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The Borders of Migrant and Refugee Activism in South Africa

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Abstract

This article examines the relationship between the activities of civil society organizations (CSOs) on migration and refugee issues with state-making processes and discourses in South Africa, based upon key informant interviews, discourse analysis, and ethnographic research. It argues that this relationship brings attention to the defining and reinforcement of national borders set against the backdrop of the 'corporate pact' between the South African government and CSOs that has necessitated public participation in social movements and voluntary associations involved in a range of different xenophobic activities that are legitimized by political parties seeking popularity, and the state. Financial resources operate as 'material disciplines' by influencing the kind of problems that are visible, and, in turn, categories that non-state actors like philanthropies, charities, and donors consider worthy of protection. Those affected by shifting categories and their influence on NGO support like Zimbabweans have taken matters into their own hands to counter this novel border from below.

Keywords: Zimbabwean migrants; South Africa; refugees; asylum seekers; borders; activism.

1. Introduction

Following a victory in an August 2022 case protecting informal traders in the inner city, a staff member of the Socio-Economic Rights Institute (SERI), a legal NGO based in Johannesburg, received threats on Twitter, social media, and direct phone calls. SERI and the South African Informal Trader's Forum had litigated to successfully reverse the eviction of about 400 street traders from the inner-city precinct west of the Noord taxi rank in Johannesburg's city centre (Webster 2022). Nkululeko Mbundu, the City of Johannesburg's member of the mayoral committee for economic development and an ActionSA councillor expressed public concern that 'the scourge of illegal traders' was 'using mechanisms including … organisations such as SERI to support their agenda of keeping the status quo' (Webster 2022: online). After Mbundu's tweets, one SERI attorney began receiving calls accusing her of 'supporting foreigners' and 'wanting the city to be dirty' telling her to 'watch [her] back because [they] have [her] picture and number' (Webster 2022: online). Her phone 'endlessly' rang, according to her, with unknown callers

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(Webster 2022: online). Before deactivating all of her accounts, she changed her social media handles, but she still felt unsafe leaving the house. This created a genuine fear of bombardment on social media and physical attacks on the organization made all the more concerning by an unexplained visit from an armed man to their offices.

On the 12th of April 2023, SERI's Executive Director issued a call for solidarity to take up a call by Kopanang Africans Against Xenophobia (KAAX) and other organizations to litigate against Operation Dudula, its office-bearers and key enforcers, and the government departments that supported their intimidation of migrants or allowed it to happen. They planned to issue a letter of demand calling Operation Dudula to provide a written undertaking that they will desist from interfering with access to healthcare, education and housing for migrants and unlawfully demanding that people produce their identity documentation. Due to a fear of another retaliation, they would be launching the case with redacted papers that would anonymize all the people (approximately thirty individuals) who would give evidence of incidents that they have experienced or witnessed, pending a court order ordering the litigants to keep the identity of the witnesses confidential to protect them from retaliation. The Director ensconced: 'I am writing to request solidarity and support from you because SERI staff members are sitting with anxiety about launching this case' (Zondo 2023).

Hashtags like #PutSouthAfricaFirst being utilized as a vehicle for xenophobic action mobilization on the ground as well as to fuel new public engagements can translate into tangible threats, violence and fear grounded in social movements and voluntary associations involved in a range of different xenophobic activities. Lately, xenophobic social media accounts such as a South African one belonging to a Lerato Pillay have been at the centre of a network of xenophobic hashtags and inciting statements that have stirred xenophobic violence against migrants (CABC 2020). Such movements are legitimized by clips such as those of Home Affairs Minister Aaron Motsoaledi making a scathing attack on undocumented migrants that went viral on social media in April 2022. According to the Minister, South Africa is the only nation in the world that welcomes 'rascals' and 'low-lifes,' as heard in the video (Kavuro 2022).

What are the material and historical conditions that have presided over these developments and what do they tell us about bordering in relation to state-making in contemporary post-apartheid South Africa? How does the ensuing understanding of this puzzle help inform critical border studies? Much of the globalization discourse which was prevalent during the late 1980s and early 1990s posited a new 'borderless' world, in which the barrier impact of borders would become insignificant (Newman 2006). 'Global purists' argued that, faced with the onslaught of cyber and satellite technology, as well as the free unimpeded flow of global capital, borders would gradually open until they disappeared altogether (Newman 2006). This borderless world discourse reinvigorated, first the study of borders. Second, in practice, it invigorated eradicating differences reinforced by physical borders through the reduction or elimination altogether of barriers to free movement, free trade and continental integration. These ranked highly on the African Union's policy agenda and Regional Economic Communities on the continent, such as the Southern African Development Community (SADC) and the Economic Community of West African States (ECOWAS). Both introduced programmes aimed at facilitating the free movement of persons within their regions by pursuing market-led regional integration initiatives.

While these formal migration governance measures may have resulted in a significant increase in regional movement, national migration governance regimes continued to be marked by an urge to halt movement, sanitize cities, and expel 'non-native' outsiders. This tension required sophisticated governance technologies that could strike a balance between the maintenance of colonial boundaries separating African states, peoples, linguistic entities, and cultural–political communities with regional integration taking place on the margins of official institutions through sociocultural solidarities and interstate commercial networks (Mbembe and Rendall 2000).

Away from global purism, such approaches to migration governance have opened redefinitions to the answer to the question 'what is a border?' (Balibar 2002). Several scholars began to reject the simplistic view that borders are lines demarcating states and that their cities or towns

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are population centres located on either side of an international border (Nugent 2012). It became clear that borders are hegemonized, polysemic, and heterogenous (Balibar 2002; Mechlinski 2010). They are 'relocated' and 'un-locatable' in that they exist not purely at the territorial transition from one nation-state to the next but also 'at the locations and non-locations where decisions are made about who can and cannot move from one nation-state to another' (Mechlinski 2010: 96). There are also negotiations that occur between the person crossing and the institutions on the other side, who are working to either hinder or facilitate the crossing (Balibar 2002). Borders also configure state sovereignty, citizenship, and national identity within an exterior geographical frontier and an interior social categorization barrier (Fassin 2011; Olwig 2023). Borders extend into social, political, and other processes beyond physical lines on the outskirts of nation-states, which manifests itself in everyday actions (i.e. the material and symbolic function of borders) (see Nshimbi and Moyo 2020: 6). Beyond the lines demarcating the territories of sovereign nations, according to Frassinelli (2019: 2), borders are fabricated and displaced onto a multitude of differentially experienced boundaries and discriminatory criteria.

The South African state is also increasingly sceptical of migration and consequently engages in a range of novel bordering practices that reflect the configurations described above. Innocent Moyo's (2018: 2–3) analysis of the humanitarian reasoning behind the Zimbabwean Dispensation project (ZDP) in 2009 and the more stringent conditions attached to the subsequent Zimbabwean Special Dispensation Permits (ZSPs) in 2014 and similar permits that followed clearly reveals how the South African government used this humanitarian motive to justify increasing restrictions on migrant rights as well as more aggressive deportation operations. Vanyoro (2022) explores the ways in which humanitarian actors at the border between Zimbabwe and South Africa hold migrants as an extension of the management and governance of migrants and keep them in waiting, forced dependence and social isolation under infantilizing and degrading conditions. These kinds of works reveal how borders serve as both a place and a technique.

This article contributes to this understanding, albeit from the perspective of process, namely the evolution of South African civil society within state-making processes. This article contributes to our understanding of internal bordering processes from the perspective of the activities of civil society organizations (CSOs), which is an underexplored area in these discussions. It examines the relationship between CSOs activities on migration and refugee issues with state-making processes, discourses, and practices in South Africa. It argues that this relationship brings attention to the defining and reinforcement of national boundaries set against the backdrop of the 'corporate pact' between the South African government and CSOs that has necessitated public participation in social movements and voluntary associations involved in a range of different xenophobic activities that are legitimized by political parties seeking popularity, and, at times, the state. This process of internal bordering is not limited to xenophobic discrimination, but it extends to the constraining of the potential for migrant rights campaigning that takes place through direct coercion and fear of reprisal like the SERI example, as well as limited political and economic support for an issue that the state does not perceive as humanitarian. The latter is more pronounced for groups whose political classification has steadily switched from the purview of 'political persecution' to relying on the designation of 'migrant,' as is the case with Zimbabwean migrants seeking asylum and a livelihood at the Zimbabwe–South Africa border. The politicization and instrumentalization of these migrants' vulnerability, in a climate of limited resources for NGOs, offers little leeway for CSOs to bargain with funders in such a way that their programmes legitimize the category of 'migrant.' Those affected by shifting categories and their influence on NGO support like Zimbabweans have taken matters into their own hands to strategically counter this novel border from below.

2. Methods

In 2015, I was interested in determining the role and place of activism in a country like South Africa, where policy maturity is low and political institutions are fragile or defensive of existing

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political ideologies, and how this is mediated by contextual, institutional, and issue specificities. I initially undertook 12 months of qualitative research from February 2015 to March 2016. The first step of the research involved carrying out a literature review and an analysis of multi-level migration policy discourses. The second step entailed interviewing eight activists from non-profit migrant organizations who lobby for different groups of migrants and kinds of migrant rights, four researchers from key think tanks, and two key informants who were purposively sampled. Conducting fourteen semi-structured interviews allowed for a thorough understanding of prominent themes emerging in this underexplored research–policy interface. In 2018, sixteen stakeholders/key informants from trade unions, NGOs, academic institutions, Johannesburg City Council and international agencies were interviewed to understand their experiences in providing assistance to migrants. Interviews were recorded, downloaded, and stored on a password-secure hard drive and transcribed electronically for data analysis. Ethical clearance (Protocol number H15/07/53) for this study was granted by the University of the Witwatersrand's Human Research Ethics Committee (Non-Medical).

In addition, in this research, I also drew on personal experience gained through my own involvement in outreach activities surrounding domestic and international migration in South Africa from 2014 where I worked as a Research Communications Officer till 2022. As part of this role, I had been responsible for stakeholder engagement in South Africa and Zimbabwe, and regularly been called upon to brief and engage decision-makers in government and civil society. To build on this understanding with the lived experiences of migrants themselves, this paper is supplemented with findings from further albeit separate four months (August–November 2019) of ethnographic field research in Musina; the geographic centre of humanitarian aid and services at the Zimbabwe–South Africa border. The research explored Zimbabwean migrants' subjective experiences, relations, and interactions with the border through a temporal framework of waiting. In total, I conducted eighty interviews: fifty-five with Zimbabwean migrant men, fifteen with Zimbabwean migrant women, and ten with humanitarian actors. I also assumed the role of a participant observer advocating for the betterment of living conditions at the transit shelters for men, women, and children. Ethics approval for this study was granted by the University of the Witwatersrand Ethics Committee for Non-Medical Research on Human Subjects (H/18/10/31).

3. Situating civil society in South Africa's identity politics

To get to an appreciation of civil society processes in South Africa as internal bordering requires first a historical understanding of the conditions that brought social movements front and centre of politics. South African civil society was historically divided along racial lines, existing in a black–white duality, with one in a state of hardship and the other in allegiance to the apartheid regime. Black civil society was not fully recognized until the 1980s, and it had been prohibited and persecuted for decades by repeated states of emergency (Bond 2012). There had not been enough political opportunity or resource mobilization to allow black civil society to flourish and gain formal recognition (two variables that still emerge as crucial in shaping civil society politics).

The Botha-led dictatorship bowed to international criticism expressed through financial sanctions and altered the political system to include black civil society. International donors and governments also contributed financial resources to demonstrate their sympathy and strong opposition to apartheid. As students and graduates began to politicize their activities in the early 1980s, human resources became widely available (Habib 2005). Before 1990, several CSOs had backed the African National Congress (ANC), and they were united in their objective to destabilize the state and replace it with a democratically elected government (Ranchod 2007: 3–4). An example by Bond (2012: 247) is the ANC call for township 'ungovernability' in early 1985 that emerged as a vision of building 'organs of people's power' in the townships.

However, after 1994, the nature of civil society changed dramatically. The emergence of democracy in South Africa impacted the institutional discourse concerning civil society's role in the post-apartheid era (Fioramonti and Fiori 2010: 119). The majority of CSOs engaged with the

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government by putting certain problems on the government's agenda. Ranchod (2007: 4) claims that civil society has been particularly badly impacted in terms of finances. Many international donors expected CSOs' functions to be reduced now that a legal government had been established. The international community and other sympathizers justified the diversion of monies to the state in order for it to fulfil its developmental role. As many leaders left their organizations to take up technocratic jobs in the newly constituted democratic state, a dramatic 'brain drain' weakened civil society (Habib and Taylor 1999). This further weakened CSOs, resulting in overt and covert government co-optation, demobilization, professionalization, and closure for some. In 1994 the civics in SANCO, who until 1994 were 'resolutely anti-capitalist', turned to 'a corporatist relationship with the ruling party, leading in the late 1990s to a revival of the civics under a new guise, more commonly referred to as the "new social movements"' after demobilization (Bond 2012: 251).

This resulted in political sympathy as well. The ruling and dominating party's influence, as well as its reputation, were not generally questioned during the early years of democracy (Fioramonti and Fiori 2010). This explains why civil society has mostly served as a 'think tank' and why radical social movements have been marginalized. The post-apartheid legislative reforms that provided an enabling budgetary, legal, and political climate for NGOs fostered a collegiate relationship between the state and civil society, making CSOs less accountable to the marginalized and more focused on profit margins (Habib 2005). This is referred to as a 'corporate pact' by Fioramonti and Fiori (2010: 118).

The third phase of civil society evolution began in the late 1990s with the steady rise in inequality and social movements, when the Reconstruction and Development Programme (RDP) and the Growth Employment and Redistribution (GEAR) programmes failed to achieve the anticipated objectives due to limited state capacity. Social movements emerged as the 'power from below' fighting traditional state power in response to the inadequacy of state policies and civil society to fully engage the issues of the poor by taking to adversity with the state, sometimes in violent ways (see Bond 2012: 252–253). These were unofficial community-based organizations that were just focused on enabling people to endure the ravages of neoliberalism (Habib 2005: 10) and so motivated or driven by survivalist goals.

4. State failure and anti-immigrant mobilization

In 2008–09, the 'superficially populist government' of Jacob Zuma, replaced 'Mbeki's more explicitly neoliberal–nationalist rule with nearly identical policies but containing a populist edge' (Bond 2012: 261). Despite the clear structural forces at play in rising poverty and inequality like the global economic crisis, a great many turned instead to local 'others' to blame, like the low-paid Zimbabwean migrant worker seen as part of a scab labour force (Bond 2012; see also Crush 2008). Migrants have since been routinely targeted for violent xenophobic attacks at various moments. While such instances can be traced to as far back as the 1980s and the period of the early 1990s, 'Had the new social movements not truncated, the terrible problems of blaming the "other" may not have arisen in the way they did in the mid-2000s' (Bond 2012: 261). In 2008 alone, 62 people lost their lives, a third of whom were local inhabitants, whereas at least 670 were wounded while dozens were raped and more than 100,000 were displaced. Subsequently, there were attacks in 2009 where thousands of foreigners in Western Cape were forced to abandon their shacks and in 2015 in which seven people were killed in the violence, three of which were South Africans, while a thousand more were displaced (over 5000 foreigners were displaced in the KwaZulu-Natal province alone) (Naicker 2016).

Attacks have also taken place in 2016 and 2017, with those on truck drivers becoming more pronounced over the last 3 years. Altogether, Xenowatch has recorded 796 incidents of xenophobic violence that resulted in at least 588 deaths, at least 121,945 displaced and an estimated at least 4693 shops looted in the period of 1994 to 21 April 2021 (Misago and Mlilo 2021). While xenophobia is a very serious problem in South Africa, these attitudes are not uniform across South Africa. Economic

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drivers of anti-immigrant sentiment do not follow the simple predictive path that lower socio-economic status (associated with race) will increase hostility towards international migrants (Gordon 2020). This relationship is more complicated as expressed in different spheres of the society. There are distinct trends in who tends to be more positive or negative towards immigration, but these are more about personality types (Ruedin 2019). For example, Ruedin (2019) finds, people who lack community support and are in fragile economic conditions are more likely to be against immigration just as much as authoritarian personalities are more likely to be against immigrants, whereas sociological liberal personalities are more likely to be welcoming of them. It is not angry, poor, young uneducated men who are most likely to perpetrate the violence by looting shops during protests as there is no significant correlation with age, household-income level, education and poverty and the propensity or disposition to loot from foreigners (Polzer-Ngwato 2017; Vanyoro and Ncube 2018). Likewise, in Gordon's (2022) study, formal schooling was, for instance, not a predictor of pro-refugee behaviour in any of the study's models.

Xenophobia can partly be explained by relative deprivation. In other words, xenophobia manifests itself as a spillover of citizen opposition to migration and a by-product of political scapegoating which blames migrants for the country's unemployment woes (Nyamnjoh 2006; Neocosmos 2008; Lerner et al. 2009). Foreigners are seen as taking jobs away from locals and there is a perception among locals that they fare better economically as a result. But conditions of real or perceived socio-economic and political deprivation alone cannot explain the outbreak of violence in specific locations at specific times (and not others) (Fauvelle-Aymar and Segatti 2012). Therefore, this shows that the concept of relative deprivation, which suggests that negative public attitude towards immigrants is sharper in poorer, urban segments, is not a sufficient explanation on its own.

The May 2008 violence cannot be understood nor investigated in isolation from the general history of violence in informal settlements and townships (Misago 2016). Structural violence by the state through repression and resource, opportunity inequalities during apartheid created a climate where housing, education, jobs, wages and service delivery are today politicized. The violence against foreign nationals speaks in part to the history of tensions between local urban residents and internal migrants in townships (Nieftagodien 2012). Outsiders are also scapegoated and attacked as a way of empowering political factions, addressing disaffection or resolving local political competition (Misago 2019). Most typically, violence has been found to occur where formal governance structures are weak or considered illegitimate by the local community (Misago 2019). The role of politicians is worth mentioning here, in particular incitement by political leadership in the form of elected officials and others who hold public office in responding to both the violence and brewing sentiment and tensions (Misago 2016). For example, in responding to the 2015 xenophobic violence, a government official representing the Gauteng province lamented that 'the recent attacks are because township entrepreneurs feel demoralized, frustrated, and they feel they cannot thrive as business owners in their own communities' (Zwane et al. 2015: online). Others such as the then National Small Business Development Minister Lindiwe Zulu observed that there were underlying issues and that 'our people are being squeezed out by these foreign shop owners' (Zwane et al. 2015: online).

The messaging of these kinds of rumours and stereotypes is channelled through social media, print media and word of mouth.

5. 'NGOs are always poor'

In this context, most CSOs have been seeking to make a positive change with regard to social cohesion and integration of migrants into local communities, which prompts them to express criticism of government efforts to prevent and contain xenophobic violence (Dodson 2010; Everatt 2011; Gordon 2019). Gordon (2022) argues that these actors step in to fill the gap left by the state by providing informal support (including shelter, medical aid and legal protection) for refugees in the country. Gordon (2022) broadly characterizes their activities as 'charitable behaviours'

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which take the form of (i) material donations, (ii) volunteer activities, and (iii) information sharing.

The history and political economy of civil society in South Africa as anywhere else influences resource distribution for these kinds of behaviours via 'control over material resources, the allocation of salaries and wages, commissions and contributions, and services and commodities' (Landau 2007: 4). These financial resources as Landau (2007) argues can easily operate as 'material disciplines' by influencing the kind of problems that are visible, and, in turn, categories that non-state actors like philanthropies, charities, and donors consider worthy of protection. This political economy shapes how migrant CSOs respond to a problem, and which kinds they are able to because in a climate of limited resources for NGOs where there is little leeway for CSOs to bargain with funders, their programmes can easily be shaped by the need to respond to dominant categories behind the financial forces at play. When asked about the difficulties of engaging and pursuing political influence, one activist working for an NGO that provides services to, and advocates on behalf of, migrant workers claimed that 'NGOs are always poor', referring to financial instability:

> [...] the highest challenge is money. I work for free, so I'm a volunteer as well. We have a lot of problems getting money for research. NGOs are always poor and the few monies we have we often put into direct help. So there is always this decision that needs to be made, 'where do we put the few, the little money we have?

The general consensus amongst interviewees indicates that financial fragility is indeed a serious problem. Another activist, who was the Director of South Africa's largest migrant NGO at the time (2015) indicated that they relied heavily on research to back up the policy stances they advocated for. The 25-member organization focuses on advocacy and lobbying, capacity building, network building, and information sharing. It has members in five provinces: Limpopo, Mpumalanga, Western Cape, Eastern Cape and Gauteng. It does not provide direct service to migrants but interacts with them by giving them information and providing referrals to member organizations but the organization's limited financial resources hampered its ability to participate in key immigration political processes and places. They could not afford to go to the national parliament, which would meet on a regular basis in Cape Town:

> Well, parliament yes, we do try and engage with parliament, but I think we don't do it enough. I think it is for us, you know, trying to have that real reach which would mean in a way more people working on it because, you know, we are based in Jo'burg so getting to Cape Town is expensive and it's a mission and you can't be there, you know.

A one-way flight from Johannesburg to Cape Town costs, on average, between 1800 and 2500 South African Rands (US$100 to US$130). The distance between these two cities is 1400 km, which makes driving this far for work on a regular basis neither feasible, practical, nor inexpensive. The organization's success was hampered by its inability to travel frequently. Access to legislative policy processes at the national parliament was crucial to the organization's lobbying activities in Pretoria, where it worked with local government and UN entities. Its advocacy and lobbying involves engaging government, international organizations, and other stakeholders to enact new or amend existing legislation and policies that promote and protect the rights of asylum seekers, refugees, and migrants in the country. It often does this through policy submissions, as stated by its new Director in 2018, 'We do engage policies that the government might be proposing or amending so that the needs of the refugees and asylum seekers are not violated and that migrants are not discriminated against when those policies are finalised'. Their visibility could have been solved by building a second office in Cape Town, but financial constraints led to a shortage of human resources, as the prior Director said in 2015:

> We did at one point have someone in Cape Town who was a parliamentary advocacy person but we couldn't sustain it. You know, we are not funded enough to sustain it, which is a pity because it's there. It's hard to maintain that sort of going every day and trying to see which particular

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> MPs are worth talking to and, which I think we should do more. Especially now parliament is sort of blown open a bit; there is probably more opportunity. There are just not enough of us to be there often to follow parliament for instance. So also, you know, I think we could do a lot more networking and information sharing in other provinces if we had more people to do it.

However, financial fragility intersects with issues such as local political settings, inadequate collegiality among non-profits and funders, technical capacity, and local economies in general. As a result, financial vulnerability is not purely an economic issue or entirely sectorial, that is, limited to the non-profit sector. With the previously mentioned growing grievances of the marginalized South Africans that culminated in social movements came a rise in the scapegoating of migrants, making them even more vulnerable to attacks and laws that work against their regularization. With this 'disappointment with "normal politics"', some became motivated 'to become more engaged in philanthropy. [...] in line with Brooks (2007) who argues that cynicism about the role of government (especially as it applies to state assistance for vulnerable groups) increases the likelihood of charitable giving' (Gordon 2022: 757). While this environment may have aided the expansion of migrant CSOs in South Africa in response to the need for further protection, it raises the vulnerability of many NGOs by forcing non-profit migrant organizations lobbying for policy change in South Africa to deal with two issues: (i) the non-profit sector's perceived weakness and fragmentation and (ii) partnerships with governments and funders that respondents perceive as exploitative of the migrant non-profit sector and intended beneficiaries by dictating where their agenda should be.

Unsurprisingly, practitioners of non-profit migrant organizations in this study revealed that they had fragile financial arrangements, which perpetuated these two secondary impediments to achieving their objectives. Alliances with financial funders according to these activists, contribute to daily support for migrants and refugees, but they are not always beneficial to responding to structural issues that can lead to attaining migrant integration, access to services, documentation, etc. in the long run. This seemed to require commissioning research fast where and when it was needed to respond to political possibilities, a capacity a majority of them believed that northern-based NGOs, as well as a few local ones, possessed with more funding, resourcing, and larger staffing. One participant worked for an international faith-based organization on local integration and livelihoods for asylum seekers and refugees and vulnerable South Africans only (i.e. not undocumented migrants). Their livelihoods programmer said 'when you look at some of the bigger organizations, you know, they are able to respond much more quickly to things and sort of commission research very quickly on something'.

The assumption that these impressions imply is that all northern-based NGOs have more resources and that having more money inevitably leads to more political clout. In truth, despite having substantial financial resources, numerous northern-based NGOs are likewise struggling and in some cases failing to influence immigration policies, regulations, and practices. A clear example is the erosion of refugee rights and protections in the USA and UK over the past 5 years in violation of international refugee law. Hence, others believed that increased financial security and autonomy would simply allow them to be more creative and take measured risks with available possibilities in order to engage in strategic activism.

But limited finance was not mentioned by all activists as a key operational hindrance. A representative from one organization stated that they had sufficient resources to commission research from local think tanks on occasion. Limited finance was not mentioned as a significant barrier by think tank representatives, implying that while funding may disadvantage certain organizations, other organizations may be better—or more appropriately—funded. As a result, money may not be an impediment for all organizations, as financially stable, well-established organizations are often better positioned to form economically sustainable long-term partnerships and collegiality with funders.

There are plausible reasons in light of these complexities, which show a high level of intersection of finances with other internal and external elements. First limited funding of non-profit migrant organizations in South Africa may be organization-specific, and not broadly a sectorial

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feature (think tanks seemed to be better off); and that limited funding may be due to other cross-cutting factors such as low collegiality between funders and NGOs. Their inability to mobilize collectively is exacerbated by their lack of political power and authority as representatives of a marginalized political constituency.

6. A weak and fragmented NGO sector

The majority of the activists were concerned that their financial fragility had resulted in the replication of a weak and fragmented NGO sector, which they saw as acting against their intended political objectives. Because the NGO industry in South Africa is one of the most profitable in the country, there is something akin to a competitive corporate atmosphere, with individuals and groups attempting to monopolize the sector in order to gain access to more funds. According to the country's non-profit law, partial tax exemption enables an NPO to apply for a partial tax exemption, most frequently by applying for the status of 'public benefit organisation' (Council on Foundations 2023: online).

However, as previously stated, the country's NGO sector's financing source has shrunk dramatically since 1994. There is still fierce competition in the sector for funders' attention and financial resources, causing divisions among the various organizations advocating for various legislative reforms in the country. Competition between organizations suffocates collective unity, even when they are working toward a shared objective or on the same subject. The fragmentation was described by one of the founding directors of an advocacy unit in a prominent international NPO as follows:

> Civil society is fragmented and a lot of that fragmentation is that there is so much of turf war; that organisations are working at odds against each other, because they are all fighting for the same pot of money. And I think there's really room to look at how the struggle against apartheid was organised and how we managed to unite people under a broad banner which was irrespective of religion or where you came from. So it didn't feel like they were all fighting for a small amount of money.

The response above exemplifies the transition that Habib (2005) mentions. While some civil society splits may have been beneficial to democracy by encouraging participatory actions (Habib 2005), this activist does not see this particular division as such. Even if finance is an important and crucial component of any organization, more cash could further antagonize non-profit migrant organizations, which may not all have the appropriate collegiality or credentials to obtain it. For example, in the course of my professional work while attending the Johannesburg Migration Advisory Panel (JMAP) meetings, which are convened bimonthly by the City of Johannesburg's Migration Unit I noticed that certain formalized non-profit migrant organizations were better positioned to access small city funds than others, more so because they had neat structures or were perceived as such by the city. This would frustrate some smaller, grassroots non-profit migrant organizations, which tended to be diaspora groups, as they would join the committee but eventually leave or become dissatisfied because they were not receiving any funds from the city. This contestation works against migrants as the space holds monthly meetings between the City and migrant organizations to discuss the concerns of migrants. The issues discussed at JMAP meetings are in theory then taken to the mayor through the Johannesburg Migration Advisory Committee (JMAC), which is elected by migrant organizations themselves. This advisory committee of non-governmental groups working with and representing cross-border migrants advise the City by proposing ways to resolve major challenges experienced by migrants, including accessing schooling and opening bank accounts. JMAC brings together the full range of relevant government actors along with representatives from organized labour, organized commerce, Chapter 9 institutions, representatives from international agencies involved with and serving migrants and a range of civil society groups working with and on behalf of migrants that is Chaired by the Executive Mayor. One of the key issues identified by the JMAC

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has been the need for the City to lead a more active cross-governmental policy debate on integrating migrants.

The tension in this space raises concerns about financially induced fragmentation among actors pushing marginalized groups and communities' agendas, implying that the non-profit migrant organization sector needs to better understand how to address financial vulnerability in a way that adds value rather than dependency and fragmentation. According to the aforementioned founding directors of an advocacy unit in a prominent international NPO, value may be something akin to 'healthy' competition, 'Sometimes, you know, if we can find ways to complement each other rather than compete, then to me that's money much better spent'.

What do these processes have to do with bordering? As things stand, civil society fragmentation has spread to the question of what categories of practise are appropriate for defining Zimbabwean migrants' vulnerability and responding to their migration, with a divide emerging between calling them refugees and economic migrants, especially at the Zimbabwe–South Africa border, where this has funding implications. There are conflicts between the approaches used by different participants in the refugee assistance field. This includes contrasting perspectives on how to help individuals in need, such as how UNHCR operates and how its funding influences the operations of implementing partners' under-funded/under-resourced local organizations versus more independent, financially successful international organizations. For example, one organization actively manages the Refugees and Asylum Seekers Social Assistance Project on behalf of the UNHCR. It provides social support (food vouchers and transportation subsidies) to recently arriving asylum seekers and refugees, the majority of whom are from the Democratic Republic of the Congo, Burundi, Somalia, and Ethiopia. The NGO is in charge of reviewing cases and allocating services to refugees and asylum seekers across Limpopo province, including material assistance, psychosocial support, and referrals. They are obligated to provide meal vouchers and transportation subsidies to Burundian and Congolese asylum seekers who share space with Zimbabwean migrants not qualified for this help because they were in charge of enforcing the UNHCR mandate. According to their social worker:

> Sometimes it brings a bit of tension especially in the men's shelter because the assumption is they are economic migrants and this has been communicated to us by our funder. Often they are told go to us or go to the UNHCR and sometimes it kills me to go and you know provide assistance to this one and leave the other one. But when you look at them they are equally vulnerable. … The UN has said that because the expectation was like we house most of the UN people then we should assist. So, the expectation will be from the shelter management because maybe majority are Burundians and Congolese. UN is responsible for them so therefore UN maybe should come in and assist but the UN has said no.

This example shows clearly how national borders are being redefined against the backdrop of the 'corporate pact' between the South African government and CSOs, as well as attendant processes.

7. 'Exploitative' financial partnerships between migrant NGOs and their funders

Activists also highlighted that the non-profit migrant organization sector was weakened by 'exploitative' connections between NGOs and funders due to their financial vulnerability. The main 'exploitation' identified by activists concerned the issue of defining concerns and priority categories. In this context, precariously funded NGOs tend to leverage funds from international agencies like UNHCR, whose mandate is strictly mono-dimensional to refugees, which, as we will see, limits the type of activism and assistance these organizations can do with these funds.

Respondents were concerned that, in a landscape where research and advocacy work is mostly driven by donors, northern-based funders were increasingly dictating where interests and solutions should rest, with little regard for the needs and reality of the local setting. One

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classic case is the current actual surge in the amount of research grants and humanitarian operations supported by northern-based institutions in Africa, all with the goal of demonstrating that increasing development will decrease migration (Landau 2019). Some of these policy interests are influenced by the European Union's (EU) 'sedentary bias' (Bakewell 2008; Castles 2010), which emphasizes a discourse of 'containment development,' which is a form of 'imperialist externalization by reinscribing power relations between Europe and its former African colonies' (Landau 2019: 8). This discourse is also being utilized to fund some efforts, such as the International Organization for Migration (IOM), that run decent work development programmes in countries like Niger in attempts to stop or reduce migration. The instance of Doctors Without Borders is only one example of a multinational NGO challenging the logic of funding. In June 2016, the organization declared that it would no longer seek money from the EU in protest over the EU's widely criticized migration accord with Turkey. Local non-profit migrant organizations in South Africa, however, are less likely to re-politicize the problematic international migration narratives (Wee et al. 2019) informing such financing due to financial vulnerability.

One of the activists argued that humanitarian efforts supported by northern-based organizations were frequently dangerously misplaced, motivated by 'flag-planting' and 'imperial' techniques. Respondents were actively aware of the unequal power relations between themselves and their funders, which reduced their bargaining power in these relationships due to fear of losing money, because they were aware that many non-profit migrant organizations are 'all fighting for the same pot of money'. Respondents claimed they had little control over these relationships. They were concerned that some financial relationships between NGOs/think tanks and funders led in unidirectional accountability to the funder, with little respect for the intended programme beneficiaries' interests. I spoke to an actor from a faith-based organization that works to accompany, serve, and advocate for and on behalf of asylum seekers, refugees and other displaced persons. The advocacy programme advocates for school fee reductions, access to health care services for asylum seekers and refugees, and access to documentation. The Director said,

> There are very distinct funder driven initiatives, which is more about the flag planting of the original donor; whoever it is that wants to make their mark and feels that this is the most important thing that needs to be done.

What was troubling was that these so-called 'exploitative' relationships appeared to emerge when more funds were injected into non-profit migrant organization operations in order to meet funders' agendas; a conundrum that demonstrates, again, that injecting more funds into the sector is only part of the solution. This would only succeed if the 'international migration narratives' that underpin such programmes fully considered local conditions rather than importing global policy discourses into one-size-fits-all solutions. Funders were accused of not only dictating the agenda and policy interests but also of devising instruments that were difficult to apply in these settings. According to two key informants from two leading think tanks on the uptake and monitoring and evaluation of research and donor programmes.

> I think what we know about how to do research uptake has largely been determined by northern institutions working in northern contexts; and I think that, you know, the ODI guide, you know, the sort of the World Bank's guide to research uptake, I think don't often take into account the particular challenges in the global South.

> The donors [become] part of the problem, you know. It's hard for a southern think tank to design its own communication strategy when the donors are already attaching, you know, always telling them how they should communicate their research.

The above responses speak more to strategic issues in communication and uptake model design, but they could also apply to activism approaches and how donor funders frequently attach monitoring and evaluation tools to their funding that do not take local indicators into account and limit freedom of expression, which undermines creativity. This financial environment

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influences the kind of vulnerabilities to which NGOs can respond, which affects protection for Zimbabwean migrants. The previously mentioned border NGO had little input in how the UNHCR funds were spent. While there were many persons without documentation who required aid, the UNHCR had a management requirement that migrants be lawfully present in the nation to obtain that support. As a result, they were limited in who they could help. The respondent appeared to be sceptical of the model's efficacy claims. She perceived top-down funding for the UNHCR as the UN agency telling them what they could and could not do with their money. She believes that, despite some flexibility, their NGO will never be able to effectively address the vulnerabilities of other groups, such as Zimbabwean migrants in the communities mentioned by the UNHCR informant:

> … the UNHCR have an office here until the end of the year and they found the need to respond to the needs and challenges of new asylum seekers because they do not do direct implementation without having a partner here. Because they dictate on what we do, we have had discussions with them about like the response to Zimbabwean migrants. But they say to us 'You can choose to assist but not with our resources'.

This becomes a huge concern because Zimbabweans constitute the bulk of the migrants in the border town because of Zimbabwe's proximity. Locals also share kinship ties that were disturbed by the colonial border, but did not erase the conviviality between border communities on both sides. In this situation, another kind of border is drawn that marginalizes and emphasizes that Zimbabweans are outsiders.

8. Zimbabweans attempt to challenge the state and mainstream CSOs

Those affected by shifting categories and their influence on NGO support like Zimbabweans have taken matters into their own hands to strategically counter this novel border from below. With little to no political power and restricted space within the corporatized CSO sector, Zimbabwean migrants have had to be strategic in their opposition to the xenophobic, depoliticizing, and restricting climate created by the state, popular social movements and donor control over the CSO sector. They have resorted to their own social networks, which have allowed them to hold informal engagements on social media as well as organize their own unions and forums.

Makhox Women's League, for example, is a women-only Facebook-based community organization with almost 97,000 likes. It was founded in 2010 and does not have any physical locations. Makhox's membership is therefore virtual, despite the fact that, according to its founder, it is represented 'all over South Africa.' Makhox is a nickname derived from the Makhokhoba suburb name in Bulawayo, Zimbabwe's second-largest city. Makhokhoba is Zimbabwe's oldest suburb. Makhox's Facebook followers, according to the founder, are 'extremely active.' It is used to discuss topics, mobilize people, and organize charity events.

The Migrant Workers Organization of South Africa (MIWUSA) is a democratic workers' union in South Africa that claims to represent all migrants working in various industries. The union aspires to create a powerful democratic and worker-controlled movement in South Africa that will advance, protect, and fight for all migrant workers' rights. It arose from the Zimbabwean Workers Union in South Africa's broader consultations and experience (ZIWUSA). As a result of these interactions, ZIWUSA decided to broaden its scope to include all migrant workers in South Africa. It was created mostly in response to the realization that the majority of migrants are not unionized, and even those that are, are dissatisfied with how current unions support them. 'So, the idea was to say, let's come in and try to cover that space', says the General Secretary. At the CCMA, MIWUSA primarily represents migrant workers, and it now provides support, information, and assistance to Zimbabweans renewing their ZSP permits.

These organizations are two of many others setting the agenda to contest bordering processes from above. Case in point, in Immigration Directive No. 11 of 2021, The Department of Home

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Affairs announced the withdrawal of Immigration Directive No. 10 of 2021 on the ZEP. This essentially indicates that the Department of Home Affairs has opted not to renew the permits issued to over 250,000 Zimbabweans in South Africa. The permits expired at the end of December 2021, after which Zimbabweans must now apply for mainstream visas (works visas and critical skills work visas) (KVN Law 2021). This Directive imposes a condition giving a 12-month grace period during which time ZEP holders need to regularize their stay through normal immigration laws of the country (Department of Home Affairs 2021). In December 2021 the Zimbabwe Exemption Permit (ZEP) Holders Association and the non-profit African Amity filed an urgent case with the Johannesburg High Court to have the ruling overturned (KVN Law 2021) with no success (Department of Home Affairs 2021). This move by Zimbabwean diaspora emboldened The Helen Suzman Foundation and the Consortium for Refugees and Migrants in South Africa to challenge the decision not to renew the ZEP and the Gauteng High Court in Pretoria found that it was invalid, unlawful and unconstitutional.

9. Concluding remarks

This article examines the relationship between CSOs activities on migration and refugee issues with state-making processes, discourses and practices in South Africa. It argues that this relationship brings attention to the defining and reinforcement of national boundaries set against the backdrop of the 'corporate pact' between the South African government and CSOs that has necessitated public participation in social movements and voluntary associations involved in a range of different xenophobic activities that are legitimized by political parties seeking popularity, and, at times, the state.

To get to an appreciation of civil society processes in South Africa as internal bordering requires first a historical understanding of the conditions that brought social movements front and centre of politics. The majority of new CSOs have a history of being regressive and participating in disruptive, but ultimately disorganized, township uprisings. Public engagement in a variety of anti-immigrant activities benefits from the frequency of associational involvement. This reveals the 'dark side' of new CSO movements. Within this context, 'disappointment with "normal politics"' has motivated philanthropy. While it is easy to perceive this positively, as this environment may have aided the expansion of migrant CSOs in South Africa in response to the need for further protection, it raises the vulnerability of many NGOs.

For those interested in gaining important insight into what can be done to promote donations and volunteering for refugee CSOs in South Africa, this context leaves a lot to be considered for future research. At least, what is clear is that CSOs can be more effective if they can define their own priorities led and defined by affected communities. Zimbabweans have seen this and taken matters into their own hands. Indeed, an assessment of the evolution and inner workings of civil society movements over time and their imbrication in state-making can help inform migration studies interested in borders.

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