 11,000 households and approximately 70,000 individuals, and each household is surveyed annually by trained local field workers. The programme's goal is to

understand the demographic transitions and public health concerns in rural South Africa, with the aim of improving rural health systems (Tollman et al. 1999).

The Agincourt HDSS is in many ways a best-practice example for making self-settled refugees academically visible. It is the only demographic survey site in the world where a third of the population are self-settled refugees, and the location was specifically selected to study the needs and experiences of this group. Much thought has gone into accurately representing and tracking the social and health characteristics of Mozambican-born residents and their families, along with their South African neighbours, and important adaptations have been made to the census in recent years towards this aim.[5] As with all three categorization examples presented in this paper, the following discussion is not a criticism of the institution constructing a category, but rather an expression of the inevitable challenges which the necessity of categorization brings to even the most careful institutional and academic endeavours.

The result of any census, one would think, is the very opposite of invisibility, since it records every individual living within a specified geographical space. A census is therefore different from an intervention, such as the amnesty described above, which only targets select individuals out of a total population. Nonetheless, there are important forms of invisibility which arise not from a complete exclusion from a census but rather through the relative categorizations applied to individuals within the census. In the Agincourt HDSS, the question is therefore whether an individual was made visible as a 'refugee' or remained or became invisible within the larger mass of 'South Africans'.

When the AHPU census was designed in 1992, it was known that there was a large number of Mozambicans living in the area, but there was virtually no data on their numbers or the conditions in which they were living. A variable was therefore introduced in the census called 'Refugee/Mozambican':

REFUGEE/MOZAMBICAN. To know the citizen status of a resident in the study area follow the definitions below

- Refugee (Y) = persons from Mozambique who entered SA before 1993 (true refugee).
- Mozambican (M) = persons from Mozambique who entered SA during or after 1993.
- South African citizen (N).
- Other (O) = persons from a country other than Mozambique or SA.

For children, if both parents are Mozambican then the child is Mozambican. If the child has mixed parentage, then a patriarchal system will be followed where the child takes on the status of his/her father:

- If both parents are M then the child is M

  – If the father is Y or M and the mother N then the child is M
  – If the father is N and the mother is M then the child is N
  – If both parents are Y and a child came with them the child is also Y; but, if both parents are Y and the child was born in South Africa, the child is an M (Agincourt Health and Population Unit Field Manual, 2006 version).

The functionality of this variable for the AHPU as an academic, demographic and public health programme, to answer our second question, was to provide a possible explanatory variable for differential demographic and public health outcomes. The hypothesis was, and remains, that the group of people defined as 'refugees' would be significantly different in terms of demographic and health outcomes from the rest of the population and therefore needed to be identified along with other traditional independent variables such as gender, education status, and marital status. Importantly, this variable was conceived of as an unchanging characteristic of a person. Once someone was categorized as a 'refugee' (e.g. having arrived in the area from Mozambique before 1993), they would remain so in the census, even as other characteristics of the individual (such as education level, place of residence, documentation status, etc.) might change. This makes the AHPU 'refugee' category very different from the state's 'refugee' category which ends when an individual attains permanent residence or citizenship status. The maintenance over time of a variable denoting 'refugee origin' is useful and important, from my perspective of wanting to trace the process of integration, since a progressively integrated 'refugee' remains identifiable even as other variables approach parity with the host population. However, there are still characteristics of the categorization which point to the possible invisibility of the most integrated Mozambicans. These characteristics arise, as above, from the dominant characteristics given to the category, the information source used to construct the category, and the level of negotiability in the category.

  To address our third guiding question, although the dominant characteristics of identifying a 'refugee' in the AHPU census were superficially the same as for the government regularization programme, e.g. country of origin and date of arrival in South Africa, one significant difference is that the state was interested in legal status while the census was not. The census did not record the possession of identity documents for anyone in the survey site until 2005. However, the original *omission* of documentation status as a variable, while complicating AHPU's ability to trace an important element of the refugee integration process over time,[6] probably did not contribute to excluding successfully integrated Mozambicans from the 'refugee' categorization in 1992, in the way that the state's *inclusion* of the legal criterion did in 1999. This is because of the difference in the function of the categorization: selective state intervention on the basis of legal status versus comprehensive academic explanation (without direct material benefit for the respondent) on the basis of country of origin. In the AHPU case, therefore, it is the characteristic of country of origin which led to openings for the invisibility

of well-integrated refugees. These openings were created through the data collection (self-confirmation) process, within which there were spaces for category negotiation.

Regarding the self-confirmation of the category 'refugee', the AHPU's source of information for its categorization is a single question which field workers asked all respondents in the original census of 1992 and which since then has only been asked of people who are new arrivals within the census villages: 'where were you born?' The basic categorization of 'refugee' was based on a combination of self-identification and field worker identification of the place of birth. Field workers, who were all local residents of the census area, used observations of accent, dress (more 'modern' or more 'traditional'), housing style (brick or mud and thatch), area of residence within the village (core or periphery) and other stereotypical 'cultural' attributes to assess the 'Mozambicanness' of the respondents (Mark Collinson pers. com. 25 February 2008). The implications of these elements of data collection— self- and stereotype-based identification based on a single question—for creating and enabling invisibility are discussed below after a note on respondents' possible reasons for negotiating invisibility.

There are several reasons why Mozambicans might have wished to remain invisible to the census as 'refugees'. 1992, the year of the first census, was a watershed year for Mozambicans in South Africa. The Mozambican Peace Agreement was signed in October after 16 years of civil war. South African politics were shifting dramatically, with the negotiated transition from apartheid to open elections still uncertain and the continued role of the Bantustans in question. In this volatile political context, the Mozambicans were not yet convinced of a lasting peace in Mozambique (Dolan 1997) and, with no clear source of political protection in South Africa, had every reason to fear expulsion. The AHPU was not yet well known in the area and large-scale censuses were likely to be associated with the feared state rather than with a university. Finally, there were no sanctions for falsely self-declaring as a South African, and no direct individual benefits from being identified as a 'refugee' in the demographic survey, for example through the development of targeted interventions.

Apart from these motivations for invisibility which arose from the larger political atmosphere, the specific migration history of the area both motivated and enabled invisibility for certain groups of Mozambicans, especially the more spatially and socially integrated. Mozambicans who worked in South Africa before the mass influx of refugees in 1985 generally lived among South Africans in the villages of Bushbuckridge, often married to South Africans. These working Mozambicans often distanced themselves from the destitute new arrivals who were settled at the outskirts of the villages in clearly visible 'Mozambican neighbourhoods', while simultaneously assisting some family members to integrate. Ethnographic studies of Bushbuckridge have noted that people of Mozambican origin who live in the core village areas (not in the 'Mozambican' neighbourhoods) are often

reluctant to admit their Mozambican origin to outsiders because of the stigma of poverty and foreignness attached to it (Golooba-Mutebi 2004; Machava 2005). This makes a survey question about place of birth not a neutral question of fact, but rather a political question of status and social position within the village.

The 'local knowledge' stereotype-based data collection model for the AHPU category of 'refugee' therefore provided avenues for the less stereo-typical Mozambicans to remain invisible as 'refugees'. This was particularly the case where the *conflation* of origin, cultural 'traditionalism', poverty and place of residence within the village did not hold (see further discussion of this conflation in the next example). In sum, therefore, the AHPU category of 'refugee' constructed the invisibility of socially and spatially integrated Mozambicans through an insufficiently defined category (conflation of indicators) and oversight of those who might have conformed with the criteria set out, but did not wish to identity themselves.

As in the case of state categorization described above, it is not possible to estimate the number of persons made invisible in this way, and the omitted percentage of all 'actual' Mozambicans in the census area may be small. After all, 29 per cent of all the persons surveyed were categorized as 'refugees' in 1992, suggesting either a willingness to self-identify as such (in spite of the dangers) or the effectiveness of field workers' cultural knowledge. One can also legitimately argue that the categorization fulfils its intended academic function if those Mozambicans who were able to claim South Africanness in the face of culturally savvy field workers are so well integrated that they do not represent a distinct 'vulnerable group' within the surveyed population. However, the 'invisibility' of well-integrated Mozambicans to the census may over-emphasize the statistical 'vulnerability' associated with 'nationality', since the categorical stereotype which contributed to the establishment of the category had already internalized this vulnerability.

Case Study 3: Social Categorization: Intra-Village Relations and Local Politics

Qualitative researchers often argue that institutional categories used by the state or narrowly defined categories in quantitative academic surveys misrepresent reality because they do not take into account how local people understand and construct social categories. However, social categories are equally constructed and can also make certain kinds of people invisible. This case study shows that both elite and non-elite local self- and re-presentations using the categories of 'South African' and 'Mozambican', while highly ambivalent and often contradictory, nonetheless make the same kinds of people invisible as the institutional categorizations, albeit for different reasons.

There are at least two different roles in which social categories play themselves out: in shaping the interaction between people in everyday life, and in representing oneself and one's community to outsiders, including researchers (Jenkins 2000). My field work allowed me to observe both, to the extent

that I participated in community interactions (such as community meetings) that included both South African and Mozambican-born residents, as well as speaking individually to South African and Mozambican-born village residents and village leaders about their perspectives on the two 'groups'.

As institutional categorizations fulfil functions for the institution, so social categorizations fulfil specific functions for societies. My second guiding question, the purpose of defining a category at a particular point in time, is nonetheless more difficult to establish for social categorizations than for institutional ones, not least because there are more actors involved and because there is no single, documented definition of a category (as with the government circular or the field manual quoted above). As with all social group constructions, in Bushbuckridge the social categorization of people as 'Mozambican' or 'South African' is multifaceted, situational and has changed over time. On the one hand, 'Mozambican' is a social category that has long been used in everyday life by local leaders and by common people of both South African and Mozambican birth as if its application were common-sensical. On the other hand, shared language, culture and history have long been recognized by both local elites and community members, and common-alities and kinship links are often emphasized over differences, as expressed by the often heard phrase 'we are all South Africans now' (Polzer 2004). This tension between categorical recognition and elision works to obscure the presence of successfully integrated Mozambicans.

The categories of 'Mozambican' and 'South African' are 'functional' for non-elites and elites in Bushbuckridge for a range of purposes. At the non-elite level, the categories are currently used as ambivalent markers of social status and therefore as ways of structuring hierarchical normative relation-ships. At the elite level, they are used for constituency building and to claim external resources and plan interventions.

Regarding our third question, Table 1 shows some of the main character-istics of 'Mozambicanness' which are emphasized at the intra-village, com-munity level. The table summarizes responses to an open-ended survey question which I asked 57 respondents in three villages in Bushbuckridge, of whom 29 were born in South Africa and 28 in Mozambique.

The responses to this question illustrate several elements of the categoriza-tion of Mozambicans which are supported by the findings of my other, more narrative, methods. The first is that the most common response by both South African-born and Mozambican-born residents is a denial of difference, or refusal to engage with a discussion about difference with an outsider (e.g. responding with 'none' or 'don't know'). Second is that many of the common signs of ethnic or national differentiation are not considered rele-vant, such as race, physiognomy, religion, or other markers of 'blood and ancestry'.[7] In fact, sameness of culture and kinship are emphasized more often by both sides, in the no-difference responses, than evocations of culture as a marker of difference.

Table 1

Perceptions of 'Mozambicanness'

What is the difference between South Africans and Mozambicans in Bushbuckridge?	According to South African-born (N = 29)	According to Mozambican-born (N = 28)
None	9	10
Language/accent	5	0
Culture	3	1
Don't know	3	8
Mozambicans love ploughing, South Africans love money	3	4
Mozambicans are less educated	2	5
Dress	2	0
Mozambicans are discriminated against by the state	1	0
Mozambicans don't practise family planning	1	0
Mozambicans are reckless	1	0
Mozambicans are uncivilized	1	0
Mozambicans walk not drive	1	0
Mozambicans are poorer	0	1
South Africans are poorer, more criminal	0	1

This leaves characteristics of difference which are acquired, rather than immutable, and which are often about lifestyle choices or practices rather than inherent features. Cumulatively, these characteristics portray an image of Mozambicans as 'traditional' or 'uncivilized' and South Africans as 'modern'. Mozambicans love the land, are less educated or literate in the modern schooling system, dress more conservatively, have more wives and more children, and are willing to work hard with their hands and walk far. Conversely, South Africans love money, are more integrated into a modern education system, have smaller, nuclear families, and prefer well-paid office jobs and cars. Other commonly mentioned markers of 'Mozambicanness', as noted in the previous case study, are lack of an identity document and residence in a marginal neighbourhood of the village. Finally, the memory of Mozambican refugees arriving with nothing and being dependent on handouts from local South Africans continues to shape the division of Mozambicans and South Africans into status groups.

The significance of these characteristics of a socially categorized 'Mozambican' is that a person of Mozambican birth or parentage who has a South African identity document, lives in the central section of the village, dresses in stylish, modern clothes, is educated and has a respectable income in a non-manual job is accepted as a South African and will in most situations define himself as South African. Such a person therefore becomes

invisible as a 'Mozambican' in local discourses of cultural or status grouping. Conversely, various socially constructed categorizations of 'Mozambicans' in Bushbuckridge identify clearly 'visible' Mozambican communities who still live in relatively isolated settlements, have access to fewer services, dress conservatively, have retained a distinctive accent, and self-identify openly as Mozambican.

Elite representations of 'Mozambicans' in Bushbuckridge, in contrast to non-elite social interactions for status maintenance, are about claiming a constituency and about addressing overt welfare needs within their constituency. In the post-1999 political context of Bushbuckridge, where over 80 per cent of those who arrived as refugees in the 1980s have acquired identity documentation and where they can constitute up to 60 per cent of the residents of some wards, it is in the interests of local ward counsellors, Community Development Forum chairpersons and other locally elected officials to speak about the residents of a village inclusively, without distinction according to national origin. In interviews with such leaders, the common refrain was 'we no longer call them Mozambican because they are part of us now.' Especially traditional leaders such as chiefs and village level *ndunas* (headmen), who have significant amounts of local power over land allocation and local justice, identify their constituents on the basis of ethnicity and clientage and not on the basis of national origin or legal status (Rodgers 2002). The aim of constituency building therefore elides all mention of Mozambicans in local elite discourses.

On the other hand, local leaders are mandated to address the development and welfare needs of their constituents. The 'Mozambican neighbourhoods' of most villages remain the most under-serviced in terms of infrastructure and, until relatively recently, large numbers of the Mozambican-born and their children did not have identity documents and therefore struggled to access formal employment or social welfare services and government welfare grants.[8] When describing the levels of welfare need within their constituencies, therefore, local leaders do often mention 'the Mozambicans' as a particularly vulnerable group. There were several occasions when I, as a researcher, was explicitly asked for assistance in communicating 'the Mozambicans'' needs to the government on behalf of local ward counsellors. In this context then, as with the state's categorization in the first case study above, 'Mozambicans' are defined exclusively as people in need of assistance and intervention. Once again, those who have already succeeded in acquiring IDs and moving out of the 'Mozambican' settlement areas were not included in this definition.

Finally, on negotiability, I have already mentioned some of the incentives for Mozambican-born residents of villages in Bushbuckridge to want to be 'invisible' as 'Mozambicans' in the local social context. These include the lack of political value in emphasizing a Mozambican identity, and the status stigma associated with the term.

Implications for Refugee Studies: Obscured by Documents, Space, Self-representation and Time

These three examples of how Mozambicans in Bushbuckridge have been categorized show that different actors with very different interests and intentions may nonetheless end up all overlooking or explicitly excluding successfully integrated refugees. Some of the reasons for this may be context specific or limited to situations where refugees and hosts are co-ethnic, which is quite common in southern contexts. However, other elements of this recurrent invisibility are more generalizable and therefore have implications for the study of refugees more widely. While the partiality and functionality of categories are universal features of social science enquiry, self-confirmation, conflation, negotiability, and immutability take on particular significance in the study of migration. They do so via, respectively, issues relating to documentation, space, self-representation and change over time.

In our three examples, those who already had acquired documentation and those living in non-marginal spaces were invisible. In all three cases, voluntary self-representation as 'Mozambican' is key to being recognized as one. In the first and last case studies, the static categorization was not interested in capturing the changing legal, social and identity conditions of the targeted group as a whole, preferring to apply the category only to those individuals who retained the stereotypical (vulnerable and needy) characteristics of the category.

The use of identity documentation as an information source for institutional and academic categorization is common. This ignores the following: accessing and issuing documentation is a strategic process for both the issuing institution and the recipient (Bakewell 2007); documents are often withheld from deserving recipients (Landau 2006); individuals choose not to access certain documents to which they might have a right; individuals may hold documents to which they are not entitled, and so on. Categorization on the basis of documentation, while sometimes functional, always carries the danger of conflation and self-confirmation. The implications for the invisibility of the integrated are manifest. Refugees who hold host country permanent resident or citizenship documents are made invisible for institutions which use legal definitions as the core of their group categorization. Therefore the problems successfully documented refugees may face in terms of discrimination, service access, and other protection or welfare needs, or indeed their lack of problems and their positive contributions to the host and diaspora societies, also become invisible.

Similarly, refugees who have spatially integrated are often made invisible. Spaces have social value, are more or less marginal, and are identified with different identities and categories of people (Knox and Pinch 2006). Therefore, when refugees move physically from one space to another within their host country, town or village, this potentially also constitutes a social category move, and the social value of spaces is often conflated with the social value of the people in those spaces. As the example of state

categorization above shows, spatially integrated refugees may become invisible through explicit exclusion in the definition of the category. This is also common with humanitarian and welfare interventions which only focus on persons settled in specific locations. A second form of explicit spatial exclusion is through the strategic sampling choices made for studies or interventions. An example are migration surveys which only include neighbourhoods known to have high concentrations of migrants, and which therefore exclude migrants who live in more integrated settings (Jacobsen and Landau 2003; Makina 2007; Vigneswaran 2007). Another path to invisibility is that spatially integrated refugees have more options to self-represent themselves as non-refugees or non-migrants to outsiders since they are less likely to be pre-defined as belonging to a category due to their location. This is clearly shown by the academic and social category examples above. Finally, local social categories may be constructed differently by elites or by non-elites where refugees and migrants are concentrated, compared to where they are dispersed and socially integrated.

As we have seen in the case studies above, self-representation plays a key role in who becomes categorized as what, illustrating the constant negotiability of categories. The ways in which refugees 'misrepresent' themselves to aid agencies and international organizations in the contexts of camps have been discussed (Kibreab 2004), as has the impact of non-refugees registering for food aid or using refugee-targeted welfare services (Callamard 1994). What is less studied is when refugees make choices to avoid being registered or categorized (Sommers 2001; see also Bakewell, this volume). In a field that is often concerned with increasing the use of and access to the refugee label as a source of protection, we only rarely seek to understand the reasons why people would want to evade such categorization, and what options exist for protection through alternative routes, such as becoming a 'local'.

Finally, the three case studies described above illustrate one of the fundamental characteristics of categories: that they freeze groups in time. Institutional categories do this by creating a documented set of criteria which then reach back into the past and forward into the future as if the categorized group had always been and will always be the same (Posel 2001). Social categories, while more flexible in how they shift through time, also tend to construct a myth of immutability around whatever characteristics the category currently holds (Smith 1986; Anderson 1991). In fact, one of the most interesting questions in the study of migration and forced migration, and in the social sciences generally, is how a person moves through time from a (putative) starting position of vulnerability to a position where they are no longer as vulnerable (or possibly the other way around). Most of the kinds of invisibility described in the case studies above obscure the full spectrum of trajectories which refugees take after their arrival in a new place. These trajectories include life with citizenship or permanent resident documents, in mixed or mainstream living arrangements, and with jobs, businesses and generally successful lives.

Conclusion

There are many reasons to pay more attention to successfully integrated refugees. These include political reasons, such as balancing the image of the dependent and the vulnerable refugee with alternative images and stories. There are also operational reasons, such as learning what contexts and interventions work, or not, towards building more or less cohesive and integrative societies. Clearly, not all contexts in which refugees self-settle will have the same characteristics as the case study presented above to facilitate successful integration.

My main argument in this paper, however, has been that, rather than looking at or for integrated refugees *per se*, we should recognize the fundamental epistemological blinkers inherent in bureaucratic, academic and social categorization and what those blinkers obscure. This has several reasons. First of all, truncating our understanding of the full trajectory of refugee experiences is analytically, as well as politically, limiting. Secondly, methodological and practical challenges, however real they are, should not be an excuse for ignoring a theoretically important population. In addition, if categorical blinkers can reinforce each other, as illustrated above, this suggests that traditional methodological strategies such as triangulation of data from different institutional sources may not be enough to make certain groups, such as successfully integrated refugees, visible. A conscious process of categorical deconstruction, by using the questions suggested above, is important for ensuring that our methods do not unwittingly exclude. To the extent that every study or intervention must knowingly and strategically focus on some groups and not others, this should be a conscious and reflected choice.

Thirdly, a focus on careful engagement with categories is part of the wider argument, also made by Bakewell in this volume, that refugee studies should free itself from too great a focus on institutional perspectives and interventions, and take on more theoretically grounded bases for how it conceptualizes and categorizes the people it studies. Finally, and most broadly, being aware of categorical invisibility, whatever form it takes, is simply about sound and critical academic endeavour. This paper has presented a framework for guiding such a critical engagement.

1. Various non-governmental actors were also involved (see Handmaker and Schneider 2002), but the focus here is on the role of the state.

2. Today's Bushbuckridge is part of the former Gazankulu, and the Northern Province has since been renamed Limpopo Province.

3. If a person does not receive a birth certificate as a child, they can apply for a 'late' birth certificate on the basis of affidavits from relatives and local leaders, confirming that the person is a member of the family and is known in the village. Many rural South Africans still do not have birth certificates due to home births and the distance and cost of accessing the Department of Home Affairs' rural offices. This was especially the case until the late 1990s. Therefore, Mozambicans settled in these rural areas, sharing the same language with locals, could credibly claim to be local, if supported by the appropriate documentation from South African neighbours and local leaders.

4. While urban life for Mozambican refugees is not *necessarily* coupled with greater economic success or deeper social engagement with South Africans, compared with remaining in rural border areas, it often is. Furthermore, it is an element of 'successful' integration in that it involves leaving spaces which are specifically identified with Mozambicans for more mixed spaces.

5. This includes recording forms of identity documentation (citizen, permanent resident, none) since 2004, and introducing migration reconciliation for moves from one location or village to another within the census site so that the records for an individual before and after their move can be compared (recorded since 2005).

6. The 2005 documentation status data showed that almost 80 per cent of Mozambican 'refugees' had acquired permanent residence or citizenship in 2005, from (anecdotally) very low levels of documentation in the early 1990s.

7. This is by no means self-evident, since there are many examples where groups with common physiognomic, ethnic and linguistic characteristics have nonetheless politicized such differences to the point of genocide, e.g. in Burundi, Rwanda or Darfur. The reference by South African-born respondents to language and accent as a marker of difference is an exception here, but accent identifiers are subtle and no larger than accent differences between XiTsonga speakers in northern and southern parts of South Africa's Limpopo Province. In this context, accent is a mutable characteristic, rather than a clear indicator of ancestry.

8. Lack of documents is still a problem for around 20 per cent of Mozambican-born and their children in Bushbuckridge but the percentage was much higher until *c*. 2001 when the 1999/2000 amnesty process was completed. Since 2004, Mozambicans holding a permanent residence ID are eligible to receive state old-age pensions and child support grants, which have significantly improved their livelihoods.

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Adapting to Changing Legal Frameworks: Mozambican Refugees in South Africa

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Abstract

This paper argues that legal frameworks to manage immigration and refugee rights need to be understood from below, namely, how they are interpreted and used locally by the immigrants affected and by the host communities, in their specific historical context. Using the case of Mozambican refugees in South Africa (1985–2006), the paper outlines why many of the policies targeted at or affecting this group of immigrants have had counterproductive effects (from the perspective of policy makers) because of the disjuncture between the goals and assumptions of the legal framework and the reality experienced and desired by the refugees. The situation of Mozambican refugees in South Africa over the past twenty years has been shaped by a radically changing legal context. These changes are charted and matched with how Mozambican refugees, especially those settled in the rural border areas, have adapted to, made use of and subverted the various legal constraints and opportunities provided by the South African state and its local representatives.

1. Policy and experience

Immigration and refugee law and policy are often analysed from the top, looking at the motivations, interests and backgrounds of the actors writing and negotiating the texts. Or they are analysed from the side, from the perspective of organized civil society debating its impact on the immigrant client. This paper looks at law and policy from below, namely how those laws and policies have been interpreted and reacted to by those they are intended to affect. Using the case of Mozambican refugees in South Africa (1985–2005), it will be argued that many of the policies targeted at or affecting Mozambican refugees have had counterproductive effects (from the perspective of policy makers) because of the disjuncture between the goals and assumptions of the legal framework and the reality experienced and desired by the refugees.[1]

Since the mid-1980s, South Africa has been host to hundreds of thousands of refugees from the Mozambican civil war. When the end of the war coincided with a political thaw in South Africa in 1992, around 240,000 refugees decided to stay in South Africa rather than return to

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Mozambique. In the twenty years of their presence in South Africa, they have been subjected to extreme shifts in government policy: from the apartheid regime's complete refusal of recognition and rights, to the democratic regime's slow, but now almost complete, conferral of legal and socio-economic rights, and in many cases citizenship. Mozambican refugees in South Africa, therefore, represent an important case study of how changing government policy impacts on forced migrants and on immigrants in general.

Looking at the impact of law and policy from below means paying attention to a range of factors rarely considered in the analysis of formal law. This includes considering the interstices between formal policies, the impact of changing policies over time, local interpretations of the labels and categories imposed by law, and the agency of those affected by law to subvert, oppose and evade it.

Mozambicans in South Africa have never been subject to or protected by an established and structured refugee law. The South African Refugee Act was only passed by Parliament in 1998 and came into operation in 2000, many years after the end of the Mozambican civil war and the cessation of refugee status for Mozambicans. Mozambican refugees were always dealt with under legislation concerning illegal immigrants and migrant workers, like the 1991 Aliens Control Act and its antecedents, or other *ad hoc* arrangements, such as the 1993 Tripartite Agreement (including UNHCR), which conferred group refugee status to Mozambicans, the 1996 decision to revoke refugee status, or the 1999 Exemption for former Mozambican Refugees, which belatedly recognised the rights of this group to apply for permanent residence.

In addition to the lack of a specific legal framework appropriate to the rights of Mozambicans as refugees, and in addition to the *ad hoc* nature of official policies directed at them, there have been a host of semi-official and un-official frameworks. These have not been legal in the sense that they are based in law, but they have, nevertheless, shaped interactions between Mozambican refugees and state actors and have enabled or constrained the acquisition of legal status. This includes informal practices by local government officials as well as national practices.[2] Local informality can be the kind of petty corruption that South Africans also face, making access to documents or services dependent on connections and money

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[1] As the discussion below illustrates, labeling Mozambicans in South Africa is difficult. Even though Mozambicans fleeing the war were only formally recognized as refugees for three years after the end of the civil war (1993–1996), and their progressive integration means the label may lead to misleading assumptions, I will use the terms 'refugees' and 'former refugees' to distinguish them from Mozambicans who came to South Africa as labour migrants before the mid 1980s or after 1992.

[2] This stands in contrast to 'legalizing' by purchasing fraudulent documents from private suppliers, which is a difficult issue in South Africa, as elsewhere, but is not part of this discussion on the interaction of refugees and the state.

rather than background. It can also be turning a blind eye when locals come to register a young refugee in their name so that she can finish school, or when land parcels are allocated and grants are applied for on the South African neighbour's ID number, or when rejected applicants for amnesties are not deported. Nationally, an important semi-formal practice was the distribution of IDs to immigrants in advance of the 1994 elections, with the promise of citizenship for those who voted (see below).

In taking the perspective from below, these informal frameworks are as important as the formal ones because they are experienced, if anything, more directly than what is theoretically encoded in law. Most Mozambican refugees do not know what the law says and their only interaction with the South African state is via its local representatives, who, especially in marginal, rural areas, mete out their own interpretations of the law with a great deal of impunity.[3] When these practices are the norm rather than the exception, and especially when they are seen as normatively acceptable, they cannot be understood as aberrations from the law but as constituting a regular and predictable set of conditions through which people interact with the state, that is, a kind of local law in themselves.

Another consequence of looking at legal frameworks from below, is the need to consider their impacts over time. This requires consideration of at least four different processes: first, the changing formal legal framework; second, the changing interpretation and implementation of that framework; third, the changing needs, desires and priorities of those the legal framework is targeting; and finally, the interaction between the framework and the target group desires, where the framework (and its implementation) can create incentives or disincentives for action. We must also take into account that current target group perceptions of the framework may be based on memories of past frameworks and implementation.

This perspective also requires us to take seriously local understandings of cause and effect, policy motivation and categorisation of actors. For example, distant academics tend to discuss immigration policy as a relationship between an undifferentiated group of immigrants (or different legal categories of immigrants) and a largely abstract state. What is contested is access to relatively abstract rights within a conceptual framework that categorically distinguishes between national and non-national, immigrant and citizen. The perceptions of Mozambican refugees are much more personal and political: they interact with local Shangaan-speaking chiefs who welcome them as a means to expand their power bases. They voted for the African National Congress party and Nelson

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[3] This is by no means particular to rural areas, however, as studies of the Refugee Reception Offices in Johannesburg and Pretoria have shown. See L.A. de la Hunt, *Tracking Progress: Initial Experience with the Refugees Act, 130 of 1998* (Johannesburg: National Consortium of Refugee Affairs, 2002).

Mandela in 1994 as ethnic Shangaans.[4] They interpreted the post-1994 arrests and deportations of immigrants by the Department of Home Affairs as political revenge against ANC supporters since the Minister of Home Affairs was the leader of the opposition Inkatha Freedom Party. The significance of these categorisations is discussed further below.

The final consequence of the perspective from below is the centrality of agency by policy target groups, in this case Mozambican refugees, in creatively adapting to, rather than merely accepting, policy-driven constraints. The law has almost always criminalized Mozambican refugees as illegal immigrants. As discussed below, even in the few years when refugee status was granted, this in no way removed the dangers associated with illegality. Only since 1996 have there been options for the legal acquisition of legal status for Mozambican refugees and, even since then, there has been strong continuity with the historical national tendency to separate (black) immigrants from the body politic, rather than enabling access and integration. These policies of exclusion stand in stark contrast with the reality of the majority of Mozambican refugees who are settled in the former homelands near the Mozambican border. Various conditions, summarised below, have led to significant local integration and the commitment to remain in South Africa. Rather than meekly adapting their reality to fit the constraints of a legal framework which de-legitimised them (accepting their criminalisation), many creatively found entry into a legitimate identity as citizens of South Africa ((ab)using the law to enable a normal reality). On the other hand, agency can come up against insurmountable odds: most refugees were forced to live largely outside the influence of the law and, therefore, outside the benefits derived from the state, leading to decades of vulnerability. Even after accessing legal status by legal means during the 1996 and 1999 government amnesties, this historical vulnerability continues to impact on their options and lives today.

Two main periods can be identified in the shifting legal frameworks affecting Mozambican refugees in South Africa: prior to 1996 and after 1994, with some overlap in the mid-1990s. The first period was characterised by the goal of separating and removing the refugees from the South African body politic, based on the assumption that they would and should return to Mozambique. The second period progressively regularised legal, as well as socio-economic, integration based on the recognition that they were in the country to stay. This dichotomy, however, is not absolute. The continued prevalence of 'control and remove' priorities in South African

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[4] There is some debate about the appropriate name for people who speak the Shangaan or Tsonga languages in South Africa. I use the term and spelling 'Shangaan' to refer to people in Bushbuckridge District because this is closest to the name used by South African and Mozambican XiShangaane-speakers in Bushbuckridge District when they speak about themselves in English.

immigration management after 1994 strongly affected the legalisation campaigns.[5] Furthermore, the post-1994 regularisation policies did not really reflect a pro-active government attitude toward the political inclusion of Mozambican refugees, whether as persons whose rights had been violated by apartheid, as refugees from an apartheid war, or as participants in the struggle for democracy. Rather, the policies were a reluctant acquiescence to regularise an uncomfortable status quo.[6] In the first period, refugee resistance to the legal framework was expressed largely through state avoidance and identity adaptation (often through fraud). The reactions to the legal changes in the second period were generally positive, but cautious, retaining a level of suspicion of the motivations of the state, primarily because of the continued experience of deportation and discrimination.

The first period is characterised by the impacts of the apartheid regime's lack of recognition of refugees, the concomitant lack of an institutionalised aid response and the semi-formal spatial constraint to homelands from 1985–1993; the 1993 Tripartite Agreement between South Africa, Mozambique and the UNHCR which conferred group refugee status; the 1994–95 UNHCR-managed repatriation programme and deportation campaigns based on the 1991 Aliens Control Act. The second period includes South Africa's first democratic elections in 1994, the impacts of the 1995, 1996 and 1999–2000 Amnesties affecting Mozambican refugees and the 2004 *Khosa* and *Mahlaule* Constitutional Court cases granting permanent residents the right to social welfare grants.

Before proceeding to the case study, it should be noted that this analysis is based on over ten years of continuous engagement with the legal and social conditions of Mozambican refugees in South Africa by the Citizenship and Boundaries Initiative of the Forced Migration Studies Programme of the University of the Witwatersrand (previously known as the Wits Refugee Research Programme – RRP) with a focus on Bushbuckridge district in Limpopo Province, the area where most Mozambican refugees settled. The author has been working with this community for the past three years and has drawn on the work of prior colleagues. The RRP combined legal and paralegal advocacy and advice with in-depth ethnographic research. Many of the post-1994 legal changes described below were influenced by the RRP's research and advocacy (such as the 1996 SADC Amnesty, the 1999 Exemption for former Mozambican refugees and the *Khosa* and *Mahlaule* Constitutional Court cases) and much of the quoted

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[5] See J. Crush, D. McDonald, 'Introduction to Special Issue: Evaluating South African Immigration Policy After Apartheid' (2002) 48 *Africa Today* 1-13; S. Peberdy, 'Imagining Immigration: Inclusive Identities and Exclusive Policies in Post-1994 South Africa' (2002) 48 *Africa Today* 14-32, for discussions on the historical continuity of restrictive immigration policy in the old and new South Africa.

[6] J. Crush, V. Williams (eds.), *The New South Africans? The Immigration Amnesties and their Aftermath* (Cape Town: Idasa, 1999).

testimony by former refugees was gathered while evaluating the impact of these legal changes.

2. Legal exclusion and social inclusion: 1985–1995/96

Mozambican migration to South Africa has a long history. The legal frameworks that enabled and constrained that migration are well known, and will not be discussed here.[7] Suffice to say, that the history of labour migration and the presence of Mozambican migrants in Bushbuckridge prior to the mid-1980s were very significant in shaping Mozambican conceptions of their place in and relationship to South Africa, as well as assisting some refugees to integrate quickly by joining long-term resident relatives.

2.1 Legal framework on arrival

Although the civil war in Mozambique started in 1975, the mid-1980s saw an escalation of violence in the southern districts of Mozambique bordering South Africa.[8] This led to the mass flight of entire families and communities across the border, numbering hundreds of thousands a year in 1985, 1986 and 1987. By the end of the civil war in 1992, at least 320,000 Mozambican refugees had settled in South Africa.[9]

The apartheid government in power at the time was not party to any of the international Conventions or Protocols on refugee rights, and refused to provide any protection or assistance to refugees, as required under international law.[10] As Crush and Williams point out, 'the apartheid government was the prime cause of the flight of over two million people from Mozambique to other countries in the region… [and] only the South African government sought to keep them out by deporting them, electrifying border fences, and restricting movement of those who made it over the fence'.[11] However, the national government informally allowed the semi-autonomous 'homelands' along the border with Mozambique to host the refugees. The majority of the Shangaan-speaking refugees, therefore, settled in the Shangaan-speaking 'homeland' of Gazankulu and the Swazi-speaking 'homeland' of KaNgwane, while Sotho-speaking

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[7] S. E. Katzenellenbogen, *South African and Southern Mozambique; Labour, Railways and Trade in the Making of a Relationship* (Manchester: Manchester University Press, 1982); P. Harries, *Work, Culture and Identity: Migrant Labourers in Mozambique and South Africa, c. 1860-1910* (Portsmouth, London and Johannesburg: Heinemann, James Currey and Witwatersrand University Press, 1994).

[8] M. Newitt, *A History of Mozambique* (London: Hurst and Company, 1995).

[9] This number is extrapolated from church food distribution records in rural areas, and includes an estimate of urban-based refugees, as calculated by Chris Dolan.

[10] Crush and McDonald, n. 5 above.

[11] Crush and Williams, n. 6 above, 2

Lebowa refused them entry and Kwa-Zulu barely tolerated them. The field-work on local adaptation and resistance cited here is largely based in the southern portion of Gazankulu, which today is called Bushbuckridge district.

The policy of confining the refugees to the homelands was an expression of the government's dual marginalisation of the refugees and the 'homelands', placing both outside the territorial ambit of national immigration law. As immigration law is always a reflection of conceptions of citizenship, this also reflected the racially defined citizenship laws and practices of the apartheid regime that excluded South African-born Shangaans from the national body politic almost as much as the refugee Shangaans.

Lack of national legal recognition led to a range of local responses, all facilitating local integration. First, there are several layers of irony in the fact that the 'homeland' governments accepted the apartheid creation of ethnic identity-based 'homelands' to the extent that they welcomed their co-ethnies as brothers and (albeit temporary) guests, rather than as foreigners.[12] The then Chief Minister of Gazankulu, Hudson Ntsanwisi, argued that Gazankulu's acceptance of the Shangaan refugees was directly parallel to the assistance which the apartheid Republic of South Africa had given white Mozambicans fleeing Mozambican independence in 1975.[13] In addition, local chiefs could expand their support bases by settling refugees next to their villages.[14] The basic categorisation as kin, while not precluding all discrimination or prejudice, did set the stage for a relatively inclusive social context.

Second, national rejection of responsibility meant no internationally sponsored aid or camps, since international aid organisations, including the UNHCR, are dependent on an invitation from the national government. Therefore, it was up to local communities, churches and small, local NGOs to provide assistance. While this may have increased hardship for some in the short-term, international experience shows that locally integrated refugees, especially when there is a welcoming host community, are generally better off than those confined to camps.[15] Although settlements were established that were exclusively populated by refugees, and many of

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[12] South African Shangaans today also readily acknowledge that all South African Shangaan and Tsonga-speakers migrated from Mozambique into the Transvaal region in the mid to late 1800s, linking all Shangaan-speakers to a relatively recent Mozambican past. This connection was further kept alive through extensive labour migration across the border from the early 1900s onward.

[13] C. Dolan, *The Changing Status of Mozambicans in South Africa and the impact of this on repatriation to and re-integration in Mozambique* (Maputo: Norwegian Refugee Council, 1997) endnote 120.

[14] G. Rodgers, *When Refugees Don't Go Home: Post-War Mozambican Settlement Across the Border with South Africa,* PhD Thesis, Anthropology (Johannesburg: University of the Witwatersrand, 2002), 15.

[15] M. Smith 'Warehousing Refugees: A Denial of Rights, a Waste of Humanity', in M. Smith *World Refugee Survey* (Washington D.C., 2004).

these settlements remain today, these were never institutionally separated from South African settlements. They have been managed through the same structures of chiefs, headmen and community development forums, and residents have moved around freely within the 'homeland' area. The lack of institutional separation also meant that social and economic interactions between refugees and hosts could be established immediately, and were, in fact, necessary for the refugees to survive.

The combination of homeland government goodwill, especially in the case of Gazankulu, and general social acceptance and interaction led to a range of options for refugee 'naturalisation' within the limited 'national' sphere of the 'homeland' government. This included intermarriage with South Africans and the inclusion of school children in school-based identity document application and distribution. Youth and children born in South Africa, especially, found it relatively easy to get South African documentation at the time. Long-term migrant workers, particularly those formally employed in the mines, could also apply for identity documents through their employers, passing this status on to family members.

Finally, it was common for South African families who shared surnames with Mozambican families to *de facto* adopt refugee neighbours and acquaintances by claiming them as relatives and assisting them to apply for IDs. Local government officials generally accepted letters of support from traditional leaders and the word of local South Africans without stringent cross-checks.[16] This by no means meant that all refugees had easy access to documents; unemployed adults with no prior family connections in South Africa, especially, had few avenues for acquiring documentation. The majority of refugees remained vulnerable to exploitation in the labour market and generally faced greater socio-economic deprivation than their South African neighbours.[17] Nonetheless, under the 'homeland' government, high levels of social integration generally led to matching legal status. This was because avenues to documentation were determined by local connections and resources, rather than by distant laws and regulations. The following story of a young Mozambican man is not exceptional:

I was welcomed at Mr Ndlovu's family who treated me like his son. I was doing everything a man was supposed to do in the family. The following year my family came to South Africa and stayed at Gottenburg next to Manyeleti [in the northeastern corner of Bushbuckridge]. Mr Ndlovu was selling chickens and he helped my family to get South African IDs, and subsequently a stand next to the new stadium.

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[16] Personal communication, Vusi Nkuna, son of a Chief in Gazankulu.

[17] C. Dolan, S. M. Tollman, *et al.*, 'The Links Between Legal Status and Environmental Health: A Case Study of Mozambican Refugees and their Hosts in the Mpumalanga (Eastern Transvaal) Lowveld, South Africa' (1997) 2 *Health and Human Rights,* 62-84.

He also helped me to continue with my education as a result of which I completed my matric at Eric Nxumalo Secondary School. All these were very easy because of the same surname Ndlovu.[18]

In contrast, outside the territory of the 'homelands', Mozambican refugees were treated as illegal aliens under the Aliens Control Act (Act 96 of 1991) and its predecessors, and were actively sought out and deported. Crush and McDonald even suggest that the ACA's draconian deportation regime was designed as a 'thinly disguised state assault on forced migrants from war-ravaged Mozambique'.[19] Given the lack of employment opportunities in the homelands, labour migration to the cities was one of the only viable livelihood strategies. In 1992, between 46 percent and 58 percent of male refugees aged 19 or over were migrant labourers (dependent on household composition and settlement type), and a larger proportion of refugees migrated for work (13.1 percent of total refugee population) than locals (10.7 percent).[20] Because of these rural-urban linkages, the vulnerability of urban refugees directly affected the relatively sheltered rural refugees as well. As discussed further below, these urban-based refugees, or rural-urban migrant refugees, were excluded from most of the later 'positive' policy initiatives targeted at the rural-based refugees.

2.2 1993 Tripartite Agreement

The period of no recognition came to an end with the 1993 Tripartite Agreement between the governments of South Africa and Mozambique and the Office of the UNHCR. The legal recognition conferred by this agreement, however, did not improve the situation of Mozambican refugees on the ground.

The end of the Mozambican civil war, marked by the 1992 Peace Treaty between the armed groups FRELIMO and RENAMO, coincided with political change in South Africa. After decades of isolation from the international 'community of states', the South African government had, in 1991, signed an agreement with the UNHCR to assist with repatriating South African struggle refugees. This opened the door for a 6 September 1993 Basic Agreement between the UNHCR and the South African government in relation to Mozambican refugees, who had suddenly become visible to the South African government, followed on 15 September by a Tripartite agreement between the UNHCR and the governments of South Africa and Mozambique. This agreement granted group refugee status to

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[18] Refugee working in Johannesburg, interviewed in Protea North, 27 Mar. 1995, quoted in C. Dolan, n. 16 above.

[19] Crush and McDonald, n. 5 above, 2.

[20] S. Tollman, K. Herbst, *et al.*, *The Agincourt Demographic and Health Study: Phase 1.* (Johannesburg: Department of Community Health, University of the Witwatersrand, 1993).

Mozambicans, provided they had arrived between January 1985 and December 1992, or had been working as contract labourers in the early 1980s and become refugees *sur place* due to the prevailing security situation in Mozambique.[21] The Tripartite Agreement was guided by the 1951 UN Convention Relating to the Status of Refugees and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (see, Article III of the Tripartite Agreement), but Article IV, Section 11 ('Treatment') strongly restricted some of the basic rights attached to refugee status:

(c)   The presence of a refugee shall thereafter be regularised provided that the continued presence alone of such a person shall not establish any claim to permanent residence or any similar right in South Africa.

(d)   Refugees shall enjoy full legal protection, but shall not have automatic entitlement to social, economic and welfare rights, provided that they shall not be treated any less favourably than aliens generally in the same circumstances.[22]

This first ever South African refugee status determination (and the only group status determination to date) was certainly not a triumph for refugee rights. Instead of providing any added protection, it directly increased the vulnerability of the majority of Mozambican refugees. As the above restrictions make clear, the purpose of granting group refugee status was not to provide protection in the host country, but merely to give the UNHCR a mandate to organise a voluntary repatriation programme, in effect to facilitate the movement of refugees out of the country.[23] This was expressed most clearly by the fact that the only documents issued to refugees were registration forms for repatriation. No other documents were envisioned, leaving all those who did not register to return without any means of showing their refugee status.

Thus the UNHCR colluded with the violation of the right to free movement through the continued *de facto* spatial restriction of the refugees to the rural homeland areas, and the violation of articles 27 and 28 of the 1951 UN Convention which define the right to identity papers or travel documents. As Reitzes and Crawhall state, without documents '[Mozambican refugees] exist in a legal vacuum, may be considered by officials to be "prohibited persons" [under the 1991 Aliens Control Act] and, as such, are subject to arrest and deportation'.[24] Documents are also prerequisites for enjoying other rights, such as the right to seek employment or

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[21] UNHCR, Dec. 1993, 'Guidelines for Refugee Status Determination of Mozambicans in South Africa, Point 5'.

[22] Tri-partite Agreement between the Government of the Republic of South Africa, the Government of the Republic of Mozambique and UNHCR for the voluntary repatriation of Mozambican Refugees from RSA, Maputo, 15 Sept. 1993.

[23] C. Dolan, 'Repatriation from South Africa to Mozambique - Undermining Durable Solutions?' in Black and Koser (eds.) *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction* (New York, Oxford: Berghahn Books, 1999).

[24] M. Reitzes, and N. Crawhall, 'Accessing the SADC Amnesty: The Urban Experience' in J. Crush and V. Williams (eds.), n. 6 above, 37.

self-employment.[25] Reasons given for refusal of documentation reflect the prioritisation of institutional interests over the interests and protection of refugees: according to UNHCR officials, issuing documents to all refugees would be costly, might compromise the repatriation effort, and would be hard to reconcile with the government's active deportation policy.[26]

Not only did refugee status not provide protection from deportation, deportation levels dramatically increased from 1993. In 1993, 80,926 Mozambicans were deported, in 1994 the number was 71,279, and in 1995 and 1996 deportations climbed to 131,689 and 157,425 respectively.[27] In comparison, only 31,589 refugees took part in the official voluntary repatriation programme and UNHCR reported a further 35,471 'spontaneous' returns by December 1995.[28] Aurelia wa Kabwe-Segatti calls the deportation policy 'a novel form of forced migration "in reverse"' and states that this combination of 'voluntary' repatriation and 'forced' repatriation constitutes the 'instrumentalisation of international law to legitimise a coercive and hegemonic approach to the movement of populations'.[29] Even though South Africa had no domestic refugee legislation and had not yet signed the international refugee conventions, by deporting Mozambicans before 1996, during the war and while they were recognised as refugees, the South African government was guilty of *refoulement*, one of the central prohibitions of international refugee law.[30] The ways in which the state's deportation policy impacted on all other legal frameworks affecting Mozambican refugees are discussed further below.

Finally, rather than facilitate more socio-economic assistance, refugee status coincided with a gradual reduction in food aid from local churches, which had been offered in small amounts since the mass influx in the mid-1980s. The UNHCR actively campaigned to reduce the National Nutrition and Social Development Programme funding for food for Mozambican refugees from R11 million to R4 million, arguing that food aid would keep people from wanting to return to Mozambique.[31]

The irrelevance of formal refugee status to the daily lives of Mozambican refugees is most strongly illustrated by the fact that virtually none are aware

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[25] United Nations Convention relating to the Status of Refugees, 1951, Arts. 17 and 18.

[26] C. Dolan, n. 13 above, 37.

[27] C. Dolan, n. 23 above, 98f.

[28] UNHCR, Mozambique, repatriation and reintegration of Mozambican refugees (Maputo: UNHCR Mozambique, 1996).

[29] A. Wa Kabwe-Segatti, A. (2002). '*Du Rapatriement Volontaire au Refoulment Dissimule; Les Refugies Mozambicains en Afrique du Sud*', 85 *Politique Africaine* 75-92, at 76.

[30] C. Murray, 'Mozambican Refugees: South Africa's Responsibility' (1986) 2 *South African Journal on Human Rights* 154-163. Art. 33 of the 1951 UN Convention states that 'no contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened'. South Africa deported 222,840 Mozambicans from 1988-1992, during the height of the civil war. Dolan, n. 13 above, 31.

[31] Rodgers, n. 14 above, 12.

that they had ever been accorded this legal status and what their rights under this status might have been. Movement beyond the 'homeland' areas (which were reincorporated into South Africa proper in 1994) remained restricted, as did formal work opportunities and access to any services requiring identity documentation, all in contravention of international refugee law. One could say that Mozambican refugees in South Africa had the opposite problem so often lamented in the refugee literature — they never had the opportunity to develop a self-image as 'refugees', dependence on aid, or expectations of entitlement to rights.[32] Rodgers has called the legal 'recognition' process of Mozambican refugees 'structuring the demise of a refugee identity'.[33] In fact, the very partial refugee identity (the right to go home, but no right to protection) imposed by the UNHCR during this period was not matched by either the state, which consistently treated Mozambicans as illegal aliens, nor by the Mozambicans themselves.

2.3 1994–1995 Repatriation

The voluntary repatriation programme, enabled by the Tripartite Agreement and managed by the UNHCR, lasted from March 1994 to December 1995. Even though UNHCR hailed it as a successful intervention, as a formal policy it was highly ineffective. Only thirteen percent of the planned 240,000 refugees used this avenue to return to Mozambique. The government's goal of removing the 'refugee problem' by removing the refugees failed because of a series of false assumptions about the lived experience and needs of the refugees.[34] The refugees, in turn, only used the framework provided to them in ways that served their interests.

The first false assumption was that going back to Mozambique meant leaving South Africa once and for all. In fact, labour migration to South Africa from rural southern Mozambique was the historical norm, briefly interrupted by the war, and its resumption was particularly necessary after the war to help families reconstruct. Policies designed to minimise and prevent cross-border linkages actively discouraged families from returning to Mozambique since Mozambique without South Africa was a less viable option than South Africa without Mozambique. The lack of

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[32] I mean here that Mozambican refugees did not think of themselves as refugees in the *international legal* sense, with expectations of international aid or specific legal rights. Their identity as people fleeing war was indeed strong, and limited food aid from local churches did construct them as a specific category of people needing assistance more than poor locals, although it was never enough to create dependence.

[33] G. Rodgers, 'Structuring the Demise of a Refugee Identity: the UNHCR's "Voluntary Repatriation Programme" for Mozambican Refugees in South Africa', in de Wet and Fox (eds.) *Transforming Settlements in Southern Africa*. (Edinburgh: Edinburgh University Press, 2001).

[34] Dolan, n. 23 above.

documentation and the experience of deportation 'further reduced the prospects for individual households to repatriate at their own pace. By reinforcing the importance of the international boundary and making cross-border movement more difficult, the UNHCR [and the government had] inadvertently raised the risk of repatriation as return to South Africa [became] less and less of a "fall-back" option for those who do repatriate'.[35] The short timeframe and transportation criteria of the voluntary repatriation programme also militated against return by preventing families from returning gradually. When UNHCR realised that some refugees were using the provided transport several times, they insisted on only transporting entire families with all their goods. Thus families could not send ahead scouts and reconstruction workers, or leave some cash earners behind. Some families preferred to stay in South African entirely, rather than expose themselves to such risk.

A related assumption was that greater vulnerability in South Africa would motivate the refugees to repatriate. In fact, as shown in Dolan's analysis, vulnerability was rather a 'hold' factor, keeping refugees in South Africa. As Dolan puts it, 'the more difficult the South African government makes it to come into the country, the less likely those already in it are to risk leaving'.[36] The original lack of state engagement and aid to the refugees, and their ensuing relative independence, ironically reduced the state's leverage to create the kind of total vulnerability that would 'push' them out. In other countries, reducing aid to refugees is a tried and tested means of 'encouraging' repatriation.[37] Since there was virtually no aid to withdraw in this case, and the refugees had already learned to live with high levels of exclusion from the state, there was little pressure that could be added.

The third reality, not acknowledged in the planning of the repatriation, was that many Mozambicans simply wanted to stay in South Africa. Their children were in school and they had access to better health and income opportunities. Many had married South Africans. Many were also still traumatised by their experiences in the war and did not wish to return to places imbued with such horrible memories.[38] Although the levels of integration were recognised in UNHCR planning documents for the repatriation, no provision for legal alternatives to repatriation were made.

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[35] Dolan, n. 13 above, ii.

[36] Dolan, n. 23 above, 99.

[37] B. S. Chimni, 'From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems'. *New Issues in Refugee Research* 2 (1999), 10.

[38] N. Johnston and C. Simbine 'The Usual Victims: The Aliens Control Act and the Voices of Mozambicans' in Crush (ed.) *Beyond Control: Immigration and Human Rights in a Democratic South Africa* (Kingston/Cape Town: Southern African Migration Project/ Institute for Democracy in South Africa, 1998).

The fourth reality to be ignored was the presence of around 100,000 Mozambican refugees in urban areas, either as complete families or as migrant household heads of families based in rural areas. The UNHCR's initial planning figures of 240,000 were based exclusively on rural-based refugees who had received food aid from churches. An information campaign in urban areas was specifically rejected by the UNHCR because of 'security considerations'.[39] In practice, this excluded a significant proportion of the refugee population from the opportunity of repatriation, including those in rural areas, since the household decision-makers, who were working in the urban areas, were not informed.

This is not to say that repatriation as a policy was in itself anathema to most Mozambican refugees. There was widespread appreciation that assistance with transport and reconstruction was offered and many stated that it was very useful for those who took advantage of it.[40] However, most who remained in South Africa either decided that returning at the time and in the manner offered would be against their interests, or that they did not wish to return at all. In fact, return to Mozambique is today often expressed as a fear and a danger, such as 'are you going to force us to return to Mozambique?'[41]

It is clear that repatriation for Mozambican refugees in South Africa was far from the 'natural and only' option suggested by the phrase 'there's no place like home'.[42] It was one option to be weighed up against other opportunities, such as those promised by the 1994 elections in South Africa (see below). In addition, if return were so 'natural,' South Africa would not have needed such a large-scale 'forced repatriation' programme in the form of deportation.

2.4 Deportation

Deportation policy and practice has impacted on the way in which all other policies and legal frameworks have been interpreted on the ground. It was inextricably linked to the 'voluntary' repatriation process, to the experience of the 1994 elections, and it has affected refugees' willingness to come forward for the late 1990s Amnesty and Exemption processes. From 1990–1997, almost 740,000 Mozambicans were deported, making up over 82 percent of all deported from South Africa.[43] Many of these were former refugees and many individuals were deported several times. Even for those who have never been deported

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[39] Dolan, n. 13 above, 15.

[40] Dolan, n. 13 above.

[41] This was the comment of a middle-aged Mozambican woman when approached for permission to hold an interview, Aug. 2004, Bushbuckridge, SA.

[42] Dolan, n. 23 above, Rodgers, n. 14 above.

[43] Crush and Williams, n. 6 above, 2.

themselves, such as the majority of those refugees who remain in rural South African villages and do not venture into towns or cities to work, deportation remains a central structuring factor in the relationship with the state. This is summarised by a women who returned to Mozambique:

We heard that the war had ended and we were needed to return. But since people had left because of the war, it was difficult for some to go immediately; they were not confident. Now the ones who didn't return are arrested when they are found; men and women. If they find you, even if you have your box of tomatoes on your head, they take you. We hear that so-and-so has been arrested, even when they are doing their work, they get deported, and the children stay. This is what I saw and heard. When they arrest us, we ask why we are arrested, and they say that [Minister of Home Affairs] Buthelezi says we should go home because [Mozambican President] Chissano needs us now that the war is over, and we should go because we bring weapons here. They say our sons bring arms from there to sell here, and they are big Tsotsis [criminals], and that there are many Tsotsis because of Shangaans. They say that we Shangaans voted for Mandela, and he won the elections because of us. We voted for Mandela, most of us.[44]

As suggested by the above testimony, and many other interviews, Mozambican refugees did not interpret deportation as a national policy by the ANC government, but rather as a party-political act of revenge by Mangosuthu Buthelezi, the IFP Minister of the Department of Home Affairs, against Shangaans who had helped the ANC to power. Therefore, instead of seeing the deportation policy as an expression of a general government anti-rights discourse, incongruous with the rhetoric of inclusion and human rights coming out of the post-1994 democratic President's Office (as it has often been interpreted by academic commentators),[45] it was seen as a personalised political contest in which Shangaans (without a distinction based on citizenship) were caught in the cross-fire.

   The stated purpose of the deportation policy is to reduce the number of 'illegal aliens' in the country. This aim is failing in general, due to the high rate of return for deportees, but it is especially counterproductive in the case of Mozambican refugees. Because of the dependence of rural Mozambican communities generally on cash income from South Africa, and the long-term settlement of Mozambican refugees in South Africa specifically, deportation is simply a household cost factor which means that men have to work even longer in South Africa before they can consider returning to Mozambique. 'Those who have been deported explain that

[44] Interview in Matongomane, Mozambique, 25 Apr. 1996. All interviews quoted from Mozambique were carried out by Caetano Simbine under the direction of Chris Dolan, for the Wits Refugee Research Programme.
[45] Peberdy, n. 5 above.

this is what obliges them to come back; they have to collect their money and goods, and they generally have family in South Africa who are dependent on them for support, or family in Mozambique who are dependent on them as a cash source'.[46]

3. Regularisation: 1994–2004

The second phase of legal framework development in relation to Mozambican refugees is characterised by five trends. First is the development of an inclusive political rhetoric under the 'new' South Africa, which was epitomised initially by the inclusion of long-term non-citizen residents in the right to vote in the 1994 elections. Second is a series of amnesties that facilitated permanent resident applications for various categories of immigrants, including Mozambican refugees, by exempting them from normal application requirements. Third is the progressive development of case law to define socio-economic rights as codified in the 1996 South African Constitution that led in 2004 to a Constitutional Court case in favour of the socio-economic rights of Mozambican refugees. Fourth is a gradual change in the priorities of most Mozambican refugees in South Africa, from potential interest in returning to Mozambique to conviction about the desire to stay, and from fear about whether they would be allowed to stay to confidence in recognition and status. The fifth trend is the continuation of deportation and discrimination by officials, paired with widespread corruption, which have undermined or qualified many of the integration-oriented policies on the ground.

Regularisation is a good term for the amnesty and court-based processes, since they indeed made regular, normal and legal an already existing reality of social and economic, and significantly political, integration. They also created a new reality by reducing some of the vulnerabilities of Mozambican refugees, thereby enabling them to further increase their social and economic integration. This reflexive interaction needs time to take effect, meaning that the full impact of legal status will take several years to overcome the legacies of twenty years of vulnerability.

This period, which coincides with the instalment of the new democratic regime in South Africa, cannot easily be classified as more inclusive or more rights-oriented. The government has not been unified or coherent in its immigration policies, with a very conservative and restrictive perspective coming from the Department of Home Affairs, the lead department in immigration issues. The most significant regularisation processes for Mozambican refugees (the 1999 Exemption and the 2004 Constitutional Court case) were motivated for and largely implemented

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[46] Dolan, n. 13 above, 40.

by non-governmental organisations.[47] Refugees (now 'former') have felt this ambivalence about legal status, and trust in the processes was only built slowly.

3.1 1994 Elections

In contrast to the ineffectuality of the policies targeted specifically at Mozambican refugees (such as refugee status and repatriation), South Africa's first democratic election had a great impact on Mozambicans, regarding both legal status and identity.

The elections provided an opportunity for many adults to acquire South African IDs. As described by a refugee in the former KaNgwane 'homeland' in 1995,

About half the adults in this area now have IDs, most of them purchased just before the elections last year. Men are more likely to have purchased than women. In many households just one person has one, as a kind of protection for the whole household. The central government allowed various political parties to go around from village to village getting details and information for the issuing of IDs. All you had to do was join the queue. Mozambicans had to pay R100. The ANC really pushed this process. People who were late were only issued with temporary cards.[48]

While this means of accessing identification documents was probably used instrumentally by some, it is equally clear that voting in South Africa was imbued with strong political meaning and commitment to the country for others. It was a means of matching an existing political and social commitment to the country with a formal act of that commitment (voting) and a formal documentation of that commitment (an ID). A refugee, now living in Mozambique after being deported said: 'we voted for Mandela … He won the elections for our cause. There are many Shangaans in South Africa'.[49]

The connection between voting and documentation was a central promise of the political parties and the government-to-be. When asked about the election promises made to them, a Mozambican man replied:

They said that anyone who had been there more than seven years was considered South African. Whoever didn't have an ID could go to them and get some so they could vote, a yellow card like they give children at the hospital. They wrote your name on it and gave it to you. If you were there seven or ten years, you were considered South African. If you only had four or five, they wouldn't give you one and you could be deported at any moment. If you had been there ten years, you couldn't be deported, you were considered a resident.[50]

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47 The Wits RRP was centrally involved in both processes, along with other research institutions, NGOs and legal organisations.
48 Dolan, n. 13 above, 97.
49 Interview in Simbe, Mozambique, 17 Apr. 1996.
50 Interview in Block 7, Mozambique, 25 Apr. 1996.

This promise, repeated by many refugees and South African citizens, is striking in that it is not based on any legal framework. South Africa's permanent residency application process at the time, as now, had a five-year legal residence condition, not seven or ten. While permanent residents were allowed to vote in the 1994 elections, and black citizens of neighbouring countries had formally been allowed to apply for permanent residence since 1986, only a small number, and virtually no Mozambicans in Bushbuckridge, had been able to do so.

Another refugee who had been deported to Mozambique expressed the expectations succinctly: 'We were guaranteed that if we voted, we would be South African citizens and wouldn't have to return here [to Mozambique]'.[51] The testimony of another male refugee shows the combination of hope for rights and acceptance and the extreme disappointment in broken promises attached to the elections:

I left here because of the war. I went through the park, and ended up in Bush [Bushbuckridge district], in Justicia. We stayed there three years, with those people, with no problems. There was no work in the area so I went to Pretoria, where I found a job. The police found me and arrested me. When I asked why I was under arrest, they said, 'Your President, Chissano, needs you there'. I didn't resist, I went along with them. They deported me, and I came back through Ressano [border post]. I went to work again, and they arrested me again. I asked why, and they said, 'You Mozambicans are not needed here, you cause unemployment and steal our women'. They deported me again and I returned again. I stayed there a long time, until the elections. They told us that those of us who were there more than five years should have IDs and vote and there would be no more problems. We did this. They told us that if we voted, no one would come after us and say we didn't belong. We went along with this. That day, I was arrested again and deported. My wife and children are still there. I don't know how they are or what they are eating, or what has become of my belongings. What hurts the most is that they told us that if we voted we wouldn't be arrested again. But now I am suffering.[52]

The elections coincided with the voluntary repatriation programme and the vastly expanded deportation programme and might therefore be seen as sending mixed signals to immigrants. It could be interpreted as a pure instrumentalization of (black) immigrants by political parties for the purpose of winning the election, without the intent to follow-through with an inclusive agenda. This interpretation derives from a perspective concerned with the rights of immigrants generally, in relation to a generic state. On the other hand, the interpretation given to the elections by rural Mozambican refugees is much more personalised and political. They did not think of themselves as foreigners being allowed to participate in a nation-building exercise. They saw themselves as Shangaans voting to

[51] Interview in Matongomane, Mozambique, 25 Apr. 1996.
[52] Interview in Matongomane, Mozambique, 25 Apr. 1996.

bring Nelson Mandela to power to improve the situation for themselves
and for the region. This understanding made the elections and the de-
portation programme perfectly consistent as political actions by different
political actors in South Africa.

The elections, the change of government, and the new Constitution
of 1996 also entered into host justifications of the position of Mozambican
refugees in Bushbuckridge. Rodgers notes the importance of a discourse
of history, ancestry and migration to explain the presence and integration
of Mozambicans.[53] After 1994, the new inclusive rhetoric of the govern-
ment, particularly President Mandela, was also invoked as an additional
legitimising discourse. According to a local Ward Councillor, 'our former
President [Mandela] made mention that [all] people who are living here
… we are all Africans, so let us live together in peace and harmony. So
those people [Mozambican refugees] started to realise that they are now
welcome. They can stay. … We are all South African, we are all African,
we are all South African'.[54] While this rhetoric did not preclude some con-
tinued local discrimination in practice, the public profession of acceptance
and welcome stood in contrast to the national debates on controlling immi-
gration and rising xenophobia that were almost immediate correlates of
liberation. The national inclusive rhetoric may have partly changed host
perceptions of Mozambicans in Bushbuckridge, but it is more likely that it
was adopted because it reflected existing local realities.

3.2 1996 Cessation Clause and Cabinet Decision

In 1996, the 1951 UN Convention Relating to the Status of Refugees
and the 1967 OAU Convention Governing Specific Aspects of Refugee
Problems in Africa were both signed by South Africa. This made it pos-
sible for the Cessation Clause of the 1951 Convention[55] to be applied to
Mozambican refugees on 31 December 1996, in an agreement signed by
the UNHCR and the South African and Mozambican governments.
Since formal refugee status was largely a chimera on the ground, as dis-
cussed above, its cessation had little practical effect. The cessation clause
was preceded on 4 December by a South African Cabinet decision to
grant amnesty to those who had fled the civil war in Mozambique and
wished to settle in South Africa. This decision was made in response to
a request by the executive committee of the UNHCR.[56] Although this
showed awareness of the permanence of the Mozambican refugee popu-
lation, and was intended to provide a relatively seamless transition from

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[53] Rodgers, n.14 above.

[54] Interview with Ward Councillor, Bushbuckridge, SA, 6 Apr. 2004.

[55] A person ceases to be a refugee once 'the circumstances in connection with which he has been
recognized as a refugee have ceased to exist' (Art. 1, c 5).

[56] D. Lockey, 'The Objectives of Amnesty' in Crush and Williams, n.6 above, 25.

one legal status to another, in practice it took another three years for the regularization process to take place. Therefore, officially, the majority of Mozambican refugees became 'illegal aliens' overnight, bringing their legal status back in line with the treatment they had been receiving by the government all along.

3.3 Amnesties

Not all refugees had to wait for three years, however. Before the cessation clause, two amnesties — the 1995 Miner's Amnesty and the 1996 SADC Amnesty — gave many Mozambicans in South Africa the opportunity to apply for permanent resident status. The third exemption, finally implemented in 1999/2000, was specifically targeted at Mozambican refugees. These three regularisation processes had very different impacts for the Mozambican refugee population.

South Africa's immigration amnesties have been criticised for merely 'regularising a *de facto* situation' and thereby 'defining the boundaries from which [the government] could "work to exclude all new undocumented migrants"'.[57] For Mozambican refugees, however, regularisation of the *de facto* situation was exactly what was needed. Furthermore, the amnesties were interpreted not as exceptional opportunities to be exploited (as suggested by commentators focusing on amnesties as invitations for new immigration and fraud),[58] but as long-awaited means of matching their social status with the appropriate legal status.

The issue of legal status has consistently been identified as the crucial vulnerability factor among Mozambican refugees.[59] The temporary and special legal status of 'refugee' was both ineffective, as described above, and undesired. Secure and equal status is the concern most often expressed by Mozambican refugees and by South African community leaders with regard to Mozambican members of their communities.[60] As this Ward Councillor recently requested from the author:

You can help us deliver that message to the government: especially our brothers and sisters who come from the east [Mozambique] don't have IDs. When government offered to give people IDs some were afraid because they thought the

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[57] Peberdy, n. 5 above, 20.

[58] J. Handmaker and J. Schneider, 'The Status "Regularisation" Programme for Former Mozambican Refugees in South Africa' *RULA Working Paper* (Johannesburg: School of Law, University of the Witwatersrand, 2002), 8.

[59] Dolan, n. 13 above, Johnston and Simbine, n. 38 above, Reitzes and Crawhall, n.24 above, Human Rights Watch, '"Prohibited Persons": Abuse of Undocumented Migrants, Asylum-Seekers, and Refugees in South Africa'. (New York, Washington, London and Brussels: Human Rights Watch, 1998).

[60] This assertion is based on five years of community meetings and advice work by the Wits Acornhoek Advice Centre, which assists poor communities in Bushbuckridge with issues of documentation. Approximately 70% of the AAC's clients are former Mozambican refugees. During this period, the AAC was affiliated with the Wits Citizenship and Boundaries Initiative.

government wants to send them back. Can we assist the government to identify that need to get IDs? Most of them they need IDs in order to go and look for a job. They are afraid to go outside their village because if they [police] can get them outside in cities like Johannesburg, Nelspruit, Phalaborwa, they will take them back to the east, so they are afraid to go and look for a job. So if that problem can be sorted out, their response will be to try to go and look for a job.[61]

The concern for equal status, and not just any status, is discussed further below.

Today's almost universal desire for permanent resident and citizenship status by Mozambican refugees in Bushbuckridge stands in stark contrast with findings in relation to African migrants in South Africa generally, and in relation to newer Mozambican migrants specifically. A study done in 1997 shows that only 19 percent of all African migrants and 14 percent of Mozambicans in South Africa would want to become permanent residents of South Africa, and 18 percent and 7 percent respectively would want to become citizens of South Africa.[62] This extreme discrepancy illustrates how misleading it is to include Mozambican refugees in general policies relating to migration without considering their specific background and current situation. While the motivation for migration (forced or voluntary) is not always the most significant factor in determining later migrant choices, in the case of long-term settlement choices among Mozambicans, it seems to be a crucial influence.

But if the desire for documentation is so strong among rural-based refugees today, why did so many former refugees not take advantage of the amnesties? Why are there still former refugees without IDs?[63] Part of the answer lies in the design and implementation of the amnesties and part in the changing perceptions and desires of former refugees.

3.3.1 1995 Miner's Amnesty

In October 1995, an amnesty was announced for mine workers who had been under contract for at least ten years (since before 1986) and who had voted in the 1994 elections. Out of 74,380 Mozambican miners, 23,806 of whom were eligible according to the ten-year service criterion, only 9,159 applied for the amnesty.[64] Almost all of the eligible miners fulfilled the criteria to be defined as refugees, since they either entered

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[61] Interview, Bushbuckridge, SA, 6 Apr. 2004.

[62] D. A. McDonald, L. Mashile, *et al*, 'The Lives and Times of African Migrants and Immigrants in Post-Apartheid South Africa'. 13 *SAMP Migration Policy Series* (1999), 60.

[63] Although there are no reliable statistics, a calculation based on the original estimated refugee arrivals and subsequent amnesty figures, combined with the experience of organizations such as the Wits AAC, allows us to estimate that c. 40,000 former Mozambican refugees remain without documentation.

[64] Crush and Williams, n.6 above, 5.

the country between 1985 and 1992 or had arrived earlier and were forced to remain in the country as refugees *sur place*. Nonetheless, their response to the amnesty was much more in line with the cautious stance adopted by other Mozambican labour migrants, as noted above. In fact, 91 percent of Mozambican miners were not interested in taking on South African nationality.[65] While it is not possible to discuss the determinants in detail here, it is clear that there is a range of factors — such as access to stable, formal employment — which affect attitudes toward adopting South African nationality. Therefore, in spite of the ability of miners to use their new permanent resident status to assist family members to documentation, in terms of regularising significant numbers of refugees, this amnesty did not have a large impact.

3.3.2 1996 SADC Amnesty

The next Amnesty, targeted at undocumented migrants from countries in the Southern Africa Development Community (SADC), was much more effective at regularising Mozambican refugees in South Africa, even though it was not specifically designed for them. From 1 July to 30 November 1996 undocumented migrants from SADC countries could apply for permanent resident status if they could prove that a) they had been living in South Africa for at least five years, b) they were engaged in productive economic activity in the formal or informal sector and/or had a South African partner or spouse or dependent children born or living lawfully in South Africa, and c) had not committed a criminal offence.[66] Overall, there were 146,675 Mozambican applicants (72 percent of total applicants), of which 85,520 were granted permanent resident status. 41.7 percent of Mozambican applications were rejected, mostly in the largely urban province Gauteng.[67]

The SADC Amnesty was not specifically targeted at refugees. In fact, it made 'no clear distinction between Mozambican refugees and "illegal immigrants"',[68] once again illustrating the conflation of categories which has characterised government approaches to Mozambican refugees. Some of the eligibility criteria for the amnesty made it particularly difficult for refugees to apply. It is often pointed out that many refugees did not have the required documents to prove date of entry into the country or economic activity.[69] On the other hand, 85,000 Mozambican applicants,

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[65] F. de Vletter, 'Labour Migration to South Africa: The lifeblood of southern Mozambique' in McDonald (ed.) *On Borders; Perspectives on International Migration in Southern Africa* (Kingston/New York, SAMP/St. Martin's Press: 2000), 67.

[66] Crush and Williams, n. 6 above, 3.

[67] Ibid, 7.

[68] Reitzes and Crawhall, n. 24 above, 37.

[69] Johnston, N. 'Accessing the SADC Amnesty: The Rural Experience', in Crush and Williams, n. 6 above.

all of whom necessarily conformed to the definition of refugee agreed in the Tripartite Agreements (those who entered the country before 31 December 1992), did manage to fulfil the requirements. Among other things, this supports the assertion that many refugees were economically active in ways that were formal enough to be documented. On the other hand, the lack of documentation and the lack of information concerning reasons for rejected applications suggest that many eligible Mozambican refugee applicants were rejected.

Various administrative issues dogged the application process, limiting access in both urban and rural areas,[70] but from the perspective of Mozambican refugee applicants the most significant barrier was fear. There was a widespread perception that the amnesty was a ruse by the Department of Home Affairs to identify and deport undocumented immigrants. The five-month application period meant that those who waited to see what fate befell other applicants missed the deadline. In fact, hundreds of applicants attempted to apply after the 30 November deadline.[71] In particular, the lack of clarity on the position of rejected applicants made many Mozambican refugees wary of giving up their locally protected anonymity for an uncertain engagement with the state. This fear and the local reaction of withdrawal were illustrated by the experience of researchers in Bushbuckridge at the time who were forbidden access to a village by local (South African) community leaders with the argument that 'there are no Mozambicans here'.[72] A final issue was that previous adaptive strategies (such as having a fraudulent ID) directly prevented people from taking advantage of this government sanctioned integration option.[73] Therefore, the application for documentation was perceived as both an opportunity and a risk.

The changing conditions and desires of many refugees regarding return or settlement in South Africa affected attitudes towards amnesty. One year after the close of the formal voluntary repatriation programme, fears of a resurgence of fighting in Mozambique had abated, but fear of land mines remained. Information trickling back from returnees was ambivalent. While access to land was much better than in South Africa, access to services like education and health care, as well as access to wage employment, were much worse.[74] In comparison, free primary health care was introduced in rural South Africa in 1996, to which Mozambican refugees had

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[70] Ibid.

[71] Ibid.

[72] Personal communication, Chris Dolan and Vusi Nkuna, 2004. In fact, the population of the village concerned was 73 % Mozambican, according to a house to house survey done three years earlier by the Community Practice Project (now Wits Agincourt Health and Population Unit).

[73] Handmaker and Schneider, n.59 above, 22.

[74] Dolan, n. 13 above.

access. As during the 1994 elections, many families negotiated the risks and benefits by sending only one or two members to apply for IDs. Selective application was also due to lacking documentation among the old and women, in particular, reflecting their marginal status in the family and the economy.

3.3.3 1999/2000 Exemption for former Mozambican refugees

The August 1999 to February 2000 Exemption for former Mozambican refugees was designed and targeted specifically at addressing the lack of legal status among those former refugees who had not been eligible for the SADC Amnesty. This amnesty had an exceptional history and design but the themes of category conflation, spatially defined policies, informalisation of government responses and fear remain constant. While the South African Cabinet agreed to the Exemption in principle in December 1996, the implementation was stalled for years, supposedly because of lack of funds. A European NGO, AWEPA, agreed to bankroll the project, which was designed and implemented with the unprecedented participation of a range of South African NGOs. The institutional complications arising from this are documented by Johnston and Handmaker and Schneider.[75] Another design peculiarity was that applicants were given the option to apply for permanent resident status or to register for repatriation assistance. While the South African and Mozambican governments deemed the repatriation option important, the applicants made their desire for South African documents quite clear. At the close of the programme, 150,592 applications for IDs stood in contrast to eighty-eight repatriation requests.[76] This does not preclude that some refugees might still have desired to return to Mozambique,[77] but given an either/or choice of documents or assisted return without documents, the former was seen as more useful. Overall, 81,969 applications were approved, 16,772 rejected (mostly in North West Province) and 32,007 remained pending at the close of the process.

The contested categories of 'illegal immigrant' and 'refugee' again plagued the implementation of the Exemption. Most of the pending cases concerned missing proof of Mozambican citizenship.[78] The criterion of proof of Mozambican citizenship was added in order to prevent citizens of other countries (especially Zimbabwe) from applying, that is, illegal immigrants. The policy of not providing documentation along with

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[75] N. Johnston, 'The Point of No Return: Evaluating the Amnesty for Mozambican Refugees in South Africa'. 6 *SAMP Migration Policy Brief* (2001). Handmaker and Schneider, n. 59 above.

[76] Handmaker and Schneider, n. 59 above, 8.

[77] N. Johnston, 'Homeward-bound' *Mail and Guardian*. Johannesburg, Oct. 1 to 7, 1999, 42

[78] Johnston, n. 76 above, Handmaker and Schneider, n. 59 above.

refugee status to Mozambicans in 1993–1996 had a direct impact on the regularisation process, since many legitimate applicants could not prove their eligibility.[79] Again, the implementation of the refugee status, which was intended to provide protection, actually contributed to continued vulnerability, even in the face of legal integration opportunities. Again, survival strategies, like identity fraud, limited the ability to integrate legally.

The element of spatial limitation to policy and practice which had characterised the 'homeland' welcome and the repatriation programme remained in place for the 1999 regularisation programme. The criteria for exemption eligibility were defined according to the government's original definition of a Mozambican refugee, which was explicitly defined in exclusive spatial terms: 'Mozambican refugees are citizens of Mozambique who entered South Africa between 1980 and 1992 and live mainly in the Gazankulu, KaNgwane and Winterveldt areas (that is, the Northern Province, Mpumalanga and North West.) Some have also settled in the northern parts of Kwazulu Natal'.[80] Once again, (former) refugees settled in urban areas were excluded, affecting rural areas via urban-based household heads.

Just as with the SADC Amnesty, the position of rejected applicants was uncertain. Here, the informality of government processes both created opportunities for former refugees, and kept them vulnerable. Formally, applicants were given a three-month renewable temporary permit, which would lapse if their applications were not approved. Rejected applicants were expected to leave the country or lodge a formal appeal one month after receiving a written rejection notification.[81] This system was impossible to implement, as many applicants could not afford to renew permits, most did not have postal addresses for the receipt of written notification, and there was little support for the appeals process even if notification was received in time. In practice, the Department of Home Affairs did not follow up on rejected applications with deportations from the rural villages, although they did continue with 'normal' deportation practice for those who ventured outside the former 'homeland' areas without documents. Therefore, most rejected applicants remain in their villages today, but as legally vulnerable as before.

Finally, the fear of deportation and discrimination associated with being Mozambican (especially outside the area of Bushbuckridge) has undermined trust in permanent residence status and the associated identity document. Locally, the permanent residence ID is known as a 'Mozambican

[79] Ibid.

[80] Department of Home Affairs, Departmental Circular No. 34 of 1999. Draft Guidelines for the Exemption for the Mozambican Refugees in Terms of Section 28(2) of the Aliens Control Act, 1991 from the Provisions of Section 23(a) of that Act, 15 July 1999.

[81] Johnston, n. 76 above.

ID' and because the ID states 'nationality — Mozambican' it is seen as worthless by some and only partially useful by others. As a poor old woman with a permanent residence ID complained, after not being registered to receive government food parcels (even through permanent residents were formally eligible to receive them):

For us as Mozambicans we are still discriminated against during food distribution. We were told that Mozambican IDs are not eligible to get food parcels. We have been in South Africa for a long time. That is the reason I would like to have a South African ID and not the Mozambican ID. The Mozambican ID is useless. I will just keep it in the house. It is not going to work.[82]

As mentioned above, concern for status is not only associated with the formal rights associated with that status (since permanent resident status today enables theoretical access to almost all rights and services except voting), but rather with the subjective experience of insecurity and discrimination as an outsider, a non-citizen. The desire for complete inclusion and equality can be seen as an instrumental strategy for greater invisibility or a strongly internalised identification with South Africa and citizenship.

3.4 *Khosa* and *Mahlaule* Constitutional Court case

By 2000, 176,648 former Mozambican refugees had been granted permanent resident status through the various Amnesties and Exemptions. Given the unknown number of persons who received IDs before the 1994 elections, and those who had naturalised through marriage, adoption, or fraudulent means through the years, the 'case load' of 240,000 Mozambican refugees was largely 'regularised', in the sense of having some kind of secure legal status.

The legal status of permanent resident, however, still did not reflect the nature of former Mozambican refugees' lived social status in Bushbuckridge and other rural border areas. The permanence of their position and the lack of any special services meant that they were dependent on the same mechanisms and strategies as locals to support their livelihoods. In the context of Bushbuckridge's poverty and marginalisation, with an official unemployment rate of almost 70 percent and insufficient land for subsistence agriculture,[83] the main survival strategies for locals are labour migration to urban areas and government pensions and child support grants. The difficulties which former refugees have faced with the former because of xenophobia and deportation have already been discussed. Permanent resident status meant that they were not eligible for grants.

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[82] Interview, Bushbuckridge, SA, 7 May 2004.
[83] Statistics South Africa, *Measuring Rural Poverty*. (Pretoria: Statistics South Africa, 2002).

Combined, this meant that formal legal status was not sufficient to remove blockages in relation to 'normal', that is, locally common, livelihood options. Permanent residents are able to apply for naturalisation, after five years, but since the regularisation process for former Mozambican refugees had already been delayed for fifteen years after their arrival, this posed an unreasonable additional waiting period, especially for the elderly.

In recognition of this, in 2003 two legal advocacy organisations used the courts to challenge the legitimacy of government policy on limiting social grants to citizens.[84] Two linked cases — *Khosa & Others v. Minister of Social Development & Others* and *Mahlaule & Another v. Minister of Social Development & Others*[85] – centred around two groups of former Mozambican refugees from Bushbuckridge, but argued more generally that the restriction of government social grants, especially old age pensions and child support grants, to citizens was unconstitutional. The cases, while directly addressing the twenty-year delay in rights for Mozambican refugees in South Africa, were also a contribution to a much wider process of interpreting the inclusive elements of the new South African Constitution, in which South Africa is 'for all who live in it'.[86] It is one of several cases where civil society has used the courts to challenge the government on its immigration policy.

In March 2003, the High Court ruled on the unconstitutionality of the citizenship requirement for government social grants. One year later, the Constitutional Court confirmed this and ruled that permanent residents should be treated the same as citizens in relation to grant eligibility. In her discussion of the judgement, the presiding Judge argued that 'the exclusion of all non-citizens who are destitute, … irrespective of their immigration status, fails to distinguish between those who have become part of our society and have made their homes in South Africa, and those who have not'.[87]

Reactions to the *Khosa* and *Mahlaule* cases were very different nationally and locally in Bushbuckridge. While media attention to the cases was largely negative, focussing on costs to the tax-payer, fraudulent applicants and incentives to new immigration, South Africans and Mozambicans in Bushbuckridge alike welcomed the decision. Local leaders were very active in spreading information about grant application processes and local government officials were supportive in organising specific grant registration campaigns. In Bushbuckridge, the injection of new social grants was seen

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[84] The case was brought by the Wits Acornhoek Advice Centre and argued through the courts by the Legal Resources Centre, Pretoria.

[85] *Khosa & Others v. Minister of Social Development and Others [2003]* CCT 12/03 and *Mahlaule & Another v. Minister of Social Development and Others [2003]* CCT 13/03.

[86] Constitution of the Republic of South Africa, Act 108 of 1996, Epilogue.

[87] Judge Mokgoro's Judgement in the cases Khosa & Others v. Minister of Social Development and Others [2003] CCT 12/03 and *Mahlaule & Another v. Minister of Social Development and Others [2003]* CCT 13/03, 58, http://www.constitutionalcourt.org.za/Archimages/1344.PDF.

as an overall gain for the community, rather than as a competition over scarce resources.

As of late 2004, the remaining question concerning the legal status of former Mozambican refugees is whether most of those who now have permanent resident status, including access to grants, will choose to naturalise in the coming years, or whether they will retain permanent resident status. This will probably depend on how much actual, rather than legal, discrimination remains attached to non-citizen status.

4. Conclusions

Over the past twenty years, therefore, Mozambican refugees in South Africa have gone from a position of illegality to a large measure of legal recognition and rights, to the point of full legal integration as South African citizens. This paper has argued that this transformation has been only partly due to legal mechanisms targeted specifically at Mozambican refugees, and that such mechanisms have more often than not been counterproductive in achieving their policy intentions. Understanding Mozambicans' changing status consequently requires an analysis from below, taking into account not only the word of the law but its local practices, the interpretations of those affected by the law, and their agency in responding to it. While this perspective can be applied to all legal change, and is certainly not new to critical and feminist traditions of legal scholarship, it is particularly relevant for the study of migration and refugee-related law. While refugees and migrants are the objects of national law, they are excluded from the formal mechanisms of influencing that law, such as voting representatives into the national legislature. When there is a disjuncture between the state's policies and laws (such as criminalising undocumented Mozambican refugees) and the interests and desires of migrants (for citizenship and full integration), there are rarely formal political or legal means for migrants themselves to negotiate a change in the law to more closely match their interests. NGOs speaking on immigrants' behalf through courts or advocacy efforts are fragile and themselves unaccountable mechanisms for such negotiation.

There are many well-known implications of this fundamental political and legal imbalance for refugees and migrants that are beyond the scope of this paper. One, which is illustrated by the case study of Mozambican refugees in South Africa, however, is that where formal law clashes with migrant needs and local interests, migrants may be able to negotiate positive outcomes locally even where they cannot influence policy nationally. This is not to say that migrants can evade or subvert unfavourable laws easily or with impunity. The case study shows how some policies, such as the repatriation programme, can be easily avoided, while others, such as the long-term lack of documentation, have both social and economic

effects which are difficult for migrants to overcome through their own local efforts. Whether successful or not, the local mechanisms used to respond to unfavourable laws, from chiefly and neighbourly assistance in creating a new identity to bribing Home Affairs officials, should be understood as means of interacting with the state in the absence of other political or legal avenues and should, as such, be taken seriously by legal and political science scholars.

Together Apart: Migration, Integration and Spatialised Identities in South African Border Villages

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Abstract

This article explores spatialised identity construction as part of the process of refugee and migrant integration. It uses an empirical case study – of villages in a rural border area of South Africa – to argue that identity groups can be constructed in relation to micro-spaces within a single village, refer to identity characteristics which are largely independent of cross-border mobility or territorial origin, and be negotiated through micro-mobilities within different segments of a 'local' space. This stands in contrast to debates opposing sedentary 'roots' or transnational or transient 'routes' as identity forming spaces. Establishing the relevant spatial aspects of identity construction is an empirical matter, rather than an ideological one.

Keywords: space, identity, refugee, integration, South Africa

1. Introduction

This article explores spatialised identity construction as part of the process of refugee integration. It uses an empirical case study – of villages in a rural border area of South Africa – to make several connected arguments. Firstly, the spatiality of interactions between refugees and hosts is crucial to understanding the integration process. Indeed the construction of who is included in the identities 'refugee' and 'host' has fundamentally spatial elements. Second, the spatial element of refugee/migrant/host identity construction is not limited to contrasting ideas about

sedentary 'roots' or transnational or transient 'routes', as the academic debate is sometimes essentialized (Cresswell, 2002; Kibreab, 1999; Massey, 2004; Sassen, 1991). Identity groups – in this case 'Mozambicans' and 'South Africans' – can be constructed in relation to micro-spaces within a single village, refer to identity characteristics which are largely independent of cross-border mobility or territorial origin, and be negotiated through micro-mobilities within different segments of a 'local' space. This illustrates, thirdly, the necessity of establishing the relevant spatial aspects of identity construction as an empirical matter, rather than an ideological one.

Finally, the empirical project involves three elements: how physical space is divided in relation to identity groupings and what this means for access to material resources; how spaces and identity groups are discursively constructed in relation to each other; and how individuals and groups continually negotiate and contest these discursive constructions of space and identity, including through everyday and strategic claims to, uses of and trajectories across spaces.

I present a case study of three villages in Bushbuckridge, a border district of South Africa abutting Mozambique. In these villages, people who fled the Mozambican civil war in the mid-1980s have lived alongside co-ethnic Shangaan-speaking South Africans for over twenty-five years. There are seeming ambivalences and contradictions concerning the relationship between group identification and space in these villages. A key contradiction is between material spatialised difference and the discursive elision of difference. On the one hand, many villages in the area have sections which are infrastructurally and socially distinct from the 'main' village. These sections are generally referred to as 'Mozambican' neighborhoods, illustrating a recognition and labeling of difference.[1] On the surface, therefore, spatially-defined and national origin-defined identity divisions in the village seem to map easily onto each other. On the other hand, less than half of Mozambican-born village residents

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[1] While the 'Mozambican' village section is given a label in local discourse, the contrasting dominant space, what I am calling the 'main' or 'core' village section, is usually referred to using the name of the overall village. This reflects a common practice by dominant identity groups, who take the characteristics of their own spaces for granted (e.g. as 'South African'), therefore not needing an identifying label (Doane, 1997). The lack of labelling therefore reflects part of the process of dominant identity construction, but does not mean that this construction is uncontested.

actually live in the 'Mozambican' neighborhoods. Significantly, there is a strong discourse of unity across national and spatial boundaries. People of Mozambican birth both practice and narrate a strong emplacement in South Africa generally and their villages specifically, and both Mozambican- and South African-born residents recognize and validate their racial, cultural and linguistic commonality (Polzer, 2004). Evidence for these contradictions is presented in detail in the paper below.

To understand these contradictions, I argue that rather than there being a 'natural' unity between nationality of origin and place of residence within a village, there are complex, socially constructed local concepts of 'Mozambicanness' and 'South Africanness,' and that these concepts adhere largely to the social characteristics of the respective *spaces,* and not necessarily to an individual's place of birth. Rather than group identity being the basis for spatial relegation, the spatially defined field continually reconstitutes relational group identities – where we live (and do not live) defines and reflects who we are (and who we are not). Furthermore, the spatially defined social markers of difference and commonality in these villages do not directly reference migration history or nationality. These markers, I argue, refer to, reflect and reaffirm three constituent elements of the nature of the 'good community': legibility to and incorporation into the state (Scott, 1998), the tensions between tradition and modernity, and questions of social class and hierarchy (see discussion in Sections 6, 7 and 8). Since these social markers are acquired practices and relationships rather than observable differences in terms of race, physiognomy, language or culture, individuals who move out of the socially defined space also leave behind them, to a large extent, the social characteristics and the identity allocated to that space. The status of a social minority, in this sense, adheres to the locality rather than to the individual, who can change status through a physical move in space. Significantly, both residents of the 'Mozambican' and 'core' village sections agree on the relevance of these dimensions of the 'good community' even though they at times disagree on the values attached to specific practices within each dimension (e.g. whether it is 'good' to be modern or traditional).

Social identity is therefore navigated and negotiated at two levels: by residents of 'peripheral' areas through moving into 'core' social spaces and

identities, and between 'core' and 'periphery' residents regarding the social meanings of their respective spaces. These negotiation processes mean that the social nature of spatial divisions in these villages illuminates identity construction among *all* residents of these villages, not just identity among the Mozambican-born or among residents of the 'Mozambican neighborhood.' The spatialized 'migrant integration' process becomes a process of ongoing collective identity negotiation which also impacts on and incorporates the identity construction of 'hosts'.

The rest of the paper is structured as follows: after presenting various theoretical approaches to the spatiality of migrant integration, I briefly outline my methodology. I then describe the history and context of spatial divisions and migration in my case study. I show how spatial divisions within villages, specifically the division between 'main' village sections and 'Mozambican' sections, are correlated with material differences of resource access, including spatialised resources such as physical infrastructure but also non-spatially fixed resources such as identity documents and education. This then brings me to a discussion of the social construction of spaces in the villages and how these are associated with the constructed characteristics of 'being Mozambican' or 'being South African'. In the process, I look at different individual and collective strategies adopted by village residents to negotiate, uphold and/or break through the spatialised social boundaries within the village.

2. Spatial Integration and Identity Formation

In analyzing migrant and refugee integration in a particular locality, I draw on conceptions of space as "actively produced by and productive of social relations and discourses" (White, 2002:74) in the tradition of Lefebvre (1991). Rather than being assumed, the specific relationship between group identification and space must be described on a case by case basis, with attention to context-specific, historical and continually negotiated processes through which meanings are ascribed to spaces by the multiple actors in that space. Furthermore, just as identity groups are today generally understood to be constructed relationally (rather than being historically immutable or natural social artifacts tied to objective differences or similarities) (Anderson, 1991; Barth, 1969; Cohen, 2000; Eriksen, 1993; Gupta & Ferguson, 1997),

so the meanings of space must also be seen as relational (Massey, 2004). Finally, relationality does not necessarily mean binary contrast. As Massey puts it, places are "not so much bounded areas as open and porous networks of social relations…their 'identities' are constructed through the specificity of their interaction with other places rather than counterposition to them." (Massey 1994: 121).

Authors in geography and anthropology have presented the conception of relational and negotiated space and identity as a 'middle way' between an essentialised isomorphism of identity and space (e.g. you are who you are because of where you come from or where you 'belong') and a 'postmodern' wholesale rejection of the relationship between place and identity (e.g. there is a 'generalised condition of homelessness' [Said, 1979: 18] or 'we are all refugees' [Warner, 1992, quoted in Kibreab, 1999:385]).

The geographer Tim Cresswell (2002) opposes a 'sedentary metaphysics' (Malkki, 1992) with a 'nomadic metaphysics' in debates on the relevance of place in identity construction, and argues for a "new focus on place [which] simultaneously [brings] into question both a sedentary metaphysics of roots and authenticity and a nomadic metaphysics of hypermobile identity. Places and boundaries do matter – just not in the ways we once thought." (Cresswell, 2002:20). The middle road, in Cresswell's view, is a perspective where "places are never complete, finished or bounded but are always becoming – in process." He suggests Soja's "trialectics of spatiality" as a useful corrective, where everyday practices constitute a "Thirdspace" in addition to the more commonly debated binary oppositions between material, mappable "Firstspace" and representational, imagined "Secondspace." (Soja 1989, 1996 as cited in Cresswell, 2002:20f). Cresswell acknowledges, however, that apart from saying that it is practiced and lived, "it is far from clear what Thirdspace actually is" (ibid:21) and how one might empirically operationalise its study.

Another leading geographer, Doreen Massey (2004), sets up a related opposition between theorizations of place and space, where place is portrayed as evoking "an atmosphere of earthiness, authenticity and meaning" while space is "understood as somehow abstract" (Massey, 2004:7). For Massey, the " 'lived reality

of our daily lives' " (which she places in 'scare-quotes') is part of the sedentarised dominant conception of the place, rather than a corrective to that sedentarism. She suggests that a recognition of "'place' as a site of negotiation" beyond the binary of local and global is "a first move away from the universalising/ essentialising propositions implicit in some of the evocations of the meaningfulness of place." (Massey, 2004:7). Even though she applies her approach of negotiated place to the case of London, her discussion remains largely conceptual rather than empirical.

These geographers use conceptions of identity formation to reflect on and shift binary debates on space/place. In contrast, Akhil Gupta and James Ferguson (2001), coming from an anthropological perspective, seek to challenge simple conceptions of either "primordial" or "strategic" identity by discussing "the specific relationship between place making and identity." They, and other authors in their edited volume, "emphasize that identity neither 'grows out' of rooted communities nor is a thing that can be possessed or owned by individual or collective social actors. It is, instead, a mobile, often unstable relation of difference", and that "identity and alterity are therefore produced simultaneously in the formation of 'locality.'" (Gupta and Ferguson, 2001: 13). They furthermore "draw attention to the crucial role played by resistance" in showing how "identities are not 'freely' chosen but overdetermined by structural location" and how "their durability and stability are not to be taken for granted but open to contestation and reformulation." (Gupta and Ferguson, 2001: 17f).

Within the fields of refugee and migration studies, debates on the relationships between space and identity also tend to either reify or categorically deny links between space and identity. Malkki's (1992) critique of "refugee studies" as contributing to constructing refugees (and indeed 'locals') as "sedentarised" objects is routinely referenced, while authors like Kibreab (1999) have fought back by stating that "territory still remains the major repository of rights and membership" (Kibreab, 1999:387). Many accounts of refugee integration simply ignore spatial aspects of identity formation and focus on characteristics of migrant individuals and groups which are seen to inhere in the body or the person – such as race, religion, language, culture, education level, skill level, etc. These characteristics

are assumed to move with those bodies no matter where in the host space they find themselves (see Mestheneos & Ioannidi, 2002; Franz, 2003; Hieronymi, 2005; Jasso & Rosenzweig, 1995; and discussions of acculturation and assimilation theory in Alba & Nee, 1997). Alternatively, the spatial segregation of migrants from hosts is understood simply as an indicator of missing social and economic integration. As Baily and Míguez describe the debate in Latin American migration studies, there is a tendency to "identify spatial segregation with the concept of Cultural Pluralism and the absence of … spatial segregation with the Melting Pot theory" (2003:82), without further consideration of whether actual interactions between segregated spaces or within unsegregated spaces reflect pluralistic or assimilationist identity formations. In this understanding, the space in which migrants and hosts find themselves has no social value in itself apart from as a location for potential interactions between individuals and groups.

Another common assumption in accounts of migrant and refugee integration is that it is possible to tell who is part of minority and majority groups before studying how these groups then interact in space. The temptation to simply divide village residents into 'refugee' and 'host' or 'Mozambican' and 'South African' is great, and one to which I have succumbed at times (Polzer, 2004; see also Golooba-Mutebi, 2004 and Rodgers, 2002). A constructed and negotiated approach to spatialised identity, however, requires that all personal and group characteristics, including place of birth or family origin, be considered as only *potentially* relevant relational identity factors, rather than as *a priori* structuring factors (Bakewell, 2008; Robins & Aksoy, 2001). Attention to representations of identity and space as well as to everyday practices of negotiation means treating the factors chosen to structure group and space identity as internal rather than external to the relational processes being analyzed. Where group identification is claimed or allocated in the description of space – such as calling an area the 'Mozambican' neighborhood – this labeling process is part of the social interaction to be studied, rather than an objective social reality to be taken at face value.

This brings me to a few notes on methodology. As noted above, an empirical position on the social construction of space requires finding ways of capturing the

materiality of space, its representations, and the negotiations of both through everyday practices. An analysis of space is facilitated by visual abstractions such as maps and mapping. Comparing material and discursive characteristics of space requires quantitative measurements that can be disaggregated by location as well as narratives from people in those spaces and about those spaces. Finally, a focus on negotiation, e.g. a process orientation, requires information over a period of time, or a means of collecting information about change over time. Figure 1 provides an overview of the different methods I employed to collect information on each of these elements.
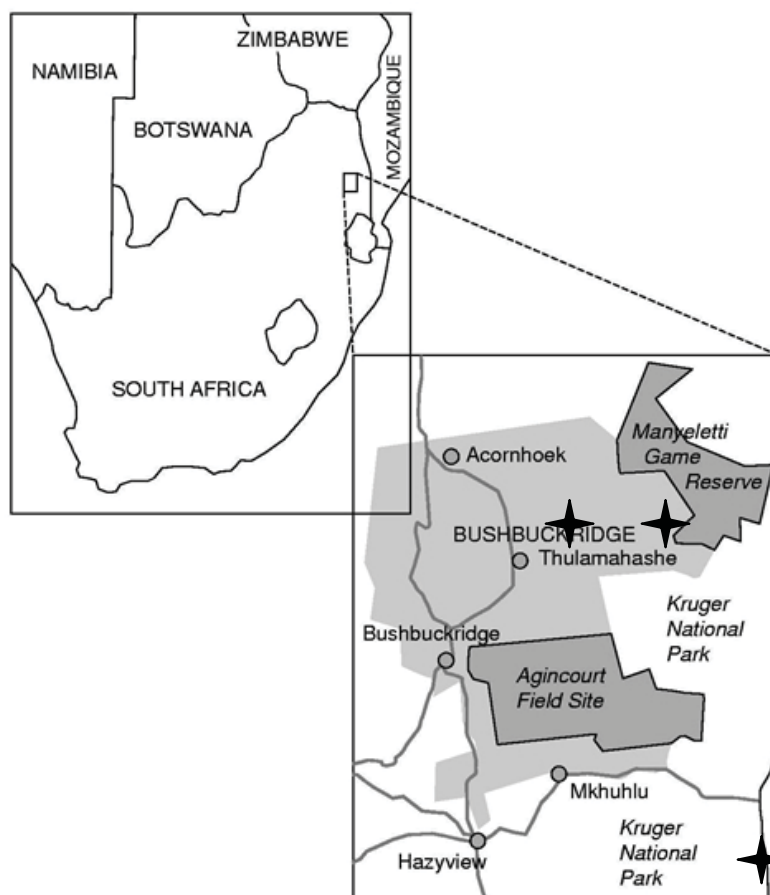
Figure 1

Methods

1. Household survey: 3 villages, 68 households, 567 individuals (purposive sampling)

2. Repeated individual interviews: 3 villages, 57 individuals (from same households as household survey), 50/50 SA/Mozambique-born

3. Mapping of movements and social connections in the village: 82 individuals (from same households as household survey)

4. Repeated key informant interviews with village leaders: headmen, community development forum chairmen, Community Development Forum members, ward councilors, teachers, etc.

5. Observation and informal interactions: village meetings, informal visits and conversations

6. Census data from the Agincourt Health and Socio-Demographic Surveillance System, Medical Research Council Unit in the School of Public Health, University of the Witwatersrand: 1992-2004 data, annual census of 21 villages, 11,000 households and 70,000 individuals per annum.

Apart from the Agincourt Health and Socio-Demographic Surveillance System census data (further referred to as Agincourt data),[2] I collected all other data myself between March 2002 and October 2006, during which time I was resident in Bushbuckridge District as a researcher with the Refugee Research Programme (now part of the African Centre for Migration and Society) at the University of the Witwatersrand.

3. History and Context of Village 'Community' and Space in Bushbuckridge

Figure 2

Location of Case Study Villages and Agincourt Health and Socio-Demographic Surveillance System Site[3]

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[2] For background information on this census see Tollman, Herbst, Garenne, Gear, & Kahn (1999). The Agincourt census site covers only one of the three villages in which my own research took place - Justicia (see Figure 2). However, the basic spatial and social structure of the villages in the demographic surveillance site is similar enough to warrant using this large-scale data source as a means of understanding the same intra-village spatial dynamics observed in my case study villages.

[3] Stars represent my case study villages. Adapted from Collinson et al (2006:637)

The social meaning of space in the villages of Bushbuckridge is a product of a specific history of shifting national politics, labor migration and forced migration, and rural engagements with the state. The local politics of spatialised identity group construction within villages cannot be understood without this larger canvas.

From 1972 until 1994, today's district of Bushbuckridge was part of Gazankulu 'homeland' for Tsonga/Shangaan-speakers within the context of South Africa's *Apartheid* political system. The homelands were created by the white minority government between the 1940s and 1970s to concentrate South Africa's black population onto marginal land and create ethnic enclaves and labor reserves (Thompson, 1995). All villages in Bushbuckridge are therefore relatively recent creations of forced removals and dispossessions. Such recent forced villageisation means that, in contrast to the common image of rural communities, South African village residents do not have long-established claims to the particular space occupied by their current villages.

The eastern border area of South Africa has also experienced several waves of migration from Mozambique and by Mozambicans since the early 1800s. Large-scale labor migration from southern Mozambique to South African mines and farms was common from the late 1800s into the mid-1980s (Katzenellenbogen, 1982), linking with early 1800s movements of Shangaan/Tsonga-speakers who had already settled in what was to become South Africa from the eastern seaboard which is now Mozambique (Ritchken, 1995). When mine-employment of Mozambicans dropped dramatically in the mid-1980s (Davies & Head, 1995), many retrenched miners, often married to South African women, settled in Gazankulu (Rodgers, 2002). In fact, one of my case study villages – Clare A – was established in 1958 by a Mozambican miner, whose son is now the chairman of the village's elected Community Development Forum. When the Mozambican civil war's excesses in southern Mozambique pushed tens of thousands of largely Shangaan-speaking people across the border from 1985 (Anderson, 1992), they found a combination of recently displaced, forcibly villageised South African co-ethnic 'hosts' and kinship connections

through settled Mozambican labor migrants (Golooba-Mutebi, 2004; Polzer, 2004, 2007; Ritchken, 1995; Rodgers, 2002).

Two quotes illustrate a common scenario in the mid-1980s. A young woman from Mozambique in Clare village recounts: "When we came here, we came through the bushes. Our parents were still in Mozambique. We, the children, were the first ones to come here, before our parents. When we came here, we were staying at the hospital [in Acornhoek town]. We stayed there until we found our relatives. The people [we stayed with] in Kwinya Mahembe just had the same surname. We stayed there and they took care of us. At Mkhuhlu we stayed at my father's younger wife's family. She was South African. Even when we were there in Mozambique, our younger mother would send us things."[4] An older woman, also in Clare, remembers: "When we ran away from the shooting [in Mozambique], I was planning to stay at Bushbuckridge, because my children were there. I came to Clare because my daughter and her husband were here."[5]

This phased migration history had a direct impact on the spatial patterns of villages and the distribution of different groups of people in these spaces. A significant number of the civil war refugees were taken in by relatives and 'people with the same surname' (Dolan, 1997) and so were immediately integrated into the existing village structures. However, the numbers of refugees soon became too large to be hosted by existing families. The South African government provided neither legal recognition nor humanitarian assistance, viewing the refugees as illegal immigrants, but allowed the homeland governments to shelter them (Polzer, 2007). By 1989, the Gazankulu Department of Health and Welfare estimated that 32,000 refugees had been added to the homeland's population, admitting that this was probably a significant undercount (Gazankulu Department of Health and Welfare, 1989-90). Homeland and village leaders agreed from 1985 onward to allocate land adjoining existing villages to the refugees (Gazankulu Legislative Assembly, 1985). These new areas still fell under the existing local governance system of village headmen (ndunas) and chiefs, although most 'Mozambican' settlements had their

[4] Interview with GM, Clare, 26/5/2005
[5] Interview with E, Clare, 31/5/2005

own nduna who reported to the overall village nduna. My case study village Justicia B was created in this way in 1987 next to the established Justicia village (now known as Justicia A), and continues to exclusively house people of first and second-generation Mozambican heritage. A 'Mozambican' section of Clare A was also established around the same time.

After the end of the Mozambican civil war in 1992 and the transition of South Africa to majority rule in 1994, over 80% of people who had come from Mozambique and settled in the border areas remained in South Africa rather than returning to Mozambique (Dolan, 1999). A slow process of legal status regularization started in 1995 with a series of amnesties and legal regularization programmes (Crush & Williams, 1999), adding to a variety of informal social-network-based methods through which Mozambicans attained South African identity documents (IDs) (Polzer, 2007). Today, over 80% of those who remained in Bushbuckridge either have South African permanent residence or citizenship status (Polzer, 2007).

Historical shifts in the involvement of the central state, through identity documentation and land demarcation, were a further key shaper of village space. At the same time as Mozambicans were gaining legal status in the mid-1990s, South African-born residents of Bushbuckridge were also registering for IDs, which (in the form of 'passes') had previously been denied to black South Africans or which had been resisted as mechanisms of *Apartheid* state control (Greenberg, 1987:43). With the change of regime, however, IDs enabled the new right to vote and access to the expanding governmental social welfare net. In parallel, the state became involved in processes of demarcating and allocating land in the villages (previously land allocation was exclusively managed by local chiefs), along with the state's increasing role in providing infrastructure like piped water and electricity to rural areas. An ID was required to access these new land parcels (known as 'stands') and services. Formal land allocation was therefore generally not extended into the peripheral 'Mozambican' village sections established in the mid 1980s. My case study village Thangine on the outskirts of Acornhoek town was established in 1990 as a grid of formally demarcated stands, while other villages expanded and rearranged stands later in the 1990s and early 2000s around widened roads and electricity poles.

Thangine and Clare received electricity in the early 2000s, bypassing the 'Mozambican' sections, while Justicia B still had no electricity in 2006 (although the 'main' sister village Justicia A was electrified in 1997).

While the influence of the national state tended to create exclusionary pressures for the Mozambican-born, local governance systems remained largely inclusive. When after 1996 the 'traditional' governance system of ndunas and chiefs was augmented by a system of Community Development Forums and ward councilors, as the lowest level of elected local government, these structures covered, in practice, all residents of the villages, independent of nationality, legal status, or residential area.

By 2002, at the start of my field work, it was therefore generally understood by all local actors that 'the Mozambicans' were in Bushbuckridge to stay, mostly had identity documents, and were permanently settled in the villages. While many things had therefore changed since their arrival as destitute and illegal newcomers twenty-five years earlier, the spatial organization of most villages in the eastern half of Bushbuckridge still reflected the historical division between the 'main' village and a 'Mozambican' peripheral neighborhood. These settlements were still clearly identifiable through a less structured settlement pattern (i.e. no straight roads or paths between houses), denser settlement, a predominance of traditional buildings (round mud huts with thatched roof rather than square breeze block houses with tin roofs) and less municipal infrastructure such as piped water or electricity.

4. Divided Space and Material Difference

The rest of this paper will discuss how this continued spatial division of villages relates to the construction and negotiation of social difference and similarity within the villages. The first step in understanding the spatial construction and negotiation of identity groupings is to look at the material differences between people living in the spatially segregated areas versus those in 'main' village sections.

As noted in the introduction, the correlation of national origin and spatial segregation is not actually very high in the district. GIS data by the Agincourt Health and Socio-Demographic Surveillance System shows that less than half (42%) of all households headed by people either born in Mozambique or born to two Mozambican parents live in neighborhoods where all adjacent households are also headed by Mozambicans.[6] 49 percent live in mixed neighborhoods where at least one adjacent household is South African-headed, while 9% live entirely surrounded by South African households. Yet it is the spatially segregated neighborhoods, I argue, and not the spatially integrated individuals and households, which define the social meaning of what is called 'Mozambican.' Concomitantly, the residents of the 'main' village sections are not necessarily only or predominantly of South African origin, yet these areas are used by villagers to describe the nature of 'South Africanness.'

The Agincourt census data allows us to look at broad village-level differences in physical infrastructure. Four 'Mozambican' settlements in the census area are so large and distant from their respective 'main' villages that they are counted as separate villages in the census. In all four, over 75% of their populations are Mozambican-born (marked in grey in Table 1). I have created two infrastructure indicators which aggregate measures such as the percentage of households with access to electricity for lighting; households with access to piped water through a tap in house, yard or road; and numbers of clinics and schools in the village. The 'Mozambican' villages are significantly worse off in terms of these kinds of physical infrastructure compared with the other villages.

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[6] These percentages are calculated from 2003 data on 11649 households. Each household, coded by the place of birth of the household head, is marked by GIS and the 'neighborhood' measure is calculated by the percentage of immediately abutting households with either Mozambican or South African-born household heads. Thanks goes to Benjamin Clark for developing this measure.

Table 1

Infrastructure at Village Level

Comparing 'Mozambican villages' with mixed villages

Agincourt Data (2003), N = 11649 Households

Village	% of 'Refugee' Households in Village	Electricity % of households	Watertap % of households	Clinic in village	High Schools	Primary Schools	Pre-schools	Infrastructure Indicator Cumulative	Infrastructure Indicator Basic
Agincourt	14%	89	43	1	3	2	3	10	5
Croquetlawn	20%	91	82	0	1	2	1	6	5
Cunningmore A	16%	86	97	1	2	3	2	10	6
Cunningmore B	7%	95	100	0	2	2	2	8	5
Huntington	28%	82	92	0	0	1	2	5	4
Ireagh A	26%	84	99	0	1	1	2	6	5
Ireagh B	38%	86	100	0	1	1	1	5	5
Justicia A	49%	86	99	1	1	2	2	7	6
Kildare A	16%	94	100	1	2	2	2	8	6
Kildare B	55%	93	100	0	1	2	1	6	5
Lillydale A	36%	85	100	1	1	3	3	9	6
Newington B	9%	95	55	0	1	1	1	4	4
Newington C	4%	95	41	0	0	1	1	3	3
Somerset A	48%	0	99	0	1	2	1	5	4
Xanthia	4%	90	58	1	1	2	1	5	5
Khaya Lami	6%	84	68	0	0	0	1	2	3
Lillydale B	79%	1	100	0	1	1	1	4	4
Rholane	99%	1	99	0	0	0	0	1	1
Kildare C	97%	3	100	0	0	0	0	1	1
Justicia B	98%	1	99	0	0	0	0	1	1
Somerset B	89%	31	100	0	0	0	0	1	1

The effect can be seen even more powerfully if disaggregated by 'neighborhood' within villages. Even where 'Mozambican' areas are not large enough to be considered separate villages, the more 'Mozambican' your neighborhood, the worse your infrastructure access, with purely Mozambican neighborhoods significantly the worst off (Table 2).

Table 2

Percentage of Households with Infrastructure Access per Neighborhood Type

Agincourt Data (2003)

	100% SA n'hood	51-99% SA n'hood	50-99% Moz n'hood	100% Moz n'hood	Total HH with data on utilities access
Electricity	92.4%	80.6%	61.0%	27.6%	N= 10505 HH
Water taps indoors or yard	12%	9%	5%	3%	N= 10492 HH
Total HH in N'hood type	N=5710	N=2235	N=1163	N=1397	

If we compare the significance of the spatial dimension with other possible explanations, such as discrimination by place of origin, or lack of eligibility for state resources because of not having an ID, we can see how powerful the effect of living in a purely Mozambican neighborhood is on infrastructure access. While 52% of Mozambican-headed households and 63% of households without an ID do not have access to electricity, fully 72% of households in Mozambican neighborhoods lack electricity access. Table 3 gives a regression which disaggregates the relative influence of each factor on electricity access, since living in a Mozambican neighborhood, being born in Mozambique and not having an ID are correlated. The regression shows that while all three factors are statistically significant and the place of birth is more significant than whether the household head has an ID, the neighborhood variable, e.g. location of residence within the village, remains the strongest explanatory variable for whether a household has electricity or not.

Table 3

Relative Risk Factors in Household Electricity Access, logistic regression

Agincourt data (2003)

Independent variables	Odds ratio
100% Mozambican neighborhood	-1.733 ***
Mozambican-born household head	-1.448 ***
Household head without ID	- 0.764 ***

*** significant at the 0.01 level

These findings clearly show that there is a strong correlation between spatial and physical resource differentiation, and that the spatial factor is independent of and stronger than individual factors such as national origin or documentation status. In addition to spatially-bound physical resources, there are other essential resources which are not spatially-tied, levels of access to which are nonetheless strongly correlated with residence in 'Mozambican' neighborhoods. These include child mortality, education and identity documentation.[7]

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[7] There is no significant difference in terms of participation in the labour force, as c. 71% of adults in all neighborhood types were not currently working in 2004, and no difference in gender composition by neighborhood type.

Hargreaves' analysis of child mortality rates within the Agincourt census site shows that the strongest effect on child (1-5 years old) mortality came from living in a 'Mozambican' settlement rather than from other factors such as nationality of the mother, health care utilization or other measured household or maternal characteristics (Hargreaves, Collinson, Kahn, Clark, & Tollman, 2004). Child survival is therefore not directly tied to physical characteristics of a space, such as the availability of public health care, nor is it reducible to individual characteristics of mothers in that space, such as nationality, but is still strongly correlated with residing in that space (see also Sampson et al, 2002 and Kaplan, 1996 on neighborhood health effects). Another non-spatialised resource which is highly correlated with neighborhood is education level (Table 4). For both the total adult population (including all South African-born and Mozambican-born persons over the age of 17) and the Mozambican-born adult population, neighborhood is strongly correlated with whether a person is likely to have completed the high-school leaving 'matric' diploma or have no formal education at all.

Table 4

Education level of adults (over 17) by Neighborhood

Agincourt data (2004)

N=71258 (Moz-born N=17997)

All Residents (Moz-born residents)	100% SA neighborhood	51-99% SA neighborhood	50-99% Moz neighborhood	100% Moz neighborhood
Completed Matric	12% (5%)	9% (5%)	6% (4%)	3% (3%)
No formal education	18% (36%)	24% (40%)	36% (43%)	48% (49%)

Finally, people of Mozambican origin living in an entirely Mozambican neighborhood are much less likely to have any kind of South African identity document, including a citizenship ID, permanent resident ID or birth certificate (21%), than those living in mixed neighborhoods (14.8% for largely Mozambican neighborhoods, 14.5% for largely South African neighborhoods, and 11.3% for

entirely South African neighborhoods).[8] The data also shows that while the effect of living in different levels of mixed settlements (e.g. anything less than complete ghettos) is relatively low, there is a significant jump in documentationlessness with residence in a completely 'Mozambican' neighborhood. The role of identity documents as a key to material resources but also as a symbolic resource is discussed further below.

In summary we can therefore say that the residents of spatially separate 'Mozambican' neighborhoods not only have access to less physical infrastructure, but their children are less healthy, and they are less educated and less likely to have South African identity documents than residents (including Mozambican-born residents) of other village sections. The correlate is that Mozambican-born people with an ID and education tend to live in the central village section. Many analyses stop here, and conclude that such discrepancies are due to discrimination by local South African residents or by the state (Johnston, 1999; De Jongh, 1994). Yet these objective spatialised differences in material resources do not map clearly or easily onto identity group construction or service eligibility criteria for services such as IDs. The following sections discuss how local social constructions of identity groups explain, incorporate or obfuscate these objective differences in resource access in different spaces within a village, and how residents both within and outside the 'Mozambican' village sections negotiate both a relationship with these spaces and the meanings of those spaces.

5. Constructing and Negotiating Spatialised Identities

As noted in the introduction, on the one hand the differences between the materially distinct village sections are recognized and labeled by calling the peripheral areas 'Mozambican', but on the other hand the distinctions are elided by protestations of social unity. After giving evidence of this discursive tension, I argue that it can be understood as reflecting efforts by residents of both 'Mozambican' and

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[8] This is based on 2005 Agincourt data of 10567 Mozambican-headed households.

'core' village sections to relate their own group identities to an idealized 'good community', to locate that 'good community' in their respective spaces, and to define the 'goodness' of these spaces relationally, either against the neighboring 'other' space or, in some cases, through selective linkage with some of the characteristics of the 'other' space.

The first notable characteristic of discourses around the spatial division of these case study villages is the continuous tension between, on the one hand, an every-day awareness of and reference to the presence of 'Mozambican' neighborhoods, and on the other hand, a strong narrative avoidance of mentioning or validating the social difference inherent in the divided space. Various interactions during the research process illustrated the reluctance by both South African and Mozambican-born residents to point out explicitly that some areas are populated by Mozambicans. When I first started working with research assistants in Clare, they were unwilling to point out the part of their hand-drawn maps which was the 'Mozambican' neighborhood, although it was clearly visible when driving through the village and from the shape of the map. Hargreaves documented a similar reluctance during a participatory village typology exercise in 2000 with experienced local field workers of the Agincourt census site. When asked to describe census villages with similar characteristics, field workers mentioned that 'refugee villages' were places where "a person from a South African village wouldn't choose to go …. No, it just wouldn't happen."(Hargreaves, 2000:22). However, when it came to developing formal groupings of villages for a report, both teams of field workers independently grouped the five villages which had over 70% Mozambican populations along with other villages according to criteria like 'under-development' or 'tradition.' Only when Hargreaves intervened to construct a final typology which reflected both locally perceived differences and village characteristics arising from analysis of Agincourt census data, were the five villages grouped as "refugee settlements." It seems a significant indicator of narrative conventions that the local field workers did not immediately group them as such themselves, but seemed to agree that they should rather be grouped along with other poor villages.

Maria,[9] an old Mozambican-born woman whose homestead is in the 'Mozambican' neighborhood of Clare, expressed the tension and ambivalence between recognizing different 'groups' and not wanting to validate these differences:

Tara: In general what would you say about the relationship between this part of the village and the old part of the village?

Maria: We are together. Just like when you have a child at home. Your child is maybe not behaving well at home. You tell him that he is not behaving well, but you cannot say: you are not my child. They are supporting us until we feel free to be here. When we started to be here, it was great. We can't say there is no unity between us. There is unity. Even when we have a meeting, we are together. If there is a problem in our group, we go to tell them, to help the other group. Even the other group, they like to know about the relationship in our group. If we don't know what we are going to do, we go there for help. When we go there, we tell them, do this and this and this, it will be OK. I say we are together with them. There is a relationship between us. We are not separated. If they didn't like us, they would be doing things separately for our group, but because they like us, we get anything from those people. We even get water from those people. There is no problem.

Tara: What about electricity? In other parts of the village there is electricity.

Esther: About electricity, it is different because we did not build our houses at the same time. Some people built their houses and have electricity; others don't have electricity because they built their houses late. There is no-one who is discriminating against us.[10]

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[9] All names are pseudonyms.
[10] Interview in Clare, 10 May 2005

The CDF Chairman of Clare village, whose Mozambican miner father established Clare village, describes his own approach to labeling:

> Where there is a child born here, as long as we know your parents are from Mozambique, automatically you are called Mozambican. They don't like that but the most despised name to be called is mapoti. They don't like that stuff. … At school [when I was a teacher] I discouraged that, and at school we don't call the students Mozambicans. … It is only when you are going to their place (in the village) you say, I'm going to Mozambique, but when we are in the middle of people or in the church you don't say that. We don't speak in such terms of Mozambicans; it is only when you want to get into their place.[11]

The prohibition on and avoidance of validating difference clearly does not mean there is no generally recognized social boundary between 'us' and 'them', or that there is a boundary but both sides are of equal value; the discourse is constructed around a boundary between mutually recognized groups of unequal status. Furthermore, the status is primarily attached to the fact of residing in a 'Mozambican' enclave rather than to being of Mozambican origin *per se*.

In addition to the fact of a social boundary tied to spatial divisions, and a clear tension concerning the validation of that boundary, there are three ways in which the space of the 'Mozambican' and 'core' neighborhoods are imagined which serve to illustrate and confirm the nature of the 'good community'. These are narratives about legibility to and incorporation into the state (Scott, 1998) versus sociability, the relation to tradition and modernity, and questions of social class and hierarchy. Each of these narratives is interpreted and practiced differently by people from the perspective of the village 'core' and from within the 'Mozambican' enclave. This brings us back to Massey's point about how spatial "'identities' are constructed through the specificity of their interaction with other places rather than counterposition to them," (Massey 1994: 121) and to Soja's lived and practiced

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[11] Interview in Clare, 21 April 2004

"Thirdspace". The forms of negotiation from within the 'Mozambican' neighborhood include individual 'exit' through permanent movement from the 'periphery' to the 'core', individual circular movement between the two spaces, and collective claims about the nature of a 'good community' which challenge 'core' value judgments about the 'periphery.' These strategies are most evident in relation to the narrative of legibility, which I discuss more extensively, but are also used to adopt and contest claims regarding modernity/tradition and status.

6. Legibility versus Sociability

In his seminal work *Seeing like a State*, Scott argues that one of the key characteristics of the modern state is the ability to legibilise populations and territories by simplifying and standardizing the measurement and documentation of people and spaces (Scott, 1998). The South African state, to a greater extent than most African states, has 'captured' both population and territory through the nearly ubiquitous presence of ID documents and formally demarcated land parcels ('stands'). While the processes through which these are allocated do not always conform to the precepts of a bureaucratic legal system (Polzer, 2007), nonetheless the value of 'being formalized' has become entrenched in the rural leadership as well as, to some extent, in the general population. This is not least because of the real material benefits and services available from the state for people with IDs and formal stands (such as social grants and electricity), but goes beyond a rational minimum logic of exchange to a broader value judgment about people and spaces.

A conversation with a young Mozambican-born man in Clare illustrates the power of the ID in gaining basic respect. He told me that South Africans "look down on people from Mozambique."

> Tara: Now if someone has an ID, if you were born in Mozambique or your parents were born there, but you have a South African ID, do people treat you badly if they find out that you were born in Mozambique?
> C: I don't think so.

> Tara: so if you have an ID, it's fine?
>
> C: if you have an ID, yes.[12]

There are two forms of illegibility in 'Mozambican' neighborhoods which make it difficult for leaders of the village core to engage with and value them: firstly, the illegibility of persons in a space, and secondly the illegibility of the physical space itself. The common narrative is that people were moved into the 'Mozambican' neighborhoods because they did not have ID documents, e.g. were not legible as people. This narrative is reflected in the explanation given by the CDF Chairman of Clare about why Mozambicans were settled in a separate area when they first arrived.

> When they came, they were given a special section (of the village) … especially those who did not have ID books and were not paying a tribute to the tribal authority. Because they believed that in no time they would be going back to Mozambique they built in their own place. So now we are mixed with them, but not that much. We are especially mixed with those who have ID books. Then … we believed they would be getting back home soon. Seemingly whenever a refugee comes to rural areas they are given special treatment, except in urban areas where you can't find that. They are just mixed there but in rural places they are given a place because you find that when they came there were no vacant stands around. In other words they couldn't mix with others so they had to be given a special place. They were many, per week you would find that 100 people arrived. Sometimes the children came alone and for identification sake, because they were getting food from the Red Cross, they were supposed to be placed where they could be easily managed.[13]

The nduna of Justicia was equally explicit:

[12] Interview in Clare, 31 May 2005
[13] Interview in Clare, 21 April 2004

The problem at the time [in 1987] was that then people did not have an ID. You have to pay for a stand. Now we have new stands in the place where the Mozambicans were living. We are not grouping those people there because they are from Mozambique. They were living there because they don't have IDs.[14]

The CDF Chairman of Justicia, when asked about this story, however, gave a different account about local social governance structures rather than abstract documentation:

The issue of IDs was not central by then. [Mozambicans] were clustered according to… *xibonda*, that is under the guidance of the headman. Because we did not know them, they did this by themselves to decide who is going to lead them. Then, because some were living over there and some on that side there had to be someone who was looking and knowing their affairs. So it was not because of IDs because back then they could not be expected to have IDs. There were no IDs then.[15]

Today's narrative about IDs as a reason for spatial segregation is therefore more a reflection of current identity boundaries than of historical fact. It is a powerful narrative which not only rewrites the past but is used to justify differences of infrastructure access and public services in the present. For example, a lack of electrification of 'Mozambican' neighborhoods is explained by the technical requirements of payment meters which are keyed to a specific ID number, even though other means of paying for electricity also exist.

The second mantra used to explain the lack of infrastructure in 'Mozambican neighborhoods' relates to the illegibility of the space itself. The physical space is triply illegible in that it is a) often not marked on municipal or service provider maps

[14] Interview in Justicia, 27 March 2006
[15] Interview in Justicia, 27 March 2006

(such as the national electricity provider Eskom's maps); b) not divided into formal stands, so that residents do not pay stand-tax to the chiefs and so are not included in the chief's maps; and c) so densely and organically settled that services requiring thoroughfares and straight lines cannot fit. These forms of illegibility do pose real technical problems in providing services, but they are also used as an excuse not to provide water and electricity. Furthermore, prefiguring the discussion on tradition and modernity below, the physical illegibility confirms the 'backwardness' of the space and its (and its inhabitants') inability to modernize.

It is significant that official village and councilor narratives to explain the lack of services in 'Mozambican' village sections are always about such technical issues as maps and straight roads, and never that Mozambicans have no rights to services due to their foreign nationality. This stands in contrast to the dominant discourses about nationality and access to public services in South Africa, which are often xenophobic (Crush, 2000; Landau, 2004; Misago et al, 2010), and illustrates the importance of carefully analyzing local logics of relational identity formation, e.g. what is relevant about being 'South African' versus being 'Mozambican', in a specific context and not assuming that there is a 'natural' line of division between groups on the basis of nationality or any other characteristic.

Examples of the spatial legibilisation discourse abound. The late 1990s water scheme implemented in Justicia A was not extended to Justicia B, according to the CDF Chairman, because the area "was informal so there were no places to put a trench. If you want to put the trench, sometimes you have to go through someone's hut, so it was not possible." Similarly, concerning Justicia A's electrification in 1997, "it is unfortunate now that the population has exploded and those people will again not be energized because of that informal settlement. You know, the regulations are that it is not possible. Sometimes they would have to plant a pole in someone's house so to move it would be an extra cost."[16] In Clare A, when the village was electrified in 1999, the original settlement of Mozambicans was not included. When asked why this section was not electrified, the CDF Chairman explained that Eskom

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[16] Interview in Justicia, 24 March 2006

was not given a map for that section "because it is far away",[17] although the area is only separated from the 'core' village by about 500 meters.

How do residents of the 'Mozambican' neighborhoods respond to and negotiate this discourse of illegibility? As noted above, there are three options: make a permanent physical move from one (illegible) space to another (legible) space, thereby accepting or even embodying the concomitant shift in identity; engage in circular movement between the spaces, through everyday practices recognizing but not necessarily validating the values attached to them; or challenge the discourses which invalidate the 'Mozambican' spaces as lesser because they are illegible, and putting forward alternative indicators of a 'good community.'

Many young people, especially those who acquire an ID, decide to leave the neighborhood and move to a formal stand in the 'core' villages, either because they accept the value judgments that legible people and legible spaces are 'better' and so seek to 'improve' themselves by moving, or because they instrumentally seek better access to existing services such as electricity, water, schools, etc. This is discussed further in the section on status, below. The second strategy for negotiating spatialised identity divisions is to make use of the dominant space, and its resources, without necessarily moving into it fully. A mapping exercise tracing respondents' movements and social connections within the village (summarized in Table 5) shows generally low levels of interaction between village sections (see also Golooba-Mutebi, 2004), but significantly higher interaction from the 'Mozambican' to the 'core' section than the other way around.

[17] Interview in Clare, 21 April 2004

Table 5

Levels of functional and social interaction across village sections,

Movement and Social Connections Mapping Exercise (2005)[18]

	Where household is located in village	
	'Mozambican' section	'Core' section
Within own section	32%	59%
Across sections	46%	15%
Outside village	21%	26%
	N=28	N=46

Residents of the village core rarely even passed through the 'Mozambican' village sections (see Agincourt field worker comment above that South Africans would "never" go to a Mozambican village), while 'Mozambican' neighborhood residents more regularly transited the 'core' on their way to use public infrastructure such as water taps, shops, schools or churches. Those 'core' residents who did visit the 'Mozambican' neighborhood were all of Mozambican heritage themselves, having previously settled in the core, or were tied to Mozambicans by marriage. Other core residents of Mozambican heritage, however, did not visit the 'Mozambican' section any more often than their South African neighbors. While for residents of the 'Mozambican' section the village 'core' is therefore a relatively known and accessible space, the 'Mozambican' neighborhood remains largely unknown and closed off in the perception of South African 'core' residents, completing the image of spatial illegibility. This strategy by 'Mozambican' section residents is obviously facilitated by the convention against explicitly discriminating or mentioning difference, as outlined above. Superior knowledge of the dominant group's space is a common strategy through which marginalized groups maintain some, however limited, room for maneuver (Scott, 1990).

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[18] The movement and social connections mapping exercise was conducted with a total of 82 individuals in 41 households. However, only 74 individuals are analysed here, since 4 households (8 persons) were located in a new, small, 'mixed' section of Clare village where almost all interviewed residents had all their interactions and movements outside the village and so cannot be analysed in terms of intra-village spatial dynamics.

Finally, the third strategy for negotiating spatialised identities is to contest the relevance or value of ascribed characteristics such as legibility. Residents of the 'Mozambican' neighborhoods generally wish for better water and electricity services and often recognize the technical difficulties of installing these in a dense settlement. However, they draw different conclusions from leaders of the 'core' village about whether personal and spatial illegibility constitute the key characteristics of a 'good community.' Village leaders, in keeping with their legibilisation focus and the belief that more legible ways of living are necessarily better, have offered 'Mozambican' neighborhood residents opportunities to move out of their existing areas and take up newly demarcated stands in other parts of the village. In both Clare and Justicia, new village sections have been established in order to reduce crowding in the original Mozambican sections and to enable easier infrastructure provision. In both cases, mainly young people moved into the new areas. Older residents preferred to remain and to lobby the village leadership to find ways of bringing services to them. This collective response suggests that residents of the 'Mozambican' neighborhoods do not merely see themselves in terms of a *lack* – of legibility, of services, or of connection to the village 'core' – but also in terms of a positive sociality which they do not want to break up by dispersing out of their shared space. Golooba-Mutebi describes the high levels of mutual support and assistance in the 'Mozambican' neighborhood he studied, contrasting it with high levels of mistrust among South African residents of the same village (2004). This sociality is independent of personal or spatial legibility and links to ideas of 'cultural' (rather than bureaucratic and documentation-based) tradition and modernity.

7. Modernity versus Tradition

A similar discrepancy of perception concerns the value judgment attached to 'Mozambican' neighborhoods in terms of the dichotomy modernity versus tradition. There is general agreement among all village residents on the characteristics of 'Mozambicans' living in the enclaves. This includes characteristics mentioned above like less formal education and lack of ID documents, but also that Mozambicans 'like to plough' (cultivate fields to support themselves) while South Africans prefer working for wages, that Mozambicans have more children, dress more

conservatively, are more likely to respect the ancestors, drum through the night, and have stronger *muti* (traditional medicine). Such sentiments were captured in responses to an open-ended question in my survey, and come out strongly in informal conversations where the same phrases about ploughing, money, education and *muti* are regularly repeated.

The disagreement lies in the valuation of tradition versus modernity. As Golooba-Mutebi and Rodgers also discuss, many Mozambicans in the segregated neighborhoods value the connection and identification with tradition and disapprove of the modern South African ways, which are perceived to include disrespecting elders and ancestors, violent jealousies and spreading illnesses (Golooba-Mutebi, 2004; Rodgers, 2002). Traditionalism can be seen not only as backwardness but also as authenticity. Furthermore, there are South Africans who also value and respect tradition as authenticity, especially since it is seen as a shared 'Shangaan' tradition. This dimension of identity construction therefore illustrates how spatialised divisions do not need to reflect dichotomous oppositions of 'good' and 'bad' community but may be more ambivalent, even as the division itself is maintained (Massey 1994: 121).

These stereotypes are reflected in space. In all three villages, the 'Mozambican' section is the farthest from the road and the closest to the fields and communal wilds. Yet the value of the space is different for each group. While the residents of the 'core' village see the 'Mozambican' section as being on the periphery and far from amenities, at least some of the residents of the Mozambican section see themselves well-placed close to their fields, or the fields they work in for the South African owners, and to the communal areas for collecting medicinal and edible wild herbs and roots.

8. Status

Finally, village neighborhoods in Bushbuckridge, as elsewhere around the world, reflect images of socio-economic class and status. The image of spatially-defined poverty, furthermore, is strengthened by the spatially frozen memory of the

destitute state in which Mozambicans arrived in the villages in the 1980s. In spite of the many Mozambican-born people with IDs, education and jobs living among South Africans in the village 'core', 'Mozambicanness' as an identity descriptor remains associated with a subordinate class which is tied to space. The CDF Chairman of Clare (whose own father was Mozambican) expresses the class consciousness explicitly:

> You know those people, the Mozambicans, if you try to move [into their neighborhood] with them, it will seem you are not wise enough. When we can class ourselves, like in America, we belong to the first class and they belong to the second class, ja like that. I can't remember any one from South Africa who has ever done that [gone to live in the Mozambican section of the village].[19]

In reverse, young people, particularly young men who complete an education and have a job, often opt to express their status gain by moving out of the 'Mozambican' neighborhood in which they grew up, and by implication, divest themselves of the second class status. This was the case with three young men with whom I worked during my research, one in each of the case study villages. In Thangine, Mozambican-born Amos had been living with a South African family who shared his surname while he completed his secondary education, and when he got a job he immediately started building a house on a vacant stand in the middle of the village rather than close to his birth-family on the 'Mozambican' side of the village. In Clare, my research assistant Denis worked as a photographer, so he soon moved out of his mother's homestead in the 'Mozambican' section to stay with his South African photography business partner, although he continued to regularly visit and assist his mother and siblings. Finally, in Justicia, Phinius wanted to start a small business fixing cell phones with the money he had earned from the research, but he felt he first had to move out of Justicia B into Justicia A or neighboring mixed Lillydale before such a business would be viable.

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[19] Interview in Clare, 21 April 2004

9. Conclusion

This case study of divided villages in the border region of South Africa shows how a spatial analysis can add a crucial dimension to understanding migrant-host relationships and the integration process, specifically how both 'migrant' and 'host' group identities can be constructed in relation to each other and in relation to the spaces they respectively (are seen to) occupy. Without considering and carefully deconstructing the ways in which ideas of 'being Mozambican', 'being South African' and the 'good community' more generally are tied to and negotiated in relation to spatial divisions in the village, it would be difficult to understand the simultaneous far-reaching social, spatial and discursive integration between people of Mozambican and South African origin, and the maintenance of narratives about distinct identities and spaces.

Such an analysis of relational identity construction associated with distinct spaces must be empirical and not assume the relevance or valuation of potential boundary markers such as nationality or migration history. While this case confirms that "places and boundaries do matter" (Cresswell, 2002:20) to identity construction, including the identities of people who have moved across national borders, it shows how identity boundaries may in fact be constructed around issues such as legibility to the state, tradition/modernity and status, without any direct reference to national origin or migration history. Furthermore, the relevant spaces for identity construction may not be the space of origin versus the new space of settlement, or an interaction between a 'global' and a 'local', but may be divisions within the micro-spaces of the 'local.' This applies in a rural African village and not only in cosmopolitan cities or modern spaces of transit (Soguk & Whitehall, 1999). Finally, documenting the ways in which identity and space are linked is far from claiming any essential or natural link between the two. All of the (personal and spatial) identity boundary markers described here are inherently changeable and negotiable: legibility is conferred by the state and may be acquired from one day to the next, tradition and modernity are shifting ascribed values, and status is relative. While there are clearly contexts where migrant individuals carry status and identity markers with them through space – due to differences of race, physiognomy,

language or visible cultural behavior in relation to the dominant group in the new space – one cannot assume that there will always be such visible markers or what social meaning these markers will have.

Understanding the integration of migrants therefore also means understanding how social marginality is invested into a specific space, and the extent to which individuals can move out of that space and therefore move out of social marginality. The social value of such spaces is, however, rarely uncontested, and so it is important to document not only the ways in which individuals negotiate their identities and status by shifting in space, but also how individuals and groups negotiate to shift the status meanings attributed to their space.

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Conclusion

If refugee integration is a process of political negotiation, our ways of understanding it relate to how we understand other similar processes of political engagement and negotiation for legitimacy and rights. The case study of Mozambicans and South Africans in Bushbuckridge can be related to several often distinct debates on negotiated group interactions, depending on who is taken as the 'other'. The first is minority politics, as on their arrival in South Africa, Mozambican refugees (at least potentially) constituted a minority group in relation to South African citizens overall, due to their Mozambican nationality, experience of displacement and non-citizenship in South Africa. The negotiated relationship was therefore between a 'minority' and 'mainstream' society. The second debate can be called 'weapons of the weak' since the refugees were also marginal, poor residents of a distant but also interventionist state, a position shared in many (although not all) ways with their South African neighbours. Here, the relevant relationship is marginal groups in relation to powerful institutions like the state. Third is debates on nation-building, since this particularly significant form of relationship between populations and a state was in flux for all residents of Bushbuckridge, given its trajectory from an Apartheid 'homeland' to a part of the unified, democratic South Africa after 1994. The relevant relationship here is between populations and the projects of a 'national' political elite. Finally, theoretical approaches to identity group formation generally are relevant to understanding the subtle boundary dynamics between 'Mozambicans' and 'South Africans' in the context of the local district and village, not least because they are all 'Shangaan.' In each of these four spheres of political negotiation, Mozambican-born residents of Bushbuckridge stand in a different position of in- or outsider: as a (potential) 'minority'; as included within a broader marginal group of the rural poor; as either part of the nationalized population or its quintessential outsider; as one of two opposing identity groups. Showing the links between a case of 'refugee integration' and these different theoretical debates, I emphasise again my central contention that refugee

integration must be understood empirically, contextually, and as a process of political engagement, with no prior assumptions about the nature of the relationship between refugees and hosts or refugees and the state, and indeed without assuming that the refugees constitute a significantly bounded group at all or where these boundaries lie.

1. Minority Politics

This section on minority politics will be short because one of the striking, but not necessarily surprising, findings concerning Mozambican integration strategies in Bushbuckridge was that they did not constitute themselves as a political minority and did not use collective 'minority' identification and legitimation strategies to access resources and legitimacy. I will therefore only briefly outline why this was to be expected, given the context.

For a group to engage in 'minority politics' several conditions must be in place. First, the polity (and usually the wider society) must self-identify as being divided into a majority and (usually several) minorities, and must explicitly value (even if only rhetorically) the presence and rights of minorities. Second, there must be actual (or at least potential) spaces, or political opportunity structures (Ireland 1994; Martiniello 2005; Polzer and Segatti forthcoming), for groups identifying themselves as 'minorities' to engage with the state and/or with political decision-making bodies. Third, the group in question must recognise itself as a group and have enough internal coherence and organisation to put forward a leadership and a collective programme. Whether or not these leaders and this programme are actually representative of the larger group, they must be minimally recognised as such by majority institutions. Finally, minority politics rely on increasing the public visibility of a group as a strategy for claiming access to rights (whether the same rights as the majority or different ones), so this strategy must be considered (the most) effective means of gaining rights above other possible strategies (such as remaining invisible). None of these conditions were or are in place with regard to

Mozambicans in Bushbuckridge. More broadly, they are rarely in place for refugee or migrant groups anywhere, and not in South Africa specifically.

In the current international system of mutually exclusive nation-states, especially in democratic states, non-citizen residents (migrants and refugees) are excluded from most formal means of influencing (negotiating) the making of law and policy, including laws and policies which directly relate to and impact on them. In virtually all democratic countries, only citizens vote for representatives to the legislature of the country and in all forms of government there are very rarely non-citizens in either elected or appointed high government positions. This exclusion from formal avenues of negotiation is compounded for people who are not even recognised by the state (e.g. undocumented migrants), since they cannot begin to interact with formal bureaucratic channels unless there has been a prior political decision to enable recognition. There are organised movements of undocumented migrants in some countries, especially in Europe, but their abilities to have lasting political impacts are limited (Guiraudon 2001; Rodríguez 2004).

Many countries have strong lobby groups representing previous migrant groups, but who are now naturalised and seen as ethnic 'minorities'. South Africa does not have established naturalised migrant communities which politically constitute themselves as 'minorities'.[1] Black immigrants from the region, many of whom settled and naturalised in South Africa, were long forced to be politically invisible under the apartheid regime (both as national groupings and as a collective migrant voice), and South Africa's post-apartheid brand of nationalism has mitigated against a politically productive claim of minority status (Landau 2005). This is partly because South Africa, with its eleven officially recognised languages (as proxies for 'ethnic groups'), does not have a political culture of 'minority politics' for lack of a clear 'majority' culture.[2] Migrant concerns are generally represented by NGOs (almost invariably not staffed by the people for whom they speak), which seek to influence government policy and practice relating to migration, asylum and refugee

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[1] A possible exception is the Chinese South African community.
[2] Although Afrikaans-speakers are increasingly attempting to build a 'minority' discourse as a means of 'protecting minority rights' in the face of a racially defined majority.

law. From time to time there are specific 'windows of opportunity' for migrant groups to constitute themselves (across the highly fragmented terrain of nationality, class, legal status and levels of transience or permanence) and to speak to newly established public fora looking for representative 'migrants' to engage with, such as in the wake of the widespread civic violence against foreigners in May 2008 (Polzer and Segatti forthcoming). Such opportunities however are mostly short-lived and limited to urban spaces and previously politicised migrant individuals and small groups.

In the case of Mozambican refugees arriving in South Africa in the 1980s, none of the criteria for 'minority politics' applied or emerged later. The Apartheid government did not provide any space for formal engagement with (black) groups, least of all with people they considered illegal aliens and probable 'communists' and 'terrorists'. The Gazankulu 'homeland' government, as discussed in Histories, recognised the Mozambicans not as a minority but as a part of their own ethnic majority (e.g. Tsonga/Shangaan-speaking people). The refugees were mostly peasants without strong previous collective political organisation (apart from through village headmen and chiefs), and those with urban backgrounds and previous experience of labour migration to the more politicised mining and manufacturing areas of South Africa (where 'Shangaans' were often derided for being docile and strike-breakers, so anything but a self-conscious political group) generally had little contact with the peasants who settled in the rural border areas. Especially for urban-based refugees, invisibility was of paramount importance to prevent arrest and deportation. This imperative remained in place with the transition to post-Apartheid democracy from the early 1990s, when large-scale deportation of Mozambicans continued and in fact increased (see Changing Legal Frameworks). The political atmosphere was one of needing to overcome the ethnic divisions among Blacks fostered by Apartheid and on emphasising the rectification of past inequalities and injustices among citizens (primarily based on race and gender). There was no space in these discourses for either ethnically-based or refugee/migration based groupings to benefit from collective visibility. Changing Legal Frameworks and Histories set out the policy shifts post-1994 and responses to

them by Mozambican-born residents of Bushbuckridge, but even the specifically targeted 1999 Amnesty for 'former Mozambican refugees' did not result from or in a collective 'minority' identity.

The actual forms of political negotiation engaged in by Mozambican refugees in Bushbuckridge relied on small, individualised, informal and largely invisible contestations of 'the rules' of the state. "Where everyday resistance most strikingly departs from other forms of resistance is in its implicit disavowal of public and symbolic goals. Where institutionalized politics is formal, overt, concerned with systematic, de jure change, everyday resistance is informal, often covert, and concerned largely with immediate, de facto gains." (Scott 1985:33). This brings me to the next section which discusses a theoretical approach much more appropriate to understanding the actual negotiating strategies employed by Mozambicans and indeed all residents of Bushbuckridge in relation to the state.

2. Weapons of the Weak?

A key form of relationship negotiation explored throughout my study is the interactions between Bushbuckridge residents and the state. In Negotiating Rights I make the general point that the role of the state in refugee integration processes needs to be established empirically based on people's interactions with and interpretations of the actions of a state's local representatives, and not on the basis of abstract ideas about policy positions, or national or international laws. These local negotiations are particularly discussed in Changing Legal Frameworks in relation to the acquisition of identity documents, but also in Invisible Integration with regard to uptake of a government legalisation amnesty, and in Space with regard to the connections between identity documents and the formal demarcation of land. Finally, in Histories, I discuss the changing strategies used by Bushbuckridge residents through different time periods to engage with different iterations of the state.

These discussion relate to a theoretical field in the social sciences which looks at how less powerful groups, including the poor, the rural, migrants, refugees, etc. interact with a state and state-like institutions (for example the institutions managing a refugee camp) that seek to control them. I find James Scott's approach, famously entitled 'weapons of the weak', particularly useful. Scott describes these strategies as "the ordinary weapons of relatively powerless groups: foot dragging, dissimulation, desertion, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so on." (Scott 1985:xvi) One could add falsifying one's name and place of birth or pretending to be someone's relative in order to acquire citizenship documents. Scott's terms are all value laden with distinctly negative connotations, as the state or challenged institutions would see them (even though his actual discussion of these processes is very far from normatively attached to institutional value systems). If we take the perspective of the sub-altern, however, they become rational and relatively effective (given the limitations of the power imbalance) means of resisting externally imposed norms and material demands which are not seen as being in the interests of those affected.

There are at least two reasons why describing such strategies requires careful consideration for an academic studying refugee integration: they heighten an awareness of the choice of perspective(s), whether institutional and/or 'popular'; and they create ethical questions around 'revealing' locally functional but nonetheless informal and sometimes illegal practices.

The choice of perspective refers back to my discussion in the introduction (and in Negotiating Rights) concerning adoption or independence of policy categories and concepts when studying refugee integration. One of the effects of refugee studies' dependence on policy categories and priorities is that the field rarely engages critically with resistance to such categories or processes. The way in which Kibreab frames the question in his paper on 'Refugee Deceit and Trickery in Institutionalised Settings' (Kibreab 2004) is revealing. He notes that

> Within refugee communities, an act of cheating committed in pursuit
> of self-interest disregarding the interest of a relative, a neighbour or a

villager is considered to be disgraceful and inappropriate behaviour. The same act when committed against faceless entities such as governments, UNHCR and NGOs may often be considered heroic. The central question [is]: why do refugees behave under two different moral systems with different actors and how should this problem be solved? (Kibreab 2004:1)

By presenting the issue as moral, calling strategies of misrepresentation towards an institution 'cheating', and seeing it as a problem to be solved, Kibreab takes the necessity and legitimacy of the institutionalised setting for granted. He cites examples of extreme measures taken by institutions to manage 'difficult populations' (such as "the use of enclosures into which refugees are herded in order to be counted (cited in Hyndman 2000: 130)"(Kibreab 2004:2)) simply as evidence that 'cheating' is widespread, rather than as evidence that there is something problematic with the institutional setting. Although Barbara Harrell-Bond, the doyenne of Refugee Studies and in many ways a key representative (and shaper) of the field's approach and self-conception, responds to Kibreab in the same edition of the Journal of Refugee Studies with a short piece entitled "Weapons of the Weak" (at least suggesting a knowledge of this literature), she does not actually use Scott's less normative approach to engage with and substantively critique Kibreab's article.

To return to Kaiser's quote also used in the introduction, "refugee groups have no choice but to assert themselves and respond to their new environments. Such a response is made not only in terms of their legal, material and subsistence statuses, but also in relation to their individual and collective subjectivities, identities and all aspects of their existential experience." (Kaiser 2008:376, emphasis added) Scott gives us important non-normative tools for looking empirically at the individual and collective subjectivities relating to legal (and other institutional) statuses, and for thinking about the subtle and sometimes not too subtle ways in which refugees 'assert themselves and respond to' the institutional environment which attempts to impose such statuses.

Such an analysis is not only important for gaining a complete picture from the 'popular'/ people's/refugee perspective, but it is also necessary for understanding why institutional programmes and policies or 'certain schemes to improve the human condition', have failed, as Scott taglines his 1998 book. Scott uses the metaphor of a coral reef, made up of millions of tiny polyps which nonetheless may sink the largest ship, to emphasise how the 'ship of state' may run aground on such forms of resistance (Scott 1985:xvii). This is another instance, with Bakewell (2008) and Jacobsen & Landau (2003), where research which does not start from a policy category position results in findings which are crucial for a real understanding of what kinds of interventions might actually work to 'improve the human condition.'

Particularly interesting to me are the processes of resistance to state attempts to 'legibilise' populations, using another of Scott's useful concepts (Scott 1998). Processes of bureaucratic legibilisation have been discussed widely in the literature on refugees in camps or affected by large-scale relief and assistance programmes, usually as part of the literature on labelling (Harrell-Bond 1986; Zetter 1991; Van Damme 1995) rather than in reference to Scott's work per se, but this perspective has rarely been applied to the longer-term process of migrant integration. Legibilisation, according to Scott, is the process through which the state seeks to make populations (and territory) bureaucratically manageable by capturing them through unified measurements, standardised systems, statistics, etc. Scott argues that bureaucratic standardisation, even as it makes service provision possible, simultaneously undermines locally specific, socially appropriate and flexible mechanisms for meeting social needs. This is not least the case because it reduces multiple and flexible ways of categorising people into fewer, simplified (and often dichotomised) categories. In the eyes of the state, you are either a citizen or you are not. You only have one surname, and only one place of birth. Scott argues that bureaucratic legibilisation is always resisted in some way by captured populations because it challenges the interests of local actors in retaining control over populations and because it is inevitably connected with extractive demands by the state (taxes, trade control, movement control, production control, etc.). I would add, coming from the perspective of negotiated outsider integration, that

bureaucratic legibilisation is resisted because it reduces people's flexibility in strategically and situationally defining/negotiating their individual and collective identities, precisely by using several surnames and claiming different places of birth and therefore different loci of belonging.

The modes of negotiaton for legal status which I describe in Changing Legal Frameworks parallel Scott's comparison of formal and informal strategies for achieving the same ends in relation to powerful and institutionalised interests (in his case, in relation to peasant agriculture in Malaysia). Scott compares squatting with land invasion, military desertion to mutiny, pilfering of grain rather than open attack on grain stores aimed at redistribution of property (Scott 1985:32), while I compare the small-scale, individual strategies for getting IDs (name changes, 'adoption' by neighbours, using election registration drives) with participating in organized programmes of legal change or indeed trying to initiate legal changes. In both cases, the 'everyday forms of resistance' are more effective than the formal, open forms of engagement. Secondly, the informal processes simultaneously depend on and reinforce "a supportive subculture" among the marginal, given "the knowledge that the risk to any single resister is generally reduced to the extent that the whole community is involved" (Scott 1985:35). In a situation like Bushbuckridge, where the resistance demands collusion between sub-groups among the marginal (e.g. 'Mozambicans' and 'South Africans'), the process of resistance itself, and not just the documentary outcome, becomes a means (and indicator) of integration.

Scott's analysis of the common elements of the 'weapons of the weak' shows why they are so prevalent and also so difficult for institutions to control. "They require little or no coordination or planning; they make use of implicit understanding and informal networks; they often represent a form of individual self-help; they typically avoid any direct, symbolic confrontation with authority" (Scott 1985:xvi). Furthermore, even though the scale and prevalence of participation in such forms of resistance make it "plausible to speak of a social movement… this is a social movement with no formal organization, no formal leaders, no manifestoes, no dues, no name and no banner. By virtue of their institutional invisibility, activities

on anything less than a massive scale are, if they are noticed at all, rarely accorded any social significance."(Scott 1985:35) Finally, "It is only rarely that the perpetrators of such petty acts seek to call attention to themselves. Their safety lies in their anonymity. It is also extremely rare that officials of the state wish to publicize the insubordination. To do so would be to admit their policy is unpopular [or inappropriate], and, above all, to expose the tenuousness of their authority in the countryside – neither of which the sovereign state finds in its interest." (ibid). I have quoted Scott at length here because his words very closely describe the nature of many interactions between Bushbuckridge residents (of Mozambican as well as South African birth) with the state, particularly around the acquisition of identity documents. This is by no means unique to Bushbuckridge, of course, but also reflects the various ways in which refugees in other self-settled (often border) contexts access documentation (Bakewell 2000; Hovil 2002; Bakewell 2007).

The same characteristics that make such strategies effective, also explain their relative invisibility in the literature and show how difficult they are to study, even when explicitly on the lookout for them. The particular characteristic that they embarrass the state, however, also has ethical implications for those researchers who do 'uncover' such strategies and who do make them 'visible'. As I have written elsewhere, an element of 'weapons of the weak' is "the ways in which the vulnerable work to stay invisible to the 'powers that be' by hiding and obscuring identities and activities that the state or other powerful institutions prohibit. Invisibility is therefore a survival resource for many displaced, including, for example, many urban refugees in Africa or 'failed asylum seekers' in Europe… Academics who lift this veil in the name of illuminating 'creative livelihood strategies' or 'flexible identities' may inadvertently be alerting powerful states, the UN, or NGOs to the ways in which their rules are circumvented, and thereby reduce the space for life-saving creativity and flexibility in remaining invisible." (Polzer and Hammond 2008:418) In the case of the Mozambican-born in Bushbuckridge, the ethical dangers of 'exposing' creative identity negotiation strategies is relatively low, as this border area and this group of migrants is (no longer) particularly politicised or on the state's or broader public's investigative radar. At the local level,

these practices are well known and normatively accepted. Most local leaders and local government officials are in various ways complicit, making their description neither revelatory nor indicting. This relatively benign political situation may however change in future and so the decision to write such an account remains a judgement call for any author.

Moving on from my consideration of the petty (but collectively momentous) actions of the marginal to undermine and evade institutional strictures (and the ethical implications of revealing these actions), a key part of understanding responses to legibilisation attempts is what meanings people attach to the categories and instruments of control imposed by the state. A brief commentary on the meanings of identity documents closes this section and links with the next section on nation-building.

Given the centrality of identity documents (including passports, residence permits, refugee permits, asylum permits, etc.) in the lives of migrants, and the sometimes life and death (or life and deportation) scenarios which depend on whether one holds a particular piece of paper or not, there is a surprising dearth of critical and interpretative scholarship on identity documents in migration and refugee studies, e.g. writing which goes beyond the administrative hurdles people face in accessing papers. In Changing Legal Frameworks I trace the processes through which Mozambicans accessed identity documents, but I also note how their decisions of when and how to access documents, and in which names, reflect ideas about political allegiance, family relations and bases for entitlements to services which are irrelevant or run counter to the state's understanding of its documentation. In my case, virtually none of my respondents perceived their identity documents, no matter how procured, in purely strategic terms; there was always some level of identity claim and emotive significance attached to the object and its symbolic referent. The few pieces of existing scholarship on this issue also engage with the distinctions between symbolic and strategic meanings (Bakewell 2007; Takabvirwa 2009), and, in their variation of findings (not least related to the differences of state-population contacts in different contexts such as rural borderlands or cities),

emphasise once again the need for careful empirical study of all aspects of negotiated integration.

In Bakewell's discussion of how borderland residents of the Zambia-Angola border feel about their documentation, "a very striking contrast was observed between the perspectives of the state and those of individuals on the use and meaning of papers. The former tended to see these papers as symbols of nationality and residence that people should feel privileged to hold. While some of the villagers took a similar view, others focused on the function of identify papers – what difference having (or not having) a set of papers makes to what you can do or not do." (Bakewell 2007:1)

In contrast, moving beyond the mostly strategic, Takabvirwa's study of Zimbabweans in Johannesburg takes a "view of documentation not only as a factor in access to services, but as a means of access to ways of being, and as an instrument of state control. It examines the relationship between identity documents and identity itself…In asking to whom identification documents actually belong and how this ownership is understood, claimed, and negotiated by migrants, the question arises: who determines the boundaries of belonging and the extent and nature of their fluidity? Ultimately, to whom does the state belong?" (Takabvirwa 2009:8) This evocative question brings us to the next section of this conclusion, which looks at how my study, and questions of migrant and refugee integration generally, speak to the larger literature on nation-building and national identity formation.

3. Nation-building, National Identity Formation and Immigration

The question of how migration relates to national identity and the nature of nations is particularly topical in the early 2010s. Global political and economic shifts have re-energised debates on immigrant integration and national authenticity in many European host countries. Yet how does this question play out in a southern, multi-

cultural context such as South Africa? Moreover, how are migration/refugee integration and nation linked in a context where the question of national authenticity is still very much up for grabs? Finally, how is 'national identity' lived in a peripheral border area with a cross-border ethnic group, especially when on one side of the border this ethnic group includes both refugees and citizens?

Nation-building processes are inherently about establishing a boundary between insiders and outsiders and about managing relationships among a country's diverse groups of insiders. Theories of nation-building which follow a Barthian perspective posit that the boundary between in- and outsiders is in fact a necessary prerequisite for the creation of a shared identity and therefore the management of internal diversity. In most cases, the relevant 'Other' for boundary construction is nations outside the respective territory. Immigrants also may constitute an 'Other within', therefore playing an important, if often under-acknowledged, part in the definition of national identities (Triandafyllidou 2001). This section therefore looks at the ways in which the presence of Mozambican refugees fits in with the processes of nation-building in Bushbuckridge, and how this relates to what theories of nation-building and immigration would have us expect.

As with my overall approach to refugee integration, my contribution to the nation-building discussion is less about what conditions or structures facilitate or hinder it, but rather what actors and processes, e.g. what relationships, are involved. Most analyses of nation-building processes, including in post-colonies, focus on global, inter-'national' or national structural imperatives and elite-driven processes, and do not document the specificities of local versions of national identity. My Bushbuckridge case study suggests that what is called 'national identity', and its boundaries, cannot be taken for granted for all residents of a national territory but are made up of a multitude of localised interpretations and invocations of the 'national.' Furthermore, reference to the 'national', including standardized images of 'national' identity adopted wholesale from elite or media representations (as is the case in Bushbuckridge), can be used by local leaders and residents to justify and solidify local notions of in and outsiders at the periphery (for example, to include Mozambican Shangaans as insiders on the basis of race, history and ethnicity), even

if these notions are counter to how the boundaries would be drawn by leaders and residents in the national centre (to exclude them on the basis of citizenship). Just as 'top-down' accounts of ethnic identity formation have recently been revised to include more 'complex' considerations of popular interpretations and initiatives (Niehaus 2002; see also Histories in this collection), so I believe this study supports the need for accounts of national identity formation to pay greater attention to the variety of popular perspectives (Chipkin 2007).

After a brief review of theories of national identity formation, including valuable localised perspectives from border areas, I discuss how debates on South African national identity formation, notably regarding to the position of 'foreigners' in the South African polity, have been waged and how these have been reflected in Bushbuckridge. This description of local forms of identity formation based on 'nationality' links in with the final section of this conclusion about broader debates on identity group formation.

Benedict Anderson's classic analysis of the construction of national identities as "imagined communities [which are] inherently limited" presents grand elite-driven narratives of historical change in territorialisation; religion; language; capitalism; print technology; conceptions of time; etc. as the foundation for an eventual, more or less global, shift from segmented societies to those based on a 'unified' 'national' identity (Anderson 1991). Other theorists propose similarly broad historical trends and technologies, such as industrialisation and modernisation, as the basis for the spread of nationalism (Gellner 1983; Hobsbawm and Ranger 1983). Smith looks at national identity as a cultural phenomenon with key characteristics ("language, sentiments, symbolism") (Smith 1991:vii), rather than key processes. As good historians, these authors document the details of these transformations in specific times and places, and to some extent how different 'nations' established themselves at different times. However, they do not dwell on the variations from one local place to another or on the ways in which the populations 'receiving' elite national ideologies interpreted them (apart from stating that they took them seriously enough to die for them in large numbers).

A widely held (tautological) take on African nationalisms is that the "people came to be defined and produced in and through the politics and culture of nationalist struggle", e.g. struggles against a colonial 'Other' (Chipkin 2007:2). This does not allow for much consideration for different forms of struggle or indeed other relationships within the 'national' territories and imaginations, apart from the oppressive coloniser. Anderson does discuss how anti- and post-colonial nationalisms had a different genealogy, and but not necessarily structurally different materialisations, from "that of the dynastic states of nineteenth-century Europe" (Anderson 1991:163). He again generalizes about how the colonial state's (elite) technologies (census, map and museum) helped to shape these specific (elite) post-colonial nationalisms (Anderson 1991:163ff). Chipkin notes that "critical studies on African nationalism" are not part of the general growth in academic concern with nation and nationalism since Anderson and Smith's late 1980s/early 1990s classics (Chipkin 2007:1).

Some (political) anthropological work on African (and other) borderlands and the interpretations of national identity in such frontier spaces is a useful corrective to such generalising approaches. In border contexts, which are recognised to "often have a critical impact on the formation of nations" (Wilson and Donnan 1998:3), we are reminded "that nations and states, and their institutions, are composed of people who cannot or should not be reduced to the images which are constructed by the state, the media or of any other groups who wish to represent them." (Wilson and Donnan 1998:4) Borderland researchers acknowledge that there is great variation among border communities, including in their relationships with their respective states and national imaginings (Nugent and Asiwaju 1996; Wilson and Donnan 1998). As one of many existing attempts at classification, Wilson and Donnan identify three types of border populations, depending on their ethnic identities: "(i) those who share ethnic ties across the border as well as with those residing at their own state's geographical core; (ii) those who are differentiated by cross-border ethnic bonds from other residents of their state; and (iii) those who are members of the national majority in their state, and have no ethnic ties across the state's borders." (Wilson and Donnan 1998:14)

Bushbuckridge would fit more or less into category two, as Shangaan-speakers in South Africa are generally considered marginal and sometimes equated with being foreign due to their association with Mozambique (see Histories). A problem with such classifications, however, is that they rarely assist in predicting (national) identity outcomes based on such group configurations. Options for category two could include cross-border identifications up to secessionist politicization or, at the other end of the spectrum, a particularly strong identification with the core and rejection of cross-border links in order to forestall core discrimination. Such classifications are therefore not really contributions to (causal, predictive) theory. In terms of empirical academic studies (in contrast to attempts at generalising theory), descriptions of borderlands where ethnic groups span the state border tend to focus on the fragmentary, hybrid and/or strategically variable nature of borderlander national identities (Bakewell 1999; Vila 2000; Connor 2003; Bakewell 2007).

This story of hybridities does not apply in Bushbuckridge. What needs explaining is the clear identification with only one nation (in this case, South Africa), by both Mozambican- and South African-born residents. Similar identity outcomes in a co-ethnic border zone, albeit with a different historical background, are documented by Hann & Beller-Hann in north-east Turkey (1998). In their case, as in mine, while cross-border links are acknowledged, the borderland populations' imagined value systems and futures are clearly tied to only the one nation. Furthermore, as I discuss in Space, the idea of modernity versus tradition is a significant line constituting national difference. Beyond such case studies, however, there is as yet no clear theoretical framework from border studies which would tie different borderland constellations to national identity outcomes.

Moving from the broader literature to the South African case, the nation-building process in South Africa has in many ways been a classic example of Renan's quip that "the essence of a nation is that… everyone has forgotten many things." (Renan 1990) This is especially the case because the first part of his criterion for a nation, that "all the individuals have many things in common", is less true, or at least that part of South Africa's post-1994 national narrative is the need to build a nation in

spite of its various populations being seen to have very little in common. Given this starting point, the focus of South African nation-building discourses is on melding a unified whole across internal boundaries, e.g. the divisions among South Africans, with a particular obsession with racial divisions (vis Government of South Africa 2011). The national motto is 'United in our diversity.'

The external boundaries of South African national identity are relatively rarely explicitly debated. They are, however, reflected in and constituted by discourses and practices of xenophobia and xenophobic violence (Landau 2005). I have argued elsewhere that the internal logic of the South African nation-building discourse has defined the external boundaries in a way which has made black non-citizens the outsiders and has led not only to their exclusion but to their victimisation (Polzer 2005). This is because of the two vehicles which have been especially powerful in constructing a unifying South African national identity: the evocation of a shared history of struggle and the entitlements of citizenship.[3] These broad criteria of inclusion, which embrace cultural diversity and respect for human rights and are embedded in a highly inclusive Constitution which sets out rights for 'everyone' and not only for citizens, have the potential to include respect for refugee and immigrant rights and to include those neighbouring peoples who share languages, cultures and histories with South Africans. However, this potential has only been realised to a very limited extent in the national context.

The national historical identification process with the 'struggle' has focused almost exclusively on internal reconciliation, with little popular acknowledgement of the role of neighbouring states in the liberation struggle and the regional damage caused by apartheid destabilisation (Polzer 2005; Chipkin 2007). Secondly, the entitlement of citizens (especially 'previously disadvantaged' black citizens) to the material resources of the state, such as through public housing, social welfare grants, and employment (Polzer 2005), has translated into a sense of competition for state resources (e.g. 'service delivery') and jobs. What elevates this sense to a

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[3] Other national issues, such as land redistribution, have not been related to immigration, although competition between locals and refugees/immigrants for land has been a central problem in other countries.

component of the nation building discourse is that such resource related xenophobic sentiments are high among South Africans of all classes and race-groups (Crush 2000; Mattes, Taylor et al. 2000; Harris 2001; Landau, Ramjathan-Keogh et al. 2005; Crush, McDonald et al. 2008; Misago, Monson et al. 2010) and not only or even mainly among the poor where actual competition may to some extent exist.

Given this literature on nation-building, African nationalism, borderland national identities and South African national identity in the making, what would one expect to find in Bushbuckridge? Unemployment is extremely high and there is a high dependence on social welfare grants, so one might expect citizens to make strong resource competition arguments against the inclusion of 'foreigners'. Secondly, the 'local' Shangaan are a small and disregarded minority in relation to South Africa's core polity while Shangaan in southern Mozambique are much more politically dominant. The image of the 'Shangaan' as backward and foreign has in fact been part of a kind of intergenerational South African national awareness through popular children's books (like Jock of the Bushveld), and when African foreigners were violently evicted from informal settlements around the country in May 2008, the rhetoric used included targeting 'Shangaans'. South African Shangaan-speakers are therefore dangerously implicated in this violent process of national boundary demarcation. As noted above, one might therefore expect South African Shangaan-speakers to either reject the nation which belittles them and seek to relate to the neighbouring nation in which they are stronger, or else to reject and draw boundaries against the 'foreign' Shangaan-speakers which could be seen as undermining their claim to authentic South Africanness. A third option predicted by the literature would be for both South African- and Mozambican-born borderland residents to hold a hybrid strategic identification with both the cross-border Shangaan ethnicity and the materially useful South African nation. A final option, taking us back to the most general and spatially undifferentiated theory on nation-building, would be for residents of the borderland to simply reflect the same national identity characteristics and boundary markers as all other South Africans (although this would still require an explanation of how the Mozambican-born

come to accept and be accepted into this nation).

In fact, none of these are the case, even though on the surface it might seem that the final option of unified nationalism is closest. This suggests that we have not yet gone beyond empirically describing individual cases towards a more generalisable theory of national identity formation which can capture the experiences and interpretations of marginal border groups and integrating migrants/refugees. To bring in some of my empirical material which has not yet been published, my surveys showed that both South African- and Mozambican-born residents expressed a remarkable similarity of highly standardised indicators (e.g. collective national identity markers) about 'what makes South African different from other countries.' These included freedom, peace, being a rich country, being known internationally, being a rainbow nation, etc. When asked to name the most important South Africans today and in the past (a shared sense of history), almost all named the same names (Presidents Mandela and Mbeki, Trevor Manuel, Chris Hani, Oliver Tambo, Winnie Mandikizela Mandela, Steve Biko, etc.). Such standardisation is not obvious, given Bushbuckridge's remoteness and the possibility of naming key Shangaan/Tsonga figures rather than key national (largely ANC) figures. It confirms, also, the strength of identification with the dual themes of liberation struggle (ANC leaders) and 'service delivery' (Trevor Manuel was the high profile Minister of Finance at the time).

Traditional indicators of national identification also reflect a strong sense of attachment to the South African nation. 52 out of 57 respondents said they would verbally defend South Africa publically and eleven would also defend South Africa with their lives (including five Mozambican-born and six South African-born). Almost all Mozambican-born respondents said they wanted to be buried in South Africa and for their children to stay in South Africa. In both groups there was strong support for the maintenance of a border between the two countries, with two-thirds of Mozambican-born and three-quarters of South African-born for the border. Arguments by those against the border were all about the wish for generic freedom of movement and social interaction ("No, we must have peace as we are in the earth, must interact with people outside South Africa"), rather than specifying a

desire to move within a particular ethnically defined territorial cross-border area. Both South African- and Mozambican-born respondents also used the same arguments for the border, primarily "because you will know where one country ends and the other country starts" (mutually exclusive territories), "so that every leader of a particular country can control his people shown by the borders they the people belong to him" (mutually exclusive populations), and "to reduce crime and disloyalty of the people who pass through" (distrust of the Other). Finally, only nine out of 57 respondents believed that dual citizenship should be allowed (six of these were Mozambican-born). The statements made against dual citizenship are actually the strongest indicator for how deeply an exclusive national identity, rather than a hybrid, strategic or transnational one, has become entrenched in these villages of Bushbuckridge – without significant distinction between those born in the area and those born across the border. Here is a selection of statements repeated by many respondents with only slight variations:

- It is impossible because you are one person
- It is impossible to live in two countries
- One person cannot serve two kings
- You cannot build two houses at the same time
- You won't be buried in two countries
- It's like a woman, she can't have two husbands
- Because we want to make sure where they belong

Another common theme was that people with two citizenships would be able to commit crime in one country and then escape to the other. Overall, these statements reflect a deep suspicion of dual loyalties. Of course the arguments are factually arbitrary, as shown by the responses for dual citizenship, some of which directly contradict the (gendered) naturalisation of the nay-saying value systems: "Men can marry two wives, that means you can stay in two countries at the same time." Many people, especially in communities like Bushbuckridge with high levels of circular labour migration, do build two houses at the same time. And historically, as noted in Histories, loyalty to a specific Chief or King was not absolute in the lowveld area. The strength and naturalising tone of national identification (as

expressed through the rejection of dual citizenship) is therefore a rather curious and unexpected finding in this specific location, although national identities are of course generally naturalised (Anderson 1991). In Space, Histories and Changing Legal Frameworks, I have also described more narrative examples of how 'South Africanness' is claimed and proclaimed by Mozambican- and South African-born residents of Bushbuckridge.

Where national identification in Bushbuckridge diverges from the logic of much (although certainly not all, since there are clearly also variations in the rest) of the country, is not in the content or strength of national identity, but in the theoretically much more significant question of boundary construction. This is the aspect of national identity formation I have covered in most detail in the chapters/papers which make up this thesis. Whereas the rest of the country uses the content of national identity to draw a line excluding most foreign-born Africans from legitimate membership in the society and therefore from access to public goods, I argue in Histories, Changing Legal Frameworks and Space that the Mozambican-born in Bushbuckridge were clearly included as legitimate members (Polzer 2004). This is because the national imaginaries were augmented with other – local – values, primarily to do with tradition and modernity. This has also led to different imaginary timelines for the constitution of 'insiders': the new 'South African' nationalism is seen to relate explicitly to a post-1994 black-ruled era, while the local discourse of tradition and modernity as a boundary of 'national' belonging has a longer genealogy which does not see 1994 as a necessary historical break. In the context of Bushbuckridge, therefore, it is not clear that there is an external 'Other' informing the development of a national identity. If not, then where are we left in terms of theories which posit the necessity of such an 'Other' for the formation of any identity?

4. Identity Group and Boundary Construction

This conclusion thus culminates in a discussion of theories of identity group construction, the most basic ingredient of an approach to integration centred on negotiated relationships. Although Neumann's comment relates to integration in the context of international relations and nationalism, it applies to other levels of group integration as well: "The lineation of an "in-group" must necessarily entail its demarcation from a number of "out-groups," and that demarcation is an active and ongoing part of identity formation. The creation of social boundaries is not a consequence of integration; rather it is one of its necessary a priori ingredients." (Neumann 1999:4 referring to Durkheim 1964:115-22, emphasis in original)

If integration is about the processes of moving from being an outsider to being an insider, then the definition of what constitutes insider- and outsiderness, and especially the character of the boundary between them, determines to a large extent whether and how an individual or group can cross the boundary. Outsider integration processes therefore are a manifestation of the nature of group identity per se, as well as a manifestation of the character of any particular set of groups. It is, one could say, the quintessential form of 'cross-boundary transaction' (Cohen 2000:1). Second, given the multiplicity of ways in which any group can decide to identify itself (e.g. as Shangaan, South African, African, black, traditional, rural, oppressed, indigenous, etc.), negotiated integration of 'newcomers' poses the question of which aspects of group identity are triggered (if one thinks of the process as somehow 'automatic') or mobilised (if it is conceived of as more strategic). Crucially, thirdly, my argument is that, in addition to manifesting existing group characteristics, the processes involved in integration include actively creating and rearranging the politically relevant and identitive aspects of in- and out-groups and the boundaries by thematising and sometimes changing these more or less explicitly. Finally, my case study, I believe, requires us to think about "the limits of self/other perspectives, as well as about ways to soften the reifying tendencies of applying self/other perspectives." (Neumann 1999:xiv). Thinking about group

identity formation processes from a perspective of 'integration' therefore simultaneously reflects, selects, changes and challenges the binary oppositional nature of relational identity construction.

The reflection of existing group characteristics and boundaries through confrontation with the Other is well established in both the general literature on (ethnic and national) group identity construction (Barth 1969; Cohen 1985; Eriksen 1993; Said 1995; Neumann 1999; Cohen 2000:1) and in those elements of the literature on migrant integration which critically evaluate, rather than take for granted, the (changing) nature of the host society (Zolberg and Long 1999). Moving beyond that simple notion, however, there is less clarity in the literature. Specifically, in relation to the selection of which identity characteristics become politically relevant in the face of the Other, and are therefore used to construct a boundary (and indeed to define whether newcomers are Other or Us), there are few satisfactory general accounts.

A 'segmented' conception of ethnic identity, in which closeness and distance between different groups is established in layers moving outwards, like an onion (Eriksen 1993:25 ff) is a well-established idea in anthropology. Thus, an individual can see themselves as a member of different groupings at different levels of aggregating (of a clan, an ethnic group, a regional group, a nationality, etc.), each higher level incorporating the Others of the preceding level. Such an account, however, tends to assume that kinship, language, nation and religion are paramount identity boundary markers, that they stand in some hierarchy, and that (at least in a particular place and time) the order of hierarchical element remains stable (as in the metaphor of the onion with stable layers). One problem with such understandings of layered identity circles is that they suggest a naturalness or inevitability about the identity markers and their ordering. According to this logic, one would expect Shangaan-speaking Mozambicans (and Ndebele-speaking Zimbabweans) to be considered more part of 'us' among (black) South Africans than French-speaking Congolese or white European immigrants. This is indeed often the case in relation to Congolese and other African immigrants from beyond the Southern African region, but white immigrants are excluded from the dominant

xenophobic discourses of both black and white South Africans (REF) while Shangaans, as already mentioned, were included in the targets of violence against foreigners in May 2008. Second, the image of concentric layers does not help us understand the historical incorporation of 'Shangaans' as second class South Africans, therefore both within and continually on the border of the 'national' group. The discussion of 'segmented assimilation' below addresses this to some extent. Finally, the concept of identity layers does not help explain examples such as Bushbuckridge (which is certainly not unique) where shared ethnic identity is used to incorporate newcomers into a national identity without ethnicity either preceding or superseding that national identity.

As an alternative to layered 'segments', authors such as Eriksen note that boundaries may vary contextually, structuring who it is permissible to play soccer with, to vote for, or to marry (1993:26). This is useful as an injunction to be conscious of the exact contexts and interactions in which newcomer integration occurs. Since I did not use an ethnographic methodology, I was not able to record all the subtleties of interpersonal interactions and therefore situational boundary constructions between (and among) South African and Mozambican-born village residents, and I have not yet been able to publish an analysis of the situational questions I asked in my questionnaires regarding levels of inter-group trust and interactions. I have alluded to some of the contextual detail my methods did reveal in Space. I have also described situations in which Mozambican-born residents of Bushbuckridge were able to use links from one context (such as mutually supportive family and clan/surname links) to negotiate boundary crossing in other contexts (such as acquiring identity documents from the state). Beyond the importance of the empirical and situational study of boundary processes, and a clear definition of the scope of the empirical time, space and relational context being studied, the contextual approach to identity boundary construction still provides little clarity on how certain characteristics become boundary markers and not others.

Concerning the 'how' of identity characteristics definition, my focus on negotiation illustrates the importance of studying the process of identity boundary construction

and not only the outcomes. Thinking about identity group construction processes from the perspective of integration therefore means looking at how identity boundaries are actively changed by people participating in the integration negotiation process. The first step in this is identifying how each 'side' of the boundary understands the nature of the boundary. As Cohen points out, "the cultural differences which discriminate people on either side of a boundary are not just matters of degree or relativity (powerful/powerless; central/peripheral; authentic/ inauthentic…) but of kind: each party sees different issues as being at stake, or the terms in which they perceive them may be incongruent and incommensurate." (2000:2) Even if the boundaries are defined in commensurate ways, the multiple characteristics which define or potentially define the boundary may be debated. My case study suggests some generic forms of boundary changing through negotiation: newcomers appealing to established residents to value particular identity characteristics over others (e.g. ethnicity over nationality, traditional values over legal status, etc.), for example. I have not been able to consistently analyse my findings (and those of others) according to this question, but it would constitute a valuable avenue for future work.

Finally, most interesting to me are the implications from my case study which relate to literature which moves beyond what one might call a 'pie-graph' metaphorical model: a social 'universe' within which there are mutually exclusive in and out-groups (usually two, but sometimes more) with a simple, straight boundary 'line' in between. What are the implications of challenging the binomial oppositional identity group construction model? This model has been challenged in several ways, although mostly with reference to 'Northern' contexts in which racial or ethnic 'minorities' and immigrants who are seen as "bearers of an alien culture" (Zolberg and Long 1999:8) engage with a dominant 'majority' society which is largely taken for granted. I will briefly look at how three approaches ('defining boundaries', 'segmented assimilation' and 'racial-ethnic self-schema frameworks') might be relevant to my southern, co-racial, co-ethnic but nonetheless multiple-identity-group-hosting context.

Firstly, there is a recent literature on the nature of social boundaries which emphasises that "boundaries are not all alike and that boundary-related change cannot be conceptualized in terms of a single set of processes." (Alba 2005:21). Zolberg and Long (1999) distinguish three types of process: boundary crossing, blurring, and shifting. They are distinguished by different levels of change in the structure of the dominant 'host' society character. Boundary crossing by individuals "leaves the distinction between insiders and outsiders unaffected" (Zolberg and Long 1999:8) as only the individual immigrants change their attributes to match the majority identity markers (such as language or religion). Boundary blurring and boundary shifting, in contrast, affect the structure of the host society by changing both the members and the characteristics of membership of the dominant in-group. Blurring is based on the "tolerance of multiple memberships and an overlapping of collective identities hitherto thought to be separate and mutually exclusive." Boundary shifting occurs when the in-group boundary is "relocated" either to include or exclude new sets of members (Zolberg and Long 1999:9). While Zolberg and Long suggest a hierarchy of boundary changes, with boundary shifts the most significant structural change for the host society, I would argue that boundary blurring is actually a more significant qualitative change in the nature of the boundary itself (rather than in the composition of population groups constructed by a boundary), and therefore in the nature of society in general. Boundary blurring enables a much wider range of identity and relationship negotiations, including those which reduce or deny the salience of boundaries entirely. Alba also emphasises this in his distinction between 'bright' and 'blurry' boundaries, where 'blurry' boundaries involve "zones of self-presentation and social representation that allow for ambiguous locations with respect to the boundary." (Alba 2005:22)

The second and third perspectives which challenge 'pie-graph' group identity conceptions also partially transcend the dichotomy of in and outgroup, even as they simultaneously reify them. These 'segmented assimilation' (Portes and Zhou 1993; Portes and MacLeod 1996; Portes and Rumbaut 2001) and 'racial-ethnic self-schema frameworks' (Altschul, Oyserman et al. 2008) literatures from social

psychology and sociology traditions respectively look at "racial-ethnic identity in terms of both relationship to one's in-group and perceived relationships between the in-group and broader society", with particular focus on the relationship between the strength of group identity and 'assimilation trajectories' for second generation 'minority' immigrants to developed countries (Altschul, Oyserman et al. 2008:303).

These approaches reify group boundaries by having all the problematic 'communitarian' assumptions about unchanging, homogenous and unreflected 'mainstream norms' and majority identities noted in my introductory chapter, e.g. only minorities have racial-ethnic identities which need explaining and which are therefore a priori bounded from the 'majority'. On the other hand, the 'segmented assimilation' approach posits an interesting triumvirate of "racial-ethnic identity patterns" - "thin", "bicultural" and "thick" - which (implicitly) proposes three-dimensional variance in boundary salience: strength, exclusivity and positive/negative valuation of boundary crossing. In the case of "thin" identity, "youth following this assimilation trajectory identify less with their culture of origin and more with being simply American[4], resulting in decreased in-group focus", while "bicultural" "selective assimilation" involves "maintenance of a strong in-group identity… in combination with aspiration to succeed in broader society." (Altschul, Oyserman et al. 2008:303) Finally, "thick" identities are largely in-ward focussed, as a "reactive" response to 'mainstream' discrimination. The three dimensions of boundary salience therefore vary independently of each other: weak, strong, strong; exclusive out, straddling in/out, exclusive in; positive, positive, negative. This goes far beyond the simple dichotomies of in/out, boundary maintenance/crossing. Altschul et al interestingly call these patterns "identity content", thereby elevating boundary salience to the theoretically operative factor when assessing the impact of "identity" on social outcomes such as educational success (2008:304).

The 'racial-ethnic self-schema frameworks' literature also seeks to identify patterns in youths' "orientations to their racial-ethnic groups and to broader society" which

[4] The idea of 'simply American' is not problematised.

can explain outcomes such as academic achievement. In repeated quantitative studies, including youth from different racial-ethnic groups in different countries and contexts, four different 'types' of "racial-ethnic self-schema (RES)" were identified and correlated with consistent relative educational achievement outcomes (Oyserman, Kemmelmeier et al. 2003). The same three-dimensional variation in boundary salience (strength, exclusivity and value) applies to these schemata. Aschematic RES do not see "racial-ethnic group membership as a self-defining characteristic" (e.g. where the boundary is subjectively erased), while In-group, Dual and Minority RES recognise their in-group membership and the in/out-group boundary but see out-group engagement as respectively undesirable, desirable/beneficial and desirable/ difficult. It is significant that the aschematic group, e.g. those who did not work with a relatively clear set of own and other group identity characteristics and boundaries in mind, were actually at greatest risk of low academic outcomes when living in "inhospitable contexts" such as poor predominantly 'minority' neighbourhoods. They were followed by In-group types, while both Dual and Minority types had better achievements (Altschul, Oyserman et al. 2008:306). This seems to suggest that a combination of boundary consciousness and the simultaneous will to actively overcome/manipulate the boundary are necessary ingredients for positive social outcomes. The personal process of actively negotiating one's 'integration' with a dominant group is therefore shown to be an integral element of 'identity' itself.

How can such insights be applied beyond the contexts (and assumptions) of 'minority/majority assimilation' and how they might speak to the wider migrant and refugee integration literature? Firstly, the psychological element of individual patterns of self-conception as a starting point for the engagement with others (significantly, including other individuals within one's own 'in-group' and with the 'out-group') brings in the individual as a relevant level of analysis. This level of analysis is usually ignored in literature on migrant and refugee integration. Especially in cases where integration is a dispersed process using variations on 'weapons of the weak' to engage both with members of a (similarly marginal) society and with a powerful state, individual decisions rather than collective and

organised actions (e.g. elite boundary-making) is a key level of action. Secondly, it puts the emphasis on the interactions between predispositions and choices, where choices (rather than structures) are often underestimated in the migrant and refugee integration literature. Thirdly, and crucially, it introduces the need to think of interactions with identity group boundaries as multi-dimensional, at least along the dimensions of strength of boundary salience, exclusivity of identification with one group or the other or both, and value of identification with either or both groups. In a more balanced context than 'majority/minority', the attitudes, choices and salience judgements regarding boundary interactions must be established for both or all groups and not only for one group supposedly adapting itself to another group. Finally, one should not think of pre-integration group characteristics, integration processes and integration outcomes as separate things. Integration outcomes (like academic outcomes in the "racial-ethnic self-schema" studies) can be related directly to the predisposition and choice of (individuals in) a group to engage in integrative boundary negotiations.

5. Concluding the Conclusion

Connecting migrant and refugee integration accounts to these broader theoretical debates on weapons of the weak, national identity formation and identity group construction illustrate the value of thinking about integration as negotiation and local politics. In the Introduction I listed seven correlates of this political negotiation approach. I return to these here as a conclusion, having addressed each one in various ways in the introduction, through the articles in the body of the thesis and in this conclusion. This list also reflects reasons for why a negotiation approach to integration is analytically preferable other perspectives.

1. Local integration is a form of local politics rather than an institutionalizable intervention for an exceptional category of people. The fallacies and blinkers of a policy-oriented and institutionalised approach have been discussed in detail in the introduction, Negotiating Rights, Invisible Integration (with

regard to policy-oriented categorisation), and in Changing Legal Frameworks.

2. Local integration is negotiated by refugees, and these negotiations are based on a range of legitimacy claims and forms of exchange. A key theme of all the articles which make up this thesis, this point is particularly linked with broader accounts of how marginal people negotiate with more powerful forces, whether in society or in the form of institutions like the state, as noted in this conclusion. Processes of negotiation, however, as discussed in Negotiating Rights, are not limited to assumptions of marginality but can also be used to understand and compare the full spectrum of newcomer power positions, including how more powerful migrants and refugees (such as high profile political exiles or highly skilled migrants) relate with and integrate into host societies. Furthermore, integration is essentially the negotiation of identity group boundaries, connecting with the extensive literature on this issue.

3. Local integration of refugees is enabled by hosts for a variety of reasons rather than mainly for reasons related to the idea of "refugee protection". As in the previous point, a perspective looking at the negotiation of identity group boundaries includes seeing hosts as equally affected by shifting group boundaries. It places the reception of refugees into a broader context of relational group definition which makes the boundary relevance and nature of their respective 'refugeeness' and 'hostness' an empirical rather than a normative question. It also enables seeing hosts as potentially similarly vulnerable to newcomers and as engaged with similar processes of (unequal) negotiation with institutions such as the state. This is emphasised in Changing Legal Frameworks and Histories as well as the Introduction's background section on the Bushbuckridge case study. It also requires us to take seriously related identity producing processes such as national identity formation in which hosts and newcomers are equally embroiled, as noted in this conclusion.

4. Local integration needs to be understood as an ongoing and shifting process rather than a linear process or a final state of being. Understanding

integration processes both benefits from and contributes to debates on the nature of relational identity group boundary negotiation, as I have argued in this conclusion and as I have illustrated particularly in Histories and Space. Combining critical empirical approaches to integration and identity group construction enable us to move beyond static binary oppositions (refugee/host; insider/outsider; us/other) to describing the processes for not only the crossing of boundaries but the negotiation of relevant boundary characteristics and indeed the relevance of the boundary itself.

5. Today's processes of refugee integration should be analysed using a framework that allows for comparisons and links across historical periods, rather than taking the current international legal and institutional refugee protection regime for granted as a primary influence on integration processes and outcomes. This point, made in Negotiating Integration and developed in Histories and illustrated in Changing Legal Frameworks, is an element of my broader point concerning the integration of 'integration' into broader comparative frameworks – comparing processes over time, comparing potential newcomer trajectories (from isolation to assimilation), and comparing actors (from the completely powerless to the powerful).

6. Refugee integration processes can only be understood by abandoning rather than reifying the category of 'refugee' as an a priori conceptual and methodological construct. Invisible Integration especially focuses on how the incorporation of institutional and even social categorisations can make integrated refugees invisible, thereby cutting short our understanding of the full range of possible inter-group engagements and individual trajectories. All through the articles of this thesis, the concept of refugee is of limited utility in describing the strategic options and choices of people in Bushbuckridge in the quest for legitimacy and basic resource access.

7. Local integration, fundamentally, is an empirical process. Normative claims about the desirability of different forms of society (communitarian, cosmopolitan, etc.) may be endogenous to the political negotiations of the process but should not be taken as an analytical starting point for describing and understanding the process. This concluding point reflects the necessary

'how' of studying processes as set out in points 1 to 6, e.g. with an open, contextual, comparative approach that does not impose categories or relationships.

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