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What factors affect policy decisions and practises regarding the provision of shelter for vulnerable migrants and refugees in urban areas?

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What factors affect policy decisions and practises regarding the provision of shelter for vulnerable migrants and refugees in urban areas?

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A dissertation submitted to the Faculty of Humanities, University of the Witwatersrand, Johannesburg, in partial fulfilment of the requirements for the degree of Masters of Arts in Forced Migration Studies.

Johannesburg May 2010

DECLARATION

I declare that this dissertation is my own unaided work. It is submitted to the degree of Master of Arts in Forced Migration Studies Programme in the University of Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.

_____

Name of Candidate

_____ day of _____ 2010

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Also to the Central Methodist Mission and different shelters. Your resolute spirit inspired me.

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Abstract

This is a study of the factors affecting policies decisions and practises regarding the provision of shelter for the most vulnerable migrants and refugees in urban areas in Johannesburg. The institutions that have contributed to this qualitative study are UNHCR, OCHA, JRS, CMM, Bienvenu Shelter, Mercy Shelters, Bethany House, Frida Hartley Shelter and The Gauteng Provincial Government. Through interviews and observations of meeting with senior managers, this research found that institutional differences such as the core beliefs finances and policies of the institutions do play a role on the decisions and practises done about shelter provisions for vulnerable forced migrants. The Central Methodist Mission which has accommodated three thousand people at its peak has been one of the focus points of the study. The Advocacy Coalition Framework has been used to analyse these service providers especially after the xenophobic attacks that took place in May 2008. Vulnerability is viewed differently by institutions and this has effect on who gets to be sheltered. Different institutions form different coalitions so as to fulfil their mandate which are also different because of the scope and focus of the service provider. The sheltering of forced migrants has not been very high on the agendas of big institutions such as UNHCR and South African Government until recently. The church shelter providers have a long tradition of accepting migrants and refugees into their care. Other shelters have changed their policies so as to accommodate some forced migrants whom they view as vulnerable. I found out that women and children are focused upon by many shelter providers. The availability of funds is always a challenge on the work done by different shelter providers.

List of Acronyms

ACF	The Advocacy Coalition Framework
ANC	African National Congress
AU	African Union
CMM	Central Methodist Mission
CoGTA	Gauteng's Provincial Department of Cooperative Governance and Traditional Authorities.
CoRMSA	Consortium for Refugees and Migrants in South Africa
DSD	Department of Social Development
FENATSA	The European Federation of National Organisations Working with the Homeless
ICESCR	The International Covenant on Economic, Social and Cultural Rights
IDP	Internally Displaced Persons
JRS	Jesuit Refugee Service
NASS	The National Asylum Support Service (in UK)
NGO	Non-Governmental Organisation
NPO	Non Profit making Organisation
OAU	Organisation of African Unity
OCHA	Office for the Coordination of Humanitarian Affairs. (Part of the United Nations)
RPD	Reconstruction and Development Programme
SAPS	South African Police Services
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commission for Refugees

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Chapter One

1.1 Introduction

This chapter introduces the issues and the context of sheltering forced migrants. Relationship exists between forced migrants, vulnerability and the need for shelter. Migration, whether it is voluntary or forced poses many challenges to the migrant, his /her community (which is left behind) and many other challenges that a migrant encounters at his/ her destination. The challenges range from the struggle to enter the desired country, to gaining access to the job market, adapting to a different climate, different language, culture, to finding a place to live. This study acknowledges that migrants face many challenges but it pays particular attention to the refugees and asylum seekers whether documented or not. The focus of this study is on the factors that affect policy decisions and practises regarding the provision of shelter for the most vulnerable asylum seekers and refugees. The study situates itself in the South African policy context and especially in Johannesburg were most of the research took place and where many forced migrants stay. Forced migrants are people who have involuntarily moved from one place to another and this can happen internally or externally. Those who are involuntarily moved within a country's borders, are referred to as Internally Displaced Persons (IDPs) whilst those who are displaced externally (that is, who cross national borders) are referred to as forced as refugees or asylum seekers. The UN definition of a refugee is "a person who owing to well founded fear of being persecuted for reasons of race, race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of that country" (UNHCR 1951:1).

The debate dealing with shelter concerns is also part of the broad debates to do with housing in South Africa and other parts of the world. These debates range from why should a person has a house? Much has been written in South Africa addressing the issue of housing but it has been looked at it in reference to the citizens (Gilbert 2004, Laloo 1999, Tomlinson 2006, Huchzemeyer 2001). In contrast, there has been less written on issues of shelter/housing for the asylum seekers and refugees. "South African policy makers, NGOs and academics can be forgiven for not having given this issue of migration

and housing much thought to date" (McDonald 1998: 450). McDonald (1998), Greenburg and Polzer (2008) have researched on the foreign nationals' challenges to access housing in the new South Africa. The current debates on shelter for the forced migrants are also part of the debates currently going on in the field of forced migration particularly looking at urban refugees and asylum seekers (Kihato & Landau 2006, Landau 2006, Vigneswaran 2007, Polzer 2008, Bloch, 2008, Campbell 2006, Jacobsen 2006). McDonald (1998:450) pointed out that, there are "no clear policies on access to housing for non – citizens in South Africa." There are policy documents, constitutional clauses and international agreements which commit South African government, in various ways to ensuring access to adequate housing for all persons living in the country. From research done in Cape Town (McDonald 1998), there is a negative attitude from South Africans towards foreigners having access to housing.

According to UNHCR, refugees and asylum seekers in the world are likely to end up in urban areas and about "18 percent of refugees [presently] live in urban areas, compared with 26% per cent in camps or centres and remainder 'dispersed' in rural areas and other locations" (Jacobsen 2006: 273). Of the 18% of migrants that settles in urban areas there is a small percentage that fails to negotiate for shelter with many landlords, the municipality and even relatives who own houses. According to a research done in Johannesburg[1], the bulk of the refugees and asylum seekers stay in rented accommodation.

Table 1[2]

What kind of housing do you live in now?

	Gauteng
Private rented accommodation	72%
Informal housing/shacks	11%
NGO/church/mosque shelter	3%
Nowhere/ Street	1%
Public/government housing	2%
Abandoned building/squat	2%
At work	5%
On a farm	1%

[1] This research was done by the Migrants Rights Monitoring Project in 1997 – 1998.
[2] Greenburg and Polzer 2008:4

Not Stated	0%
Other	3%
Total Count	422

This research then is looking at the small percentage of forced migrants who are unable to find shelter because they have no money, they are not gainfully employed, there are sick or elderly. In general, these people are said to be vulnerable. The forced migrants who self-settle[3] in South Africa have to compete with the locals for resources which includes shelter/ housing.

The present policy on housing in South Africa is a product of the 1990s. It was crafted by the main actors: The Mass Democratic Movement, the private the sector and the Homeless people's foundation. This became Housing Policy in 1994. It focused on low income housing which was understood as a basic right and not a commodity (Huchzermeyer 2000: 307). The business sector contributed to the policy by emphasising black home ownership. The homeless people's foundation wanted a credit mechanism that would give an opportunity to the poor to own a house. The refugees, asylum seekers and migrants were not considered or mentioned in the discussion that took place before the Housing policy became law in 1994. A post-1994 transformation of housing was marked by the Reconstruction and Development Programme (RPD) that wanted to build one million houses by the year 2000. In 2004, a new document entitled "Breaking New Ground; a Comprehensive Plan for the Development of Sustainable Human Settlements" (Tomlinson 2006:85) was released to enhance the 1994 housing policy. This plan saw a shift in policy from quantity to quality "and therefore from 'breadth' to 'depth' in low-cost housing delivery" (Tomlinson 2006:85). This new policy, although it remained committed to the poor, it failed to address the needs of forced migrants who needed low cost housing. The issue of lack of sufficient resources, mismanagement, incompetency, the large housing deficits and a large number of the poor people have affected service delivery. In all this, the housing policy did not consider the issues of refugees and migrants as it was never tabled. This is because the transformation of South Africa first was more urgent, and long overdue, a huge backlog of housing for South African citizens existed, and needed to be addressed as a priority.

[3] South African government encourages refugees and asylum seekers to self-settle that is, to look for accommodation and ways of earning a living without relying on the state to help them to locally integrate.

South Africa has "become an important destination for the continent's refugees, asylum seekers and economic migrants" (Polzer 2008:20) because of the robustness of the South African economy, its infrastructure and the promise for a better life contribute to make it a popular migration destination. Migration and economics are linked in that "the choices migrants make are often explained in economic terms; and the phenomenon of migration invariably impacts on the economies of both the country of origin and the host country. Some migrants flee only for economic reasons while "others flee for a mixture of economic and political reasons, or flee for political reasons but choose the destination country for economic reasons" (Wilde 2001: 141). However, it is not known how many international migrants, refugees and asylum seekers in the country (South Africa). Landau and Segatti point out that numbers that are often given of international migrants are exaggerated or overstated (2009:8). The 2001 South African census done by Statistic South Africa only found 447 201 people being foreign born out of 45 million population. This was later adjusted up to 850 000 people as being foreign-born (Landau & Segatti 2009:8).

This study focuses on the factors affecting policy decisions and practises regarding the provision of shelter for vulnerable migrants and refugees living in Johannesburg. Local migrants are not considered in this study as this would blur the focus and broaden the research. The shelter discussions for the vulnerable migrants and refugees are done with the realisation that South Africa allows local integration as one of its approaches to refugees and asylum seekers. In Africa, local integration is practised by South Africa and Egypt; while it is common in many western countries such as England and Canada (Dwyer and Brown 2008:203). On the other hand, many African countries practise Camp System for the refugees. This means that those who enter these countries in search of asylum tend to be kept in camps for the duration of their stay in that country. Even in countries that practice Camp system, many refugees and asylum seekers still make their way into the cities. Some of the examples are Kenya, Tanzania and Zimbabwe of countries that have refugees who have abandoned camp life for the cities.

This research has been done based on the fact that in South Africa has considered and made use of one of the durable solutions offered by the UNHCR which is local integration. Forced migrants who come into South Africa integrate themselves into South African society due to the South African policy of local integration of foreign nationals.

This is different from western countries such as England and Canada who help new arrivals in the process of local integration. This is done by funding accommodation and financial support for asylum seekers and refugees. The National Asylum Support Service "was charged with co-ordinating and funding the accommodation and financial support for asylum seekers arriving in the UK" (Dwyer and Brown 2008:205). Local integration is defined as a process whereby forced migrants;

> "are not in physical danger; are able to sustain livelihoods through access to land or employment and can support themselves and their families: are socially networked into host communities so that intermarriage is common, ceremonies like weddings and funerals are attended by everyone; and there is no distinction between refugees and hosts" (Jacobsen 2001: 15).

Jacobsen's (2001) definition of local integration highlights the three areas of consideration. These are legal, economic, social and cultural processes for integration The locally integrated people are legally allowed to be in the country, have some economic basis for their livelihood and participate in the social life of the host community. The vulnerability of a forced migrant is an indicator that one is not fully integrated if one or all the three areas are incomplete. The question of shelter becomes important as the vulnerable forced migrants are unable to compete on the open market for the different types of accommodation.

Another factor that is contributing to the vulnerability of the forced migrants especially in South Africa is the xenophobic tendencies that have been in South Africa for a long time. From the research done by the Southern African Migration Project in 1999 and 2006, it found that:

> "The 2006 SAMP Xenophobia Survey shows that South Africa exhibits levels of intolerance and hostility to outsiders unlike virtually anything seen in other parts of the world. For example:
>
> - Compared to citizens of other countries worldwide, South African is the least open to outsiders and want the greatest restrictions on immigration.
> - Nearly 50% (of South Africa) support or strongly support the deportation of foreign nationals including those living legally in South Africa. Only 18% strongly oppose such a policy.
> - Nearly three quarters (74%) support a policy of deporting anyone who is not contributing economically to South Africa.

- The proportion of South Africans wanting their border to be electrified increased from 66% in 1999 to 76% in 2006. Only 2% are strongly opposed to such a policy" (Crush 2008:2).

These xenophobic tendencies usually are directed to the migrants from African countries and less to those coming elsewhere. "These tendencies are reflected in the inflating of the numbers of international migrants who are in the country to allusions to a flood of illegal aliens who bring disease and crime to the country and who are seen to be a threat to the social and fiscal stability of South Africa" (McDonald et al 1998:1). The May 2008 xenophobic attacks that left 62 people dead and displaced more than 200 000 people according to CoRMSA's finding reflects the fact that "there has been a long history of violence against non-nationals in South Africa without effective steps being taken by various government departments to address this conflict" (CoRMSA Report 2008: 7). Misago argues that "while there are broad structural, historical and attitudinal explanations that are of critical relevance, the emergence of xenophobic violence is rooted in the micro–politics of the country's townships and informal settlements" (Misago 2009:3). Whatever the reasons were, this resentment has unsettled the migrants who were staying in these areas and it contributed to the sense of vulnerability of many international migrants.

1.2 Support Structure

As this study is focusing on vulnerable international migrants and refugees, few of whom have steady jobs, hence no steady income. Many of the vulnerable migrants and refugees cannot afford to pay standard rentals in the city of Johannesburg. Thus they mainly end up relying on the Non Governmental Organisation (NGOs), Non Profit making Organisation (NPOs), churches and at times the UNHCR for basic provisions such as shelter, food, medical attention and even schooling for their children. Some of the vulnerable refugees and asylum seekers would have exhausted their social networks in that no one will be prepared to accommodate them. The social networks referred to here are those of those of family, relatives, friends or acquaintances found along the way to South Africa. For some migrants and refugees, vulnerability can be temporary, that is lasting a short while (three or six months) or more permanent that is lasting for more than six months as reflected by a person who moves from one shelter to another without improving their situation or condition.

1.3. Aims and Objectives

The aim of this study is to determine the factors affecting policy decision and practises regarding the provision of shelter for the most vulnerable migrants and refugees in urban areas. It also seeks to determine how institutional differences (provincial government), international humanitarian organisation such as UNHCR, JRS, OCHA, religious organisations such as Central Methodist Mission, (Catholic) Church based organisations such as Beinvenu Shelter, Mercy Sisters and community based organisations such as Frida Hartley and Bethany Shelters affect shelter related decisions and practises.

1.3.1. Research Question

The research question is: What are the factors that affect policy decisions and practises regarding the provision of shelter for the most vulnerable migrants and refugees in urban areas?

- How do institutional differences (local government department), International Organisation (UNHCR, JRS, and OCHA), religious organisations (Methodist Church) affect shelter – related decisions and practises?

1.3.2. Research Objectives

- To understand how the factors such as the general housing shortage, the presence of many refugees and migrants in the city of Johannesburg affects the decisions and practices of shelter provision for non citizens.
- To examine how the policy of urban self-settlement of refugees and migrants and policies such as immigration and refugee policies and municipality policies affect the decisions and practices of shelter provision to non – citizens.
- To examine how institutional factors such as budget constraints, mandates, previous policy decisions and political interests affects decisions and practices of shelter provisions to non – citizens.
- To examine the question of access to shelter for the most vulnerable refugees and migrants in the Johannesburg city context. The focus of the study is on service providers such as the government, United Nations High Commission for Refugees and other role players including some non-governmental organisation such as Jesuit Refugee Services and Religious groups.

1.3.3 Rationale

This study hopes to contribute to the ongoing debate on urban refugees and migrants (Landau 2005, 2006, Bloch 2008, Campbell 2005, Jacobsen 2006, Sommers 2001, and Grabska 2006). Landau argues that "despite forced migrants' long standing presence in the world's cities, there are surprisingly few studies focusing exclusively on displaced persons' experiences in and effects on the urban environment" (2005:2). This research attempts to understand housing policies that directly impact on the most vulnerable refugees and migrants in an urban setting. It hopes to contribute to understanding institutional factors towards shelter needs for refugees and migrants which are important in the understanding of urban refugees and migrants.

This study is restricted to the city of Johannesburg as well as to vulnerable forced migrants in this city. Many refugee communities that entered in large numbers into South Africa face the challenges of accommodation, food and access to health care (FMSP 2007:6). To better understand the question of shelter or housing especially for the most vulnerable group of refugees and asylum seekers is vital to understanding their needs as refugees and asylum seekers. "South Africa's policy of migrant and refugee self- settlement and urban integration, rather than confinement to camps, means that migrants [refugees and asylum seekers] compete within the generally overburdened urban housing market" (CoRMSA 2008:51). The open market's way of operating depends on the availability of funds on the part of those who need shelter. Some refugees and asylum seekers do not have the financial means hence they cannot compete in the housing market. Taking cognisance of these challenges, the fact that many South Africans face challenges in acquiring shelter in the cities and that the government is struggling to provide adequate housing/shelter for its own (local) people, "the complete exclusion of legally resident asylum seekers and refugees from various national housing policies is an obstacle to migrants' social and economic integration into the communities in which they live" (CoRMSA 2008:51). The South African government has an urban regeneration and housing plan that has seen many streets, for example in Yeoville, Berea and Hillbrow, being paved and some buildings being revamped or converted from hostels into family houses such as has been the case in Soweto. Foreign nationals, especially asylum seekers and refugees, fall outside the ambit of this government plan. The research

conducted by Witwatersrand University in their Migrant Rights Monitoring Project "shows that 70% of urban migrants live in privately rented inner-city flats of which 36% are main tenants and 64% are in sub-tenancy arrangements ... Housing insecurity is the most strikingly illustrated by migrants' experience of overcrowding through sub-tenancy." (CoRMSA 2008:52). Overcrowding has a negative impact on the refugees and asylum seekers in that people end up not having enough space for themselves and privacy is minimised. The discrimination that refugees and asylum seekers "face from both public and private sector housing means that NGO and church – provided housing, though temporary, is an important site at which refugees and asylum seekers are provided some access to housing" (CoRMSA 2008:53).

1.4 Outline of the Study

The outline of the study is as follows:

Chapter One

This is an introductory chapter that gives an overview of the study. In particular, it gives an overview of forced migration studies and it looks at its impact in the world in general, Africa and in South Africa in particular. It traces the vulnerability of forced migrants in their countries of asylum. This chapter outlines the aims and objective of this study. The area in which the study was carried out is in Johannesburg. The rationale of the study is to contribute to the ongoing debate on sheltering of vulnerable forced migrants. This study has identified a gap in shelter provision for the forced migrants in the cities especially in Johannesburg.

Chapter Two

This study has three important component which are shelter issues, forced migrant and policy formulation process. The literature reviewed examines the current debates on shelter policies in relation to vulnerable urban forced migrants. It looks at the current debates on policy formulation and it uses the theory developed by Paul Sabatier (1993) called Advocacy Coalition Framework to explain the policy formulation process. Migration is part of globalisation and it can be seen as one of the causes of shortages of housing. Dwyer and Brown (2008) argue that immigration status is used to restrict access to housing and it increases one's vulnerability. Authors such as King (2003), argues for a right to housing thus viewing housing as a moral issue. Legislation in many countries and the UN conventions bring out the argument of housing rights which are grounded on legislation. The role of the

state then becomes one of protecting the right to housing and enforcing individual rights Kenna views housing as connected to a person's identity. Farha (2002), argues from a feminist perspective. She sees women who spend more time in the house than men are vulnerable as a group as far as access to housing is concerned. Forced migrant women are double disadvantage first as women and secondly as forced migrants.

Chapter Three

This chapter presents the methodology that has been used in carrying out the research. It includes qualitative approach that was mainly based on in-depth semi-structured interviews with service providers such as UNHCR, OCHA, JRS, Central Methodist Mission and other shelters. It also includes other ways that the author employed to do the research such as attending meetings organised by the Gauteng Provincial Government and the Johannesburg Metropolitan Council discussing issues pertaining to refugees and asylum seekers. Other meetings attended were Protection Working Group (UNHCR) which used to meet twice a month and Central Methodist Mission Friday meetings. The author has participated in these meetings as an observer so as to gain further insight on how the policy makers were dealing with the issue of shelter for the vulnerable forced migrants. The researcher had regular (Friday) visits to Central Methodist Mission which was sheltering more than three thousand mainly Zimbabweans asylum seekers, refugees and migrants also in the capacity of an observer. This chapter also discusses location of the study, its population, key informants, the limitations of the study and ethical considerations.

Chapter Four

This chapter presents the research finding the study and the analysis using the Advocacy Coalition Framework that was developed by Paul Sabatier. Nine research participants were interviewed and they were representing their organisations or institutes. Interesting trends emerged such as each institute understands vulnerability differently. The target group that each institute works with is viewed as vulnerable. The provincial government and UNHCR have not been involved in sheltering the vulnerable forced migrant until recently. The religious institutes on the other hand have a long history of sheltering the vulnerable forced migrants. The provincial government together with the Metropolitan city of Johannesburg have had a policy change that involves providing shelter for the vulnerable forced migrants. Finance plays a major role in policy change in any institute. Most institutes who were

interviewed provide more than shelter to the vulnerable that is some skills are taught to the forced migrants that reduces their vulnerability and encourage independent living.

Chapter Five

This study contributes to the debates on sheltering the forced migrants in a context like the one that exist in South Africa which allows self settlement. The study was done under the backdrop of the May, 2008 xenophobic violence of which the issue of competition for resources such as houses was mentioned as a factor. This study affirms that institutional difference do affect shelter related decisions and practises for the vulnerable refugees and asylum seekers.

CHAPTER TWO LITERATURE REVIEW

2.1 Introduction

This study explores the question of providing shelter for the most vulnerable urban refugees and migrants. It also focuses on the policy making process. The literature review will focus on these three different areas that will help us to understand well the question at hand and these are shelter issues, forced migrants and policy making process.

2.2 Shelter Issues

This study situates itself in the areas of forced migration, housing and policy studies (Landau 2005, 2006, Bloch 2008, Campbell 2005, Jacobsen 2006).

> "Despite forced migrants' long-standing presence in the world's cities, there are surprisingly few studies focusing exclusively on displaced persons' experience in and effects on the urban environment" (Landau 2005:2).

This study hopes to contribute to the current debates taking place on forced migrants' access to shelter and housing in urban areas. "Housing and forced migration remains an under researched area, particularly in respect of empirical studies that prioritise the insights of forced migrants and those responsible for their accommodation" (Dwyer & Brown 2008:203). The provision of shelter for the vulnerable migrants and refugees in this study refers particularly to forced migrants. "The term forced migrant is used throughout this research "as a general label to include the four socio – legal categories of international migrant under discussion here, i.e. refugees, asylum seekers, those with humanitarian protection status, and failed asylum seekers" (Dwyer and Brown 2008:203). Focus is on international migrants and refugees because they are excluded in the public housing programmes[4] in South Africa. The UNHCR acknowledges that some refugees who live in urban areas are "some of the most vulnerable citizens. Urban refugees are predominantly self-settled, living outside of formal assistance structures and often unable to access their rights of protection through either United Nations High Commissioner for Refugees (UNHCR) or

[4] The South African "National Housing Code restricts access to programs such as housing subsidies to citizens and permanent residents of South Africa" (Greenburg and Polzer 2008:4).

through host governments" (Dryden-Peterson 2006:381). In the literature there are different debates on housing and why it is important. These debates focus on issues such as shelter as a basic right, (Kenna 2008, King 2003:663) physical protection (OCHA 2008), emotional security, social space, or attach identity to shelter and for others; (Farha 2002, Landau 2006, Dwyer and Brown 2008) shelter is viewed as a humanitarian issue (UN Declaration of Human Rights (1948, Article 25).

Before looking at housing and the forced migrants, one needs to acknowledge that housing is a challenge in many countries not only in South Africa or Africa for that matter. "United Nations estimates indicate that approximately 100 million people worldwide are without a place to live. Over 1 billion people are inadequately housed" (Kenna 2008:399). This has been seen as one of the effects of globalisation[5]. The European Federation of National Organisations Working with the Homeless (FENATSA) said that the poor and vulnerable groups who have limited financial resources struggle more to access accommodation or housing. Kenna (2008:401) points out that together with globalisation is migration: forced or voluntary. Many of the migrants, especially forced migrants today constitute "the homeless multitudes of the modern metropolitan city" (Kenna 2008:434). For many forced migrants, housing is connected to their employment, livelihoods and it helps them to reshape their own identity in the new place and city in which they find themselves. Patterns develop as to where forced migrants settle in the city and as to whether they settle close to their own country-men or women or far from them if they have a dispute with their countrymen. The independence or interdependence of forced migrants on others, especially those who already have shelter or relatives and friends, reflects their vulnerability especially to homelessness and unemployment. "Across Western Europe, migrants are [being] segregated, confined to menial jobs and relegated to the worst housing in the least desirable districts of large cities. A growing polarisation is evident between average citizens and those without full rights" (Kenna 2008:435).

Shelter has been a perennial problem for cities in Africa. The emergence of slums in Nairobi (Kibera), Johannesburg (Alexandra, Diepsloot) and many other cities on the continent highlights the extent of the challenge of shelter affecting the population. Shelter is a basic

[5] Globalisation is a generic term "used to describe a range of economic, industrial, social, military, and cultural changes that have created high levels of interdependence, interaction and integration among different parts of the world, between people , and between producers and consumers" (Kenna 2008;399).

need as it is established in the Universal Declaration of Human Rights (1948) and also in the South African Constitution's Bill of Rights. It is therefore not a 'luxury' that one can dispense with. Refugees and migrants' needs for shelter, especially those in urban settings, deserve attention.

In South Africa, it is up to the individual forced migrant to negotiate for the local integration themselves. This state of affairs engenders challenges related to protection, accommodation, employment and livelihood issues such as on the part of the asylum-seeker. South Africa has witnessed a growing tide of migrants, refugees and asylum seekers, especially from the Democratic Republic of Congo at the turn of the century and Zimbabwe in the recent years. There is a debate about how many foreign nationals are in South Africa.

> "According to the 2007 Community Survey, a national representatives survey conducted by StatsSA, the total number of foreign-born residents is just over 1.2 million or 2.79% of the total population ... Despite such evidence, there are regular claims by officials that 2 – 3 million Zimbabweans now live in South Africa. Empirical research in destination areas and elsewhere in the country suggest that these numbers are ill-informed exaggerations" (Landau and Seggatti 2009:8).

Amongst these challenges faced by urban refugees and migrants in South Africa, I intend to focus on the question of shelter for forced migrants from outside of its borders because the South African policy concerning housing has been trying to redress the imbalances of the past hence shelter for vulnerable non citizens has not yet been fully addressed and legislated. To date, the South African government has no shelter provision for non-citizens. The increase in numbers of refugees and asylum seekers in South Africa has brought to the fore debates on shelter provisions for the non citizens. The incidence of people (2000+) staying at the Show Grounds in Musina in 2008 for more than six months and the continuous presence of people staying at the Central Methodist Mission in Johannesburg has raised a new debate on providing shelter for most vulnerable refugees and migrants in the inner city. The shelter debates also raise questions about government and other stakeholders such as the UNHCR, governments departments, religious organisations such as the Methodist Mission, Non Governmental Organisations (NGOs) such as Jesuit Refugee Services (JRS), motivations and processes leading to a policy position on shelter for non – citizens.

The provision of housing to all South African citizens is a challenge to the government. The government has various schemes such as, "the National Housing Programme for the upgrading of informal settlements, the Emergency Housing Programme and subsidized rental

in Council properties, but these schemes do not cater for refugees or asylum seekers" (Landau & Segatti 2009:34). This is because South African citizens in terms of their natural rights come first and housing is one of the many challenges that the government is struggling to address.

A discussion on the right[6] to housing points to the constitutional protection of the issue. A distinction needs to be made between the right to housing and housing rights which are grounded in legislation. "The concept of housing rights tells us what we have (or in some cases, ought to have), whilst the right to housing is a justificatory argument which addresses why we should have certain forms of provision in the first place" (King 2003:663). The right to housing is seen as innate and natural to all people. Abraham Maslow, a renowned psychologist, puts shelter as one of the foundational needs that help people to actualise ourselves. Shelter therefore guarantees the integrity of a person, and it allows for some privacy, and contributes to a person's health. "At a minimum, housing rights are rooted in the concept of human dignity. Housing rights are seen as an integral part of economic, social and cultural rights within the United Nations, European, Inter –American, and African human rights instruments" (Kenna 2008: 436). Many international human right instruments such as the 1948 Universal Declaration of Human Rights[7] recognise housing as one of those rights to be granted by human beings. The International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966 identified Housing as a right[8] for all people. There are many other international instruments that recognise housing as a right and not a privilege.[9] Although some international instruments have been adopted by almost all states such as the Universal Declaration of Human Rights, some of the instruments have not been signed by all countries.

[6] A right "is a legitimate claim that one person can make against others" (King 2003: 664).

[7] Universal Declaration of Human Rights (1948) Article 25, "Everyone has the right to a standard of living adequate for the health and well –being of himself (herself) and of his family, including food, clothing, **housing** and medical care and necessary social services".

[8] International Covenant on Economic, Social and Cultural Rights, Article 11, "States are required to recognise housing rights, use the maximum of available resources to achieving progressively the full realisation of these rights, meet minimum core obligations, ensure non-discrimination, and enact legislative measures and appropriate policies geared to a progressive realisation of these rights"

[9] The Instruments that point out rights to housing:

- The Declaration of the Rights of Disabled Persons (1975)
- The Vancouver Declaration on Human Settlements (1976)
- The U.N. Global Strategy for Shelter to the Year 2000
- The U.N. convention Relating to the Status of Refugees (1951)
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
- The Draft International Convention on housing Rights (1994)
- The Habitat Agenda (1996).

(Kenna 2008:442)

Some countries that ratified these instruments do not enforce laws around the question of housing as a right thus rendering these instruments powerless. Some countries especially in Africa such as Zimbabwe I think do not probably have the political desire to do so as reflected in the Operation Murambatsvina (Restore Order of May 2005) which left around 700 000 people dislocated from their land and caused the internal displacement of people. The capacity and the financial muscle to implement some of these instruments are also challenges to many African countries.

The State has two roles to play towards its own citizens. The first responsibility of the state is to be "the protector and enforcer of individual rights; and secondly, as the agency against which the individual has rights" (King 2000: 30). In international human rights, there are three categories of rights. There are first generation, second generation and third generation rights. The right to housing is found in the second generation rights as these are socio – economic rights such as education and housing. The South African Constitution of 1996 has a right-based argument when it addresses the issue of housing. Even within a country that has enshrined the right to housing for all those living in South Africa, there is still a shortage of accommodation.

The challenge of sheltering forced migrants is reflected not only in South Africa but in many other countries that practise local integration as a policy such as Canada and the United Kingdom. The United Kingdom passed the Immigration and Asylum Act of 1999 which saw to it that forced migrants are "dispersed" across England's cities and towns; this also highlighted the shelter challenges.

The debate about whether the forced migrants have housing rights was put to test in the UK recently. The newly-arrived people seeking asylum in the UK usually are taken through an induction period and are offered some emergency shelter. The Immigration and Asylum Act of 1996 took away the right of asylum seekers to get permanent accommodation from the local authority. The National Asylum Support Service (NASS) has the responsibility of co-ordinating and funding accommodation for forced migrants in the UK. The Asylum and Immigration (Treatment and Claimants etc) Act 2004 further curtailed forced migrants' housing rights and their capacity to get social housing.

> "Immigration status has long been used to restrict or formally exclude certain migrants from access to housing and it is often a key factor in defining a migrant's vulnerability to homelessness" (Dwyer and Brown 2008: 206).

Even though those migrants who are given refugee status are entitled to the same housing rights like the citizens, but many factors reduce the availability of houses for refugees and asylum seekers.

Farha (2002: 120) argues that because women spend more time in the house as compared to men, women are more vulnerable and even worse when they are refugees and asylum seekers. The debate expounded by Farha is that "for the human right to housing to be meaningful to women, it must be interpreted and implemented in a manner that addresses housing disadvantage as actually experienced by women" (Farha 2002:118). Women refugees and migrants tend to experience double discrimination in that they are first discriminated as refugees and asylum seekers and secondly as women. An example is that "single women are commonly denied access to rental accommodation and homeownership because of their marital status, inadequate income support programs, and barriers to securing credit and when women do access housing, it is often inadequate and they often have no control over household resources" (Farha 2002:121). The inadequacy of housing for women and for refugees and asylum seekers in general has to do with policies at times more than just availability and affordability and this is equated to discrimination.

2.3 Policy Making

Sheltering of vulnerable refugees and asylum seekers in the urban cities is partly determined by the policy making process, policy outcome and policy implementation. In this research, attention will be paid to the policy making process. The word, policy[10] is used in so many ways in the daily conversations such as, "it is school policy that male teachers put on a tie, or politicians talk about a policy of openness in government." The word policy is used in many different ways by different people but in this study policy is understood as "a way of labelling thoughts about the way the world is and the way it might be, and of justifying practices and organisational arrangements, and the participants in the governmental process seek to have their concerns and activities expressed as 'policy'" (Colebatch 2002:8). Another definition offered about policy is "defined as a relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern" (Anderson 2006:7). Public policy is thus defined as "a series of patterns of related decisions to which many circumstances and personal, group and organisational influences have contributed" (de

[10] Etymologically, "the term "policy" comes from Greek, Sanskrit and Latin. The Greek and Sanskrit root, *polis* (city – state) and pur (city) developed into the Latin *politia* (state) and later into the middle English **policie,** which meant the conduct of public affairs or administration of government" (De Coning 2006:14)

Coning 2006:14). I shall employ the term policy to mean a certain approach to a question of concern that has been developed beforehand by someone or some people exercising authority over others. It is meant to act as guidance for the course of action for those who use or need this guidance.

Public policy is founded on three assumptions which are "instrumentality, hierarchy and coherence" (Hill 2005: 12). Public organization exists so as to pursue certain objectives. Secondly, the hierarchical assumption points to having few people at the top who govern the rest with authority. Those at the top decide on what needs to be done and this information is disseminated to those at the bottom of the ladder and to the population as a whole. Coherence assumes that "all the bits of the action fit together, and form part of an organised whole, a single system. Policy in this context has to do with how this system is steered" (Colebatch 2002:9).

There are three elements that are attributed to the way the word policy is used. "Policy is seen to set limits on the behaviour of our officials; at the same time, it frees them from the need to make choices" (Colebatch 2002:10). When faced with a situation that requires their response, officials need to consult their policy to see what it states and follow the way it is set out. Policy depends heavily on authority, that is, "to speak of something as policy implies that it has the endorsement of some authorized decision maker. It is the authority which legitimates the policy and policy questions flow to and from authority figures" (Colebatch 2002:10). Policy presumes some expertise behind it. "Policy does not exist in a vacuum, but in relation to some identified field of practice and this implies knowledge, both of the problem area and of the things that might be done about it" (Colebatch 2002:10). Policy in other words, says to anyone, 'this is the way things are done or not done here'. Public policy is designed to accomplish certain results or specific goals hence it is something planned and not something that happen by chance. Policies emerge because of a need to make pronouncement on certain issues, or in response to a crisis, demands by the opposition parties, special groups, individuals, government officials etc. A public policy may be either positive or negative.

> "some form of overt governmental action may deal with a problem on which action is demanded (positive), or governmental officials may decide to do nothing on some matter on which government involvement was sought (negative) … In other words, governments can follow a policy of Laissez faire, or hands off, either generally or on some aspects of economic activity" (Anderson 2006:9).

In its positive sense, policy is based on laws that govern a country and thus it is seen as authoritative.

Public policy is not created only at national level but governments at all levels such as locally, provincially and nationally develop public policies although their scope of operation is always limited to their jurisdiction. Public policy occurs in all spheres of government such as education, defence, land, labour, law, women, children economy, refugees and asylum seekers. Due to their nature, policies benefit some group/s and disadvantage others and hardly does public policy make everyone happy or better. A policy such as the Fast Track Land reform of Zimbabwe has favoured a certain group to the detriment of many white farms owners. The Refugee Act of 1998 in South Africa gave certain rights and privileges to those who are deemed to be refugees.

Policies may be classified as "substantive, procedural, distributive, regulatory, material and symbolic policies involving collective goods or private goods" (Anderson 2006:9). Substantive policies are concerned with what the government is going to do, while procedural policies are concerned with how it is going to do it. Distributive policies "involve allocation of services or benefits to particular segments of the population – individuals, groups, corporations, and communities" (Anderson 2006:11). Regulatory policies are the ones that impose restrictions on behaviour of individuals, groups, companies etc. An example is restriction on the sale of alcohol to minors. You find a law in South Africa that alcohol should not be sold to a minor who is under 18 years of age. Redistributive policies involve "deliberate efforts by the government to shift the allocation of wealth, income, property, or rights among broad classes or groups of the population, such as haves and haves not" (Anderson 2006:14). A policy such as the Black Economic Empowerment (BEE) in South Africa and the Land Reform policy in Zimbabwe can be categorised as a redistributive policy.

2.3.1. The Policy Making Process

Policy making is done following "problem identification, problem articulation, agenda setting, policy formulation, policy legitimation, policy implementation and policy evaluation processes" (Cloete & Meyer 2008:106). These processes do not always occurs in a linear way; each following the other but at times, they may occur all at the same time with different participants in each group.

2.3.1.1 Problem identification

Problem identification that begins "the policy making process can be initiated by public opinion, interest groups, mass media or citizen's initiatives" (Cloete & Meyer 2008: 107). There is the identification of a "policy problem on which there is sufficient consensus among relevant stakeholders that the decision maker can act on their behalf" (Dunn 2004: 47). The effect of public opinion might be difficult to assess in influencing the process of policy making but it suffices to point out that it does have some influence. The "democratic representatives should serve the interest of the people, but not necessarily conform to their will when deciding questions of public policy" (Dye 2002:33). The elite have an influence in problem identification and there are able to exert their influence especially when they have power, influence and money.

2.3.1.2 Agenda Setting

Agenda Setting is the most important stage of policy making as many issues that are not identified as problems needing urgent attention may never come to the table for discussions as policy issues. Many factors influence agenda setting, such as the perceived problem need to reach a crisis point that it can be easily identified as a problem. The problem must have achieved some particularity such as land question in Zimbabwe has achieved such particularity that the Zimbabwean policy makers could not ignore it. It needs to have an emotive aspect to it that also brings in the media attention. Land question for example has an emotive aspect to it as people who have been killed, maimed, who had their property stolen or destroyed is shown in print media and television. At times other problems that do not get media attention still make it to the agenda. The issue needs to have a wide impact such as land question has in Zimbabwe. This increases its chances to make it on the agenda. Cloete and Meyer point out that some issues are fashionable to make it into the agenda setting of policy makers because of their symbolic values (2008:110) such as the 2010 World Cup in South Africa.

2.3.1.3 Non-decision making

Lobby groups, elected political office bearers, appointed official such as public managers, courts of law, influential individuals, business people, a certain prevailing situation, policy planners, mass media, opposition parties, looming elections etc, can pressurise the government to put certain issues on the agenda. The "service delivery" protests is an example that have been affecting different areas of Mpumalanga Province in 2009 and Gauteng Province in 2010 have influenced the government to put service delivery back on the agenda. Other sectors like the opposition parties or those in the finance department at times act so as to make sure that certain conditions and issues do not end up on the agenda and this is referred to as non decision making[11]. This can happen for example because the finance department has not budgeted for the consequences of the decision and its implications to the state treasury. The non decision making process and its proponents have certain reasons that they bring forward to make sure that certain issues are not allowed into the agenda setting of the policy makers. Some of their reasons are that the problem being raised might be denied, that is, it does not exist hence there is no use to put it on the agenda or that it is not suitable to being dealt with by policy makers. Consequently, "fear may be expressed (and created) about the societal consequences of proposed government action" (Anderson 2006; 95) in such way that inaction or non decision making becomes the preferred choice.

Despite non decision making, agenda setting in many instances does take place because "Political changes, including election results, changes in administrations, and shifts in the public mood, may make possible moving onto an agenda items that previously were unlikely candidates for inclusion" (Anderson 2006: 94).

2.3.1.4 Policy Formulation

Formulating policy[12] answers to the question of what can be done about the problem at hand and what restrictions, 'safe guards' need to be put in place in answer the problem or the issue on the agenda. Policy formulation occurs in "government bureaucracies, interest group offices, legislative committee rooms, meetings of special commissions and policy – planning

[11] Non Decision making is defined as "a decision that results in the suppression or thwarting of a latent or manifest challenge to the values and interests of the decision – maker. Non decision making is a means by which demands for change in the existing allocation of benefits and privileges in the community can be suffocated before they are even voiced; or kept covert; or killed before they gain access to the relevant decision-making arena; or failing all these things, maimed or destroyed in the decision – implementing stage of the policy process" (Dye 2002:42).

[12] Policy formulation "developing policy proposal to resolve issues and ameliorate problems (Dye 2002:32).

organisations" (Dye 2002; 41). The president and the executive are expected to be the initiators of policy proposals. Interest groups who formulate their own policy proposals offer different ways to answer to the problem and as such they contribute some technical skills towards policy formation as some of these groups are specialised in one area or the other. For example, some interests group who have technical skill in issues to do with foreign migrants can propose policy to the government on how to manage the flow of foreign nationals in to the South Africa. The think tanks, for the government, that usually comprise the legislature's staff, works at coordinating the policy making process and bringing the interested parties to work together.

2.3.1.5 Legitimation

The next stage in policy making is policy legitimation. This final stage "is the open, public stage of the policymaking process and it attracts the attention of the mass media and most political scientists" (Dye 2002: 43). It is here that bargains are made, compromises are reached and persuasion is done among interest groups, including opposition parties and government officials. Policy legitimation includes the formal lawmaking process by Parliament and usually party influences play a role on how the policy will be worded. The president still remains having an influence through his/her speeches in parliament. It is here that policies become law.

2.3.1.6 Policy Implementation

Policy implementation follows as soon as policy which had been proposed has passed through parliament and signed into law by the president; this policy begins another life of its own. The 'new' life is that of its implementation and this is done by different ministries and departments that "must translate laws into operational rules and regulations" (Dye 2002:50). The 'life' it had before was its formulation process. After formulation and becoming policy, implementation is something unique altogether. In implementation, a policy becomes binding to the intended target. The function of the bureaucracy is to formulate rules and regulations required for effective implementation of policies.

2.3.1.7 Policy Evaluation

Policy evaluation is the final step in the policy making and all roles players want to know whether the policy has achieved its goal and how much the cost and other consequences of the policy whether they were intended or not. "Evaluation as a form of ethical appraisal helps

produce information about policy performance" (Dunn 2004:345). During the evaluation phase, questions are raised whether there are any identifiable changes in society that can be credited to the implementation of the policy. Evaluations commissioned by the government at times are done through hearings, reports, site visits, program measures etc. The evaluation process can identify new problems that need to be addressed and henceforth begin another process of policy making. Dye (2002:54) points out that evaluations are usually done haphazardly by different interest groups, such as media, parliament or the general public through protests and systematic policy[13] evaluation is very rare. An evaluation of symbolic impact is also important. "Symbolic impact deals with the perceptions that individuals have of government action and their attitudes towards it … Individuals, groups, and whole societies frequently judge public policy in terms of its good intentions rather than tangible accomplishments" (Dye 2002; 314).

2.3.2 Policy Theory

The theoretical framework that I am using is based on the political theory formulated by Paul Sabatier (1993) called the Advocacy Coalition Framework. The Advocacy Coalition Framework is one of the many theories of the policy formulation process. Other frameworks are Institutional Rational Choice, Structural Choice and the Theory of policy convergence. These theories help us to understand and explain the factors that contribute to policy change. The policy changes are also viewed as 'discontinuities' and they "can take the form of the introduction of new ideas, values and knowledge, but can also represent gaps between separate policy arenas" (Dudley 2000:122). For example the theory of convergence developed by Collin Bennett (1991) and Howlett (1992) points to a shift in some European policies that addressed their own countries in particular to creating policies that converged with one another. The theory of policy convergence acknowledges that "no nation can isolate its economy from global economic pressures. Moreover, the rapid growth in communication of all types makes the exchanges of ideas and knowledge much easier. Lastly, international organizations such as the European Union and the International Monetary Fund advocate similar policies across diverse countries" (Heyrmann, DeBoer & Gluenkin 2006: 3). These policy making theories offer "theoretical explanations of how political actors create, implement, and change public policies in order to advance their own purposes and respond to

[13] Systematic Policy evaluation means "careful, objective, scientific assessment of the current and long term effects of policies on both target and non target situations or groups, as well as an assessment of the ratio of current and long term costs to whatever benefits are identified" (Dye 2002:54).

perceived problems" (Schlager 1995: 651) in modern society. There are many actors in the policy formulation process such as the legislators, lobbyists groups, political parties and even the bureaucrat and all these behave in different ways in the policy making process. Their behaviour "informs us that any truly political theory of the policy process must account for the fact that political actors engage in the policy process not only – indeed, perhaps not primarily – in order to respond to perceived social problems, but also to advance their own political interests and careers" (Schlager 1995:652).

2.3.2.1 The Advocacy Coalition Framework

Looking at the issue of shelter for the vulnerable forced migrants especially in Johannesburg with reference to different shelter providers, the Advocacy theoretical framework can help us to understand and appreciate better the policy formulation process or policy change. This policy formulation theory was created in response to what was seen as the inability of theories to explain the causes of policy process, the need to move away from using descending and ascending approaches thereby introducing a system based model. The Advocacy Coalition Framework, (ACF) "was created as a system-based model that integrates most of the stages of the policy cycle, incorporates aspects of both the top-down and bottom-up approaches to implementation studies, and places scientific and technical information in a central position in many of its hypotheses" (Weible, Sabatier, McQueen 2009: 122). The ACF highlights that many actors and other variables are involved in the policy formulation or policy change process. The ACF "views the policy process as a competition between coalitions of participants who advocate beliefs about policy problems and solutions" (Kubler 2001: 624). This policy theoretical framework has been developed to simplify the complexity of public policy change that takes place. ACF takes from the Institutional Rational Choice Theory in that Sabatier agrees that institutional rules do affect individual behaviour.

The proponents for Advocacy Coalition Framework use a method of operation that includes "information in an advocacy mode to persuade decision-makers to adopt policy alternatives supported by the coalition; manipulating the choice of decision–making forum; and supporting public officials in positions of public authority who share their views or may even be members of the coalition" (Bomquist 2003:657). For a major policy formulation or change to take place, coalitions have to reach a compromise in how they want to be included in the policy. Sometimes, a broker is engaged to help them to reach such a compromise. Information and learning from the past is essential for policy formulation and change. New

information changes beliefs in coalitions that might affect the policy formulation or policy change. This theory helps to explain policy change over a long period of time and "it emphasizes policy changes resulting from changing preference or beliefs on the part of critical actors" (Bomquist 2003:658). For policy change to occur there is need for consensus and this affects the membership of the coalitions and how these coalitions reach an agreement. Secondly, there is need for policy-oriented learning. "Policy-oriented learning is defined as relatively enduring alterations of thought or behavioural intentions that result from experience and/ or new information and that are concerned with the attainment or revision of policy objectives" (Weible, Sabatier, McQueen 2009:124). Knowledge obtained from policy learning is used to work towards policy change but it is unlikely that policy learning of itself can bring about policy change. Thirdly, there are internal events that occur within a subsystem and these points out to the failures or ineffectiveness of the current subsystem practices and lastly, policy change can occur through negotiated agreements that involve two or more coalitions. Sabatier, Weible and McQueen identified "nine conditions affecting the likelihood of policy change through this fourth path: a hurting stalemate, effective leadership, consensus – based decision rules, diverse funding, duration of process and commitment of members, a focus on empirical issues, an emphasis on building trust, and lack of alternative venues" (2009: 124). There are four basic premises that are needed to understand policy change. These are time, policy subsystem, actors from various levels of government and the belief systems. For one to understand policy change, a period of time of a decade or more is required. "The second is that over decades the optimal unit of analysis is the 'policy subsystem' rather than individual government institutions" (Elliot & Schlaepfer 2001: 645). The policy subsystems involve players from different levels of governments and not only those in the national government. Policy subsystems are defined as "the set of actors who are actively concerned with an issue and regularly seek to influence public policy related to it" (Kubler 2001: 624).

Two important assumptions of ACF are that "policy elites have well –integrated policy belief systems that link fundamental substantive and distributional values, perceptions of severity and causes of policy problems, and perceptions of proper approaches to be used in addressing those problems" (Nedergaard 2008:180). This can be linked to the some of the elites that were interviewed for example, the one from UNHCR sees the beliefs of UNHCR as helping those who are refugees and asylum seekers and while those with humanitarian needs are not a priority as they do not fit into the definition refugees. The person interviewed from the

provincial government, sees the belief of government as serving its citizens. The other assumption is that the ACF "explicitly identifies beliefs as the causal driver for political behaviour" (Weible, Sabatier, McQueen 2009:122). The beliefs are divided into three different categories. First, the deep core beliefs are normative and mostly stable and they include liberal and conservative beliefs. Secondly, the set of beliefs are called policy core beliefs "which are moderate in scope and span the substantive and geographic breadth of a policy subsystem" (Weible, Sabatier, McQueen 2009:122). It is from these policy core beliefs that groups form coalitions or do some coordinated activities to influence the policy process. Thirdly, the category is called secondary beliefs which are more empirically based and are able to change with the passage of time while the policy core beliefs are usually resistant to change. The Advocacy Coalition Framework sees that coalitions fight it out on the political terrain. Coalitions are made, adjusted or changed so as to have one that can promote a certain policy change.

In my analysis section, I will look at the following elements from the Advocacy Coalitions Framework:

- The core beliefs that the different shelter providers have and how these impact on the provision of shelter to the most vulnerable forced migrants. Have the core beliefs remained the same or have they changed and why and how?
- The different coalitions that exists for the different shelter providers and who are the actors.
- Are there any compromises that are reached or done? If so, for whose benefit?
- The non decision making that has prevailed in one of the shelter providers. Its causes and its implications for the provisions of shelter.

The issue of agenda setting in the different institutions and its effects on the shelter provision or non provision.

CHAPTER 3: METHODOLOGY

3.1 Introduction

This study made use of qualitative research methods such as semi - structured interviews, observations and documents analysis for the reason that these methods "try to describe and interpret people's feelings and experiences in human terms rather than through quantification and measurement" (Terre Blanche et al 2006:272) as the quantitative methods would use. The semi structured interviews were the primary data collection method while the other methods were secondary. This chapter looks at the methods used to collect data, the reasons for choosing these methods and limitations imposed by the methods employed.

In addition to reviewing relevant literature, this study reviewed newspaper articles concerning the issues of shelter needs especially for forced migrants. The newspapers devoted much interest to the stories of Central Methodist Mission which housed more than 3000 migrants, especially those from Zimbabwe and highlighted the challenges of refugees and migrants and the shelter issues. Interviews were the dominant method of collecting data from key service providers of shelter in the City of Johannesburg such as Provincial government, UNHCR, JRS and other organisations that were also involved in service provisions for the forced migrants. Attending the meetings organised by the City of Johannesburg to address the issues of shelter and the refugees was also part of data collection of this study. Other meetings also organised by Protection Working Group (under UNHCR) were done to seek clarification on the issues of shelter and the refugees.

From September 2009, service providers were asked to participate in the study and the purpose for the study was clearly stated to them. Service providers such as UNHCR, OCHA, City of Johannesburg, Church based organisations such as the Jesuit Refugee Services, Central Methodist Church, Bienvenu Shelter, Mercy Shelter, Frida Hartley Shelter were contacted and requests for interviews were secured. The researcher explained to all the participants that this was a voluntary study and the participants were allowed to discontinue if they so wished.

3.2 Semi-structured interviews

The respondents had already been identified in advance and these were the service providers of shelters in the city of Johannesburg targeting refugees and asylum seekers. From the open-ended questions in the interviews, I the researcher was able to collect information concerning the factors that affect decision-making in policy formulation done by these organisations. By using qualitative research, I took people's experiences into account and tried to understand their experiences. Qualitative research "relies on first hand accounts, tries to describe what it sees in rich detail, and presents its findings in engaging and sometimes evocative language" (Terre Blanche 2006:274). By choosing qualitative research method, I was aware that as a researcher I was

> "the primary instrument for both collecting and analysing the data. Subjectivity is not considered the enemy of truth, but the very thing that makes it possible for us to understand the personal and social realities emphatically" (Terre Blanche 2006:276).

By having the researcher as the primary instrument of collecting and analysing data, this brings with it some bias and I guarded against this. By using the qualitative approach, I was able to conduct this research in the natural setting of the participant's offices, in most cases. By having interviews in the workplace, "enables the researcher to develop a level of detail about the individual or place and to be highly involved in actual experiences of the participants" (Creswell 2003: 181). This approach is fundamentally interpretive. This means that the researcher makes an interpretation of the data by including a description of an individual or setting by "analysing data for themes or categories and finally making an interpretation or drawing conclusions about its meaning personally and theoretically, stating the lessons learned, and offering further questions to be asked" (Creswell 2003:182). The semi-structured interview model was chosen because it is "flexible, interactive, and continuous, rather than prepared in advance and locked in stone and it is an interaction between an interviewer and the respondent in which the interviewer has a general plan of inquiry but not a specific set of questions that must be asked with particular order" (Creswell 2003: 300).

In my research, all my interviews were held in the offices of the participants at their convenient time. The interviews were flexible in that I was able to ask many questions of which others arose from the interviews that took place there. The participants found semi structured interviews to be better for them to answer the questions asked.

3.3 Interviewing the elite

This research focussed on interviewing the top management of provincial government, UN, JRS, church based and community based organisation who are considered to be 'elite'. "The term: 'elite' is closely linked with abstract notions of power and privilege, generally in connection with certain identifiable individuals or groups of individuals" (Odendahl & Shaw 2001: 299). The elite participants are distinguishable by their class and cultural characteristics. They include businessmen and women, community, political, professional and church leaders. "Interviewing elites calls into question issues of control, power and accessibility" (Odendahl & Shaw 2001:304). I struggled with accessibility because many of the elite participants were difficult to get hold of and had little time for an interview. Because of their time constraints most of the questions had to be one opportunity to be asked as the researcher was aware that they might not be available for follow-up interview. Also the researcher had to make allowances for interruptions such as these participants answering the phone or giving instructions to their subordinate during the interview. "The process of identifying and gaining access to elite subjects calls for the mixture of ingenuity, social skills, contacts, careful negotiation and circumstances" (Odendahl & Shaw 2001:305). Identifying who to interview was easier as the elite I targeted were involved in the work of shelter provision for the forced migrants.

Gaining access to other potential participants was an additional challenge. At the Migrant desk: City of Johannesburg, they were they "were just tired of students coming at their doorsteps seeking an interview" as one of the gatekeepers (I presume that she was a receptions/ secretary of Migrant Desk) said when I went there the third time. The personal status of the interviewer does play a role in the sense that if I was a well known lecturer at the university that could have influenced access. "Gaining permission to interview an elite subject typically requires extensive preparation, homework, and creativity on the part of the researcher, as well as the right credentials and contacts" (Odendahl & Shaw 2001:307). This requires researchers to know someone who knows the elite and who is prepared to introduce you to the person. Acquiring the right key informant can be useful because "who knows who" matters. Many elites have 'gatekeepers' and at times one has to negotiate with the gatekeepers so as to gain access the elite. "Scheduling interviews with elite individuals is labour intensive, typically requiring several telephone calls with personal assistants or other gatekeepers" (Odendahl & Shaw 2001:308). The elite also need information about the benefits for them or their institution. After some interviews that would have gone well for the

interviewee, elites can be the one who begin the snowball process for you by referring you to some other elites who will be of interest to one's study. For example, I interviewed one government official who referred me to more than two other possible people working in Provincial Government that i could interview and he even gave their contact phone numbers. In addition, there some factors that needed to be taken into account such as, "Customs of courtesy, friendliness, and professional demeanor are much appreciated by elites. In the social upper class, these attributes are even more valued and expected than in the wider society" (Odendahl & Shaw 2001:310). The issue of control is essential to the elite and this is reflected by the location of the meeting, the way the interview is conducted as well as how the researcher presents oneself. This was reflected by my dressing and presentation of myself.

3.4 Observation

In addition to interviewing, direct observation was also used to gather information. Observation is a method used in research understanding the social world "social, historical and cultural factors are important in shaping people's understanding of their world" (Snape & Spencer 2003: 7). Observation includes being there at the scene of the action especially during the different meetings pertaining to shelter questions for the refugees and asylum seekers. As a direct observer, I made sure that my presence did not disturb the general flow of the meetings by ensuring that i did not become an active participant in the meeting.

3.5 Document Analysis

I have been able to do document analysis especially from the minutes produced in the meetings such Protection Working Group, CMM Friday meetings and The Refugee Act of 1998. I also made use of the available information about these institutions on the internet.

3.6 Reliability and Validity

For the purpose of ensuring reliability and validity, triangulation of the three research methods, interviews, observation and documents analysis is used. "The logic of triangulation is based on the premise that no single method ever adequately solves the problem of rival explanations. Each method reveals different aspects of empirical reality, multiple methods of data collection and analysis provide more grist for the research mill" (Patton 1999:1192). In this research therefore, I have employed a combination of semi structured interviews, direct observation and document analysis. "Studies that use only one method are more vulnerable to errors linked to that particular method (e.g. loaded interview questions, biased or untrue

responses) than studies that use multiple methods in which different types of data provide cross – data validity checks" (Patton 1999:1192). By using three methods in this research, I wanted to validate my findings and increase their reliability[14]. Validity "is based on determining whether the findings are accurate from the standpoint of the researcher, the participant, or the readers of an account" (Creswell 2009:191).

3.7 Location

The study was carried out in Johannesburg. "Migration affects South African cities and provinces in substantially different ways … This has resulted in population densification in and around Cape Town, Johannesburg and Pretoria" (Landau & Gindrey 2009:20). Johannesburg is a migrant city that constitutes of local and international migrants. The study focused on Johannesburg because that is where most of the shelters that I know are keeping refugees and international migrants are found. Some interviews to do with shelters in Johannesburg were done in Pretoria such as those for the UNHCR because their offices are found there. Some of the meetings for the Protection Working Group were done in Pretoria although they discussed shelter provisions and challenges for Johannesburg and other places. No research about shelter provision for the city of Pretoria was done as Johannesburg was the main focus.

3.8 Population

The research focused on the role of senior management provision of shelter services to the refugees and international migrants living in Johannesburg. This group consists of the decision-makers or people who influence decision-making processes in their organisation. As a result of interviewing senior management, there were in a position to speak on behalf of their institutions and were also able to articulate the policies their institutions stand for especially with regard to the questions of shelter for the most vulnerable refugees and asylum seekers.

3.9 Key Informants

The key informants are senior managers who are at the helm of service provision and policy making in their different organisations. Acknowledging that there are many service providers

[14] "Qualitative validity means that the researcher checks for accuracy of the findings by employing certain procedures, while qualitative reliability indicates that the researcher's approach is constituent across different researchers and different projects" (Creswell 2009: 190).

as far as sheltering the vulnerable refugees and migrants are concerned such as UNHCR; Jesuits Refugee Services; religious-based shelter organisations such as Beinvenu Shelter, Mercy Shelter and Central Methodist Mission and some community-based shelters such as Frida Hartley and Bethany Shelters. The senior management staff of these shelters participated in the study. A significant inclusion was the interview of the Director responsible for the Community Development Workers' Program in the office of newly established Department of Local Government and Traditional Affairs. The Director chaired the meetings that discussed the issues to do with shelter provisions for the people displaced by xenophobic violence and those who stayed at the Central Methodist Mission when the City of Johannesburg was being sued for not implementing city bylaws.

The UNHCR officer in charge of shelter provision is seen as important as he is the person responsible to UNHCR's shelter projects and this person was interviewed. The director for Jesuit Refugee Services was also interviewed as JRS deals with many refugees and asylum seekers on daily basis and JRS provide the means to access shelter among other things. Other senior managers were interviewed of different shelters.. Some informants were officials such as the Mayor of Johannesburg who addressed a meeting that I attended trying to deal with the issue of refugees and international migrant. Other informative meetings that I attended as an observer were those of Protection Working Group included participants from International Organisation of Migration (IOM), United Nations Children's Fund (UNICEF), UNHCR, Wits Forced Migration Studies program, Consortium for Refugees and Migrants in South Africa (CoRMSA), Human Rights Commission, and Centre for the Study of Violence and Reconciliation (CSVR) and Office for Coordination of Humanitarian Affairs (OCHA).

3.10. Sampling

By using available information from CoRMSA about the different service providers in Johannesburg, I spoke with all the major stakeholders that were available for the research.

Interviewees selected because they were able to speak on behalf of the institutes that they represent. They represented all of the senior managers of the different institutions that were interviewed. Purposive sampling[15] was used as I was looking at unique cases of policy making in the sheltering of refugees and international migrants and these interviewees were deemed to be informative about the topic at hand. Secondly, purposive sampling was chosen

[15] Purposive sampling is an acceptable kind of sampling for special situations. It uses the judgement of an expert in selecting cases, or selects cases with a specific purpose in mind. (Bickman & Rog 1998:198).

because informants belong to a particular group of members of a difficult–to–reach specialised population, such as senior managers. This is mainly because they are an elite group where access is controlled by 'gatekeepers' that one needs to negotiate.

The purpose of the research was on gaining a deeper understanding of the factors that affect policy decisions and practises regarding the provision of shelter for vulnerable migrants and refugees. I also used convenience sampling to three senior managers of different shelters (Beinvenu Shelter, Frida Hartley and Mercy Shelters) in that those who were interviewed were based on their availability for the study. Five prospective people to be interviewed who are senior managers of shelter in the city of Johannesburg were contacted but declined. Those who availed themselves for research were the ones who were interviewed. Although this was the case, the population from which the sample was drawn was consistent with the population of interest for the study.

Snowballing sampling[16] was also used as individuals who had been interviewed referred the interviewer to other people who could possibly contribute to the study. "The crucial feature is that each person or unit is connected with another through a direct or indirect linkage". Snowballing can begin with one or a few people and it can "spread out on the basis of links to the initial cases" (Bickman & Rog 1998:199).

3.11 Data analysis

Data analysis involves

> "preparing the data for analysis, conducting different analyses, moving deeper and deeper into understanding the data, representing the data and making an interpretation of the larger meaning of the data" (Creswell 2009:183).

Analysis of data is done throughout the research process from the gathering of the data to interpreting it and writing the research report. The data was gathered from the interviews and from observation of meetings were used. Interviews were transcribed and data was arranged into three different categories: data from religious institutions, the UN agencies and the Provincial government. All the gathered data was read by the researcher thoroughly so as to gain "a general sense of the information and to reflect on its overall meaning" (Creswell

[16] Also known as network, chain referral, or reputational sampling is a method for identifying and "sampling" or selecting the cases in a network. (Bickman & Rog 1998:199).

2009:185). The credibility of the information such as the statistics was confirmed through other sources such as what was available on the recording. An example is that there are records kept by different institutions about the number of people who are kept there, the source of their funds. Coding was done as part of data analysis. "Coding is the process of organising the material into chunks or segments of text before bringing meaning to information" (Creswell 2009:186). When going through the text of the transcribed interview, the questions constantly in my mind was, 'what is this about?' What is its underlining meaning? How does it help me to answer my original question of factors affecting policy decisions and practises regarding the provision of shelter for the most vulnerable?' Codes were made on topics that I expected to find or where unexpected and rare or unusual topics. From these codes, one was able to generate themes for analysis such as vulnerability, finances, coalitions and belief systems. The findings of the analysis are conveyed in a narrative format with accompanying tables and figures.

3.12 Limitations

The limitations that I encountered were the difficulty with access to the director of the Help Migrant Desk. Five other shelter providers who cater mainly for locals were not prepared to be interviewed as they did not have time for interview. Others stated that many students are coming to them for interviews hence there are tired of interviews. The possible impact of not speaking with people who declined was that their interviews would have enlightened me on different service providers who are only providing shelter for South Africans. One the reasons why they have not opened up their services to non nationals and on how they have dealt with the vulnerability of the people in their shelters.

3.13 Ethical Considerations

"Knowledge is always connected to power, and every refugee situation itself is needless to say politically charged" (Lammers 2003:4). Where there is the question of unequal power relations, one needs to be sensitive and not cause people unnecessary harm. "Harm may include emotional or psychological distress, as well as physical harm" (Babbie 2004:70). Here, 'do no harm' policy is used in reference to my interview having harmful consequences to the person who granted me the interview or the organisation they represent. Most people I interviewed are public officials and must abide by the 'do no harm' policy. I explained to them that the interviews I was conducting were part of my research and no harm was intended to any person being interviewed or the institution they represent. This principle is

important in research and it did facilitate easier communication when I was not viewed as a threat. "The problem of 'doing no harm' in refugee research is particularly difficult to anticipate or control" (Jacobsen & Landau 2003: 193).

Obtaining of voluntary[17] informed[18] consent[19] was another ethical consideration that I implemented in this research. "The standard components of consent are (a) provision of appropriate information, (b) participants' competence and understanding, (c) voluntariness in participating and freedom to decline or withdraw after the study has started and (d) formalisation of consent, usually in writing" (Terre Blanche 2006:72). Informed consent was sought from those who were being interviewed. Since I interviewed senior managers, to obtain consent I introduced myself in advance via email or through another person who introduced me to the interviewee. For some interviewees such as UNHCR and OCHA, I had to produce an introductory letter from the supervisor at the university. As part of obtaining consent, the purpose of my research was explained and any questions that arose from it were answered. The interviewee were informed that they were free to withdraw or not to answer any questions that they did not want to answer and were free to stop the interview if they did not wish to continue. Consent forms were not signed because all those who were interviewed understood well enough before the interview, the issue of voluntary informed consent and did not see any need for them. Verbal consent given was deemed to be sufficient for the purposes of the research in those instances.

For eight group meetings that I attended, an introduction by the person chairing the meeting and an explanation of why I was in the meeting was done and that my role was that of an observer. In some meetings such as Protection Working Group, I was given a chance to explain my purpose of attending the meetings. As no one objected to this arrangement in all the meetings I attended, verbal consent was assumed to be sufficient.

The literature reviewed drew from the three different disciplines of forced migration, housing and policy studies. From forced migration studies, the vulnerability of refugees and asylum seekers is an accepted reality. The 1951 UNHCR definition of a refugee has contributed to the acceptance that refugees are people in need of protection from other states. The different debates have been focusing on mainly camp and rural refugees. The South African

[17] Voluntary means without threat or undue inducement. (Bickman & Rog 1998:130).
[18] Informed means knowing what a reasonable person in the same situation would want to know before giving consent. (Bickman & Rog 1998:130).
[19] Consent means explicit agreement to participate (Bickman & Rog 1998:131).

government in the past has not been actively involved with providing shelter for the vulnerable refugees and asylum seekers but it has been funding shelters that have been housing locals as well as forced migrants. There is a policy shift that seems to be taking place in the Gauteng provincial government especially targeting Johannesburg as a pilot project with the government getting involved in providing shelter for the vulnerable refugees and asylum seekers. This initiative has been thwarted by the non availability of funds to house people even after renovating a building for this purpose. The lack of movement from the part of government to house vulnerable asylum seekers and refugees has been viewed as non decision making strategy.

In policy studies, I have looked mainly on the process of policy making or change. I have pointed out that many institutions operate on the basis of policies. Public policy is found in all parts of government, from the local, provincial and national. International bodies such as the UN and its agencies all operate on some agreed policies, for example the policy of operation for UNHCR was formulated as far as 1951 although it has been changed or expanded on with time. The policy making process has many stages but I focused more on agenda setting. Different factors influence agenda setting process such as the perceptions around the problem being faced, whether the policy makers agree that it is a crisis, or it needs to be addressed, the media attention does also helps to raise an issue to be included in the agenda. An example is the role that media played in making the issue of CMM to be put into the agenda of the provincial government. Counter to agenda setting is having some issues being removed from the agenda maybe because other issues require immediate attention or they need to be dealt with expediently. Other issues are dealt with but no action is taken. This is non decision making and I have tried to highlight in this research that this has happened on the case of CMM. The reasons that have been used were financial. Other reasons can be alluded to such as lack of political will to act from the politicians. At times, non decision making happens because some politicians see policy change as not advancing their own political interests and careers (Schlager 1995: 652).

CHAPTER 4 ANALYSIS OF STUDY FINDINGS

4.1 Introduction

The different institutions (found on table 2 below) were selected on the basis of availability and willingness to contribute to the research before they were interviewed. The people who were interviewed were people who spoke on behalf of their institutions hence there is no confidentiality agreement that was entered into with all those interviewed. As part of my research, I also attended meetings that were organised by the Local Government in Gauteng Province trying to consult on the issue of Central Methodist in 2009. Another meeting I attended was organised by the City of Johannesburg and chaired by the Mayor of Johannesburg: Mr. Amos Masondo. The meetings were organised as consultations on the issues of migrants and their participation in the city.[20] I also visited the Central Methodist Church once a week on Fridays, from June, 2009 to February, 2010 just to observe and to informally meet the people who were staying there and observe what was taking place. I was also an observer in the meetings that were held in different venues under the Protection Working Group. These meetings were held twice a month and they were organised under the United Nations High commission for Refugees.

Table 2. Information about the Informants

1	Mr. Russel McGregor	Local Government and Traditional Affairs	Government
2	Pete Manfield	Office for the Coordination of Humanitarian Affairs (Part of U.N.)	UNITED NATIONS
3	Alphonse Munyaneza	United Nations High commission for Refugee	UNTED NATIONS HIGH COMMISSION FOR REFUGEES
4	Bishop Paul Verryn	Bishop in Charge	Central Methodist Church,

[20] This meeting took place on the 6th October, 2009, in Johannesburg.

			Johannesburg
5	Sr. Irene McCarthy	Director	Sisters of Mercy shelters: Berea and Rosebank
6	Mrs Adilia de Sousa	Director	Beinvenu Shelter: Bertrams
7	Fr. David Holcroft SJ	Country Director	Jesuits Refugee Service: South Africa
8	Mrs Sarah Cossa	Manager	Frida Hartley Shelter: Yeoville
9	Bridgit Edwards	Manager	Bethany Shelter for Abused women: Bertrams

These different shelter providers can be put into four major groups based on the bigger institutions that they are affiliated to:

Table 3. Four Major groupings of the service providers

1.	Government	Provincial government
2.	United Nations	OCHA and UNHCR
3.	Church Based Service Providers	Central Methodist Church, Sisters of Mercy, (Catholic) Bienvenu Shelter (Catholic), Jesuit Refugee Services (Catholic but funded by the UNHCR)
4.	Community Based Organisation	Frida Hartley Shelter (Yeoville), Bethany Shelter for abused women (Bertrams)

4.2 Vulnerability

Looking at the different service providers that I interviewed, there is no consensus on how to define vulnerability for the people who were being assisted. For the forced migrants who are

able to find their own accommodation, there still remains a degree of vulnerability. Vulnerable to xenophobia, unemployment and failure to locally integrate. In the city of Johannesburg, many migrants tend to seek accommodation in the inner city flats and in areas that are close to the city. Suburbs such as Hillbrow, Berea, Yeoville and Bertrams, are populated by migrants, refugees and asylum seekers. Although rent is relatively high compared to those staying in the townships, non-nationals point to issues such as xenophobia, hence a sense of security when one stays in predominantly 'non-national' suburbs. "Migrants access inner city rental markets primarily through friends, family and other informal social networks located especially in Churches" (Greenburg and Polzer 2008: 10).The migrants experience challenges such as overcrowding (42%), bad services (31%), bad treatment by neighbours/ land-lords for being a foreigner (Greenburg and Polzer 2008:10). Issues such as overcrowding and bad service also affects other tenants regardless of their origin or nationality. Many non-nationals who carry a refugee or asylum seeker's permit find it hard to get into a lease agreement with landlords or asylum seekers as they demand a South African identity document and this leads some to sub lease. Overcrowding through subleasing or the need to accommodate friends and relatives leads to dilapidation of buildings and increased health risks.

4.2.1. Central Methodist Mission

Most shelter providers do disregard the family unit in considering who is eligible for shelter according to the way they measure vulnerability. Central Methodist Mission and the camps set up after xenophobic attacks and an initiative of the Jesuit Refugee Services are the few service providers who take into consideration the vulnerability of the whole family when offering shelter to refugees and asylum seekers. For some institutions such as Central Methodist Mission, the fact of being a forced migrant makes one to be vulnerable. This is more based in the approach of CMM to the urban homeless and poor. This is reflected in the accommodation of all international migrants whether they have asylum seeker's permit, refugee status or there are undocumented migrants or just locals who are homeless. This approach comes from a Christian background and that it is interpreted as meaning a church that opens it doors to God's people. Bishop Paul Verryn says of Central Methodist Mission in the inner city of Johannesburg that is housing approximately more than 3 000 people, "here the Kingdom of God is made present and these people are our guests and it is an honour to

host them".[21] Bishop Verryn understands that the church is offering temporal shelter for a period of three to four months for the homeless who are either locals or international migrants. At the time of the interview, Zimbabweans were the most prevalent occupants of the Central Methodist Mission with the Bishop approximating the figure of people staying there to be around 3000. The Central Methodist Mission itself has been involved with homeless people for over 20 years in Central Johannesburg.

> "It is only about four to five years ago (i.e. 2004 to 2005) a lot of people were coming from outside South Africa to seek refuge. Some were politically involved and others were not and they ended up living in the streets. Due to violence in the streets of Johannesburg, they ended up losing their possessions and start looking for a place of safety and I opened the doors for them. The number of people grew from 1500 to 3500 to date."[22]

The approach presented by Central Methodist Mission highlights that for Bishop Verryn vulnerability is equated to being homeless in the city. It does not matter whether one is South African, Zimbabwean, Zambian or so but one is considered vulnerable because there is no place to stay and the church opens its doors. From my observation, the conditions at the CMM are not the best in that many people sleep wherever they can find space that is, on the corridors, staircases, inside the church and in the halls. From my many visits, especially at night, CMM's accommodation standard bring back the debate of alternative accommodation, decent, humane and accommodation that can offer a person some privacy and a place that is dignified. From all the different organisations interviewed, CMM's understanding of vulnerability is both unique and inclusive as it uses the fact of being homeless as the sole criteria to accepting and offering a person some accommodation. As the CMM has "an open door policy," meaning that any homeless person is welcome to get accommodation, one finds that there are infants staying in the building with their mothers, children, young people, men and women. The place also accommodates the sick as they have a home-based unit. During the week, the women residents with children are allowed to leave their children at the day care centre inside the building so that they can engage in other activities without the burden of children.

The Central Methodist Mission (CMM) is a good example of the dire need for shelter for the most vulnerable forced migrants, refugees and asylum seekers. The CMM "is one of the few places in the inner city of Johannesburg offering such shelter and so plays an important part in facilitating access to basic welfare services for migrants" (Greenburg and Polzer 2008:9).

[21] Interview with Bishop Paul Verryn: 14th November, 2009.
[22] Interview with Bishop Paul Verryn: 14th November, 2009.

This approach of the Central Methodist Mission supports the view of shelter as a social space where people come together and find solace and consolation from one another. In so doing, one does not look at the type of accommodation but the intention: that is God's house is open to everyone even the most despised of people, relatively safe space for people to shelter.

The Church's service of sheltering refugees, asylum seekers and migrants has encountered a lot of opposition from the government. The Church has been raided by South African Police Services (SAPS) and around one thousand people were arrested and later released (31 January 2008) with the High Court judge apologising as some of the people who had been arrested were kept in prison for many weeks.[23] A court case was lodged against the City of Johannesburg by business personnel around the area for failing to enforce the city's bylaws and this opened a debate on whether the South African government had a responsibility towards the sheltering of forced migrants and on alternative accommodation for the urban poor especially refugees and asylum seekers. Since 2009, many issues have immerged from the Central Methodist Mission's housing of forced migrants. Accusations of sexual abuse of girls staying in the CMM and attending school surfaced in the newspapers. Other accusations were of boys being recruited to commit crime. The visit by Mrs Molebatsi Bopape who is the Gauteng Legislature's Health and Social Development Portfolio Committee Chairperson on the 23rd October, 2009 to the CMM made her to make the following comments: "We will make a recommendation to close the church after witnessing the horror that we saw this morning, If I could have it my way, I would close it down today". http://www.mg.co.za (2009-10-30). Mrs Bopape was also concerned with the women and children who were staying in this place "children are being exposed to abuse, babies are sleeping on the floor, the place is so filthy that we couldn't even breathe". http://www.mg.co.za This unannounced visit done by the provincial government was followed up by a meeting on the 30th October, 2009, were the Portfolio Committee received inputs from the NGOs and CMM. Bishop Paul Verryn was not present at the meeting but he was represented. A follow up meeting was held on the 6th November, 2009 and Bishop Paul Verryn walked out during the meeting. On the 13th November, 2009, a clash of character was evident between Bishop Verryn and Mrs Bopape. On the 3rd December, 2009 another meeting was held and "Mrs Bopape stated that the aim of the next task team should be to ultimately close the CMM to refugees as the church is meant to be a spiritual space and it is not accredited to provide shelter for so many

[23] Judge Sutherland stated "The irony a decade after democracy, is to witness in courts in our country such brutal, indifferent and, indeed, cruel treatment of human beings. This is a shame." http://www.tac.org.za

people" (Minutes, Johannesburg: 2009: 1). Mrs Bopape gave reasons for the need to close down the CMM as a shelter for refugees such as it is not the purpose of the church to house people, it is overpopulated, there is abuse especially of women and children, unhygienic, next to the high court, its affecting business, there are criminals being housed there and it has affected the whole area around it. Central Methodist Mission and its response to the homeless highlights the challenges that a shelter provider who has an "open door policy" to the people who come seeking temporary shelter ends up in conflict with government officials and even his/her neighbours. The vulnerability seen by Verryn seems not to be shared by the provincial government who see the sheltering of women, babies and children as increasing their risk to be abused (in other words, increasing their vulnerability).

Although Central Methodist Church has been heavily criticised for its stance of keeping the homeless refugees, asylum seekers and migrants in its premises, the Methodist Church of Southern Africa (MCSA) registered their support as follows "We (MCSA) affirm the gracious courage of Central Methodist Mission (CMM) in opening the doors of their church to the thousands of displaced persons who as a consequence of social instability, fear or destitution turned to the church for help in their time of need …. We reaffirm the commitment of the MCSA to provide ministry to the vulnerable, victimized and most needy people in our midst" (Legal Resources Centre 2009:2). The existence of Central Methodist Mission as a shelter option reflects the critical need for shelter for many homeless and migrant people. "Almost all the people living in the Mission went there initially because they had nowhere else to go, those who stay do so because they are unable to find suitable shelter elsewhere'. (LRC 2009:8). In other words, for many people it is because of lack of alternative accommodation that they find themselves at CMM. The overcrowding that took place during winter of 2009 at CMM was contributed by the extremely cold weather which affected many people sleeping outside the building. The raid by the police that took place on the 3rd July 2009 of which three hundred and fifty people were arrested as they had been sleeping on the pavements in the vicinity of the Church and South Gauteng High Court –as they could not find shelter anywhere else. These people were released on the 6th July 2009 and most of them moved into the building increasing the number of people living inside the building. The Legal Resources Centre pointed out that there were more than thirty thousand refugees and migrants living in the city centre alone. The government then at one stage established a task team to provide alternative accommodation which would be better than CMM. This initiative saw the renovation of 'Moth Building' in Johannesburg for the purpose of providing

accommodation to homeless refugees, asylum seekers and migrants both local and international but the building has been standing empty for some time already after renovations were completed. "Ms Mary Metcalfe (part of the government) has reported to the Mission (CMM) that the plan to provide an alternative building collapsed recently when the representative of Social Development in Gauteng, (Ms Cook) reported that despite previous indications, there was no money in the budget to support the people that the city had made available for residents of the Mission' (LRC 2009:10). The Legal Resource Centre pointed that what is happening at the CMC in connection with shelter is part of a broader problem of homelessness, poverty and migration in Johannesburg and it cannot be addressed by the enforcement of the city's by-law. "It must be recognized however, that the group of people living at the Mission are a 'tip of an iceberg' and any governmental response cannot ignore the much larger numbers in the city still needing shelter" (LRC 2009:20). From these happenings at CMM, the vulnerability of those staying at there has been increased by the police arrests, the threat from the provincial government especially as spoken of by Mrs Bopape of closing down this shelter, the court case from the law firms and people having businesses around the area.

4.2.2 Other Service Providers

Looking now at other service providers that were interviewed, the church based organisations and the community based organisations look at women and children as vulnerable groups. Mrs Adilia de Sousa of the Bienvenu Shelter which began its operations from 2001 has been targeting women and children[24]. Their understanding of sheltering women and children refugees and asylum seekers is influenced by their Catholic mandate especially as they are part of the Catholic Archdiocese of Johannesburg's department of Refugees. The Archdiocese formulated the policy and the Catholic shelters work within the existing policies. Their criterion was to help refugees and asylum seekers who are in their view, vulnerable and need to be assisted. Most of these women are newly arrivals in the country and in the city. By newly arrival they mean that one should be less than six months in Johannesburg or South Africa. Their reason for this is that if one is a newly arrival, one's vulnerability is very high as one does not have a place to stay, does not know many people and most probably one does not have a source of income. Many women also come with children who also increase their vulnerability. For the women who come from French or Portuguese speaking countries, they

[24] Male children have to be under the age of 12 to be accepted into the shelter. Interview with Mrs Adilia …. 21th November, 2009

are considered to be more vulnerable also because of their lack of English language to communicate easily with others. For any woman to enter this shelter, she has to satisfy the one interviewing her that she is otherwise more vulnerable if she is not accommodated at the shelter. The women and children who stay in this shelter are provided with food, bedding, nursery for children and preschool facilities. For the women, they have some skills training such as sewing, introduction to computers and they assist them to seek employment. All this is done so as to reduce their vulnerability and help them to integrate easily into the society.

For the Sisters of Mercy shelters, which are also a Catholic Institution, vulnerability does play a role in who can be admitted into the shelter. Vulnerability is viewed in terms of being a woman, not working, newly arrived in Johannesburg, with nowhere else to go for accommodation or coming out of an abusive home situation. The Berea Shelter accommodates mainly South African women (60%) and 40% non-nationals. For non-nationals, they need to have their asylum seekers' permit or refugee status. The duration of stay at these shelters is for three to six months and in some cases for a year. "The government has a ruling that as a shelter, it is not meant to be a home, so we help people to move on after some time (three to six months)".[25] These shelters try to address the skills deficiency of its residents by offering in-house courses such as sewing, cooking, crafts and computers. The residents are encouraged to go and look for work during the day. Some spiritual exercises are also part and parcel of the Mercy sisters' shelters.

The community based organisations such as Frida Hartley Shelter and Bethany House are also sheltering people. For these two shelters, women and children are seen as vulnerable despite the country from which one comes from. As the challenge of financing these shelters, they have unwritten rule of having to accommodate at least 60% locals and 40% foreign nationals. Other than the fact that they take only women in distress situations or without shelter, Bethany house specialises in taking women who are coming from an abusive relationship or who have been brought there by the law enforcing agents who have identified them as vulnerable. Being for example an alcoholic or a drug addict is not viewed as beyond the scope of these shelters and people with such challenges are not taken into the shelter. Although Bethany House is a community based shelter, Christian spirituality is an integral part of the life in this place. Other activities that take place in this shelter include counselling, bead work, group exercise and sharing, sewing and computers. Brigit Edwards (manager of

[25] Sister Irene: Director of Mercy shelters: Interviewed on the 5th November, 2009.

the shelter) pointed out that these activities contribute to the reduction of vulnerability of the people staying in the shelter and empowers them for independent living when they leave the shelter.

4.2.3. Provincial Government and UNHCR

The provincial local government is viewed as the service provider of temporary shelter in the city of Johannesburg and has worked with other institutions such as the UNHCR and other NGOs in trying to address the shelter needs for the vulnerable. Mr. Russell McGregor[26] whom I interviewed pointed out in the interview that issues such as migration, search for a better life and employment as some of the things that brings people from other places to the cities. The South African government is still struggling to provide adequate housing for its own citizens and it had prioritised the issue of housing when the ANC government came into power in 1994. The RDP and the Housing Policy of 1996 were all efforts to address the shortage of housing for the citizen. With regard to the forced migrants from across the border, the government expected them to integrate into local communities. According to Mr. McGregor, there had been no special accommodation being offered by the provincial government to the refugees except during the time of the xenophobic attacks that took place in May 2008. It was the only time that the provincial government erected the camps to house the displaced people. It was clear from the beginning that the camps were emergency shelter only and had a lifespan of three months although many lasted more than that.

The government set up a National CMM Task Team that was mandated to address the CMM's situation as the city of Johannesburg was being taken to court by businesses around the CMM for failing to enforce the city's bylaws. Mr. McGregor pointed out that the court case was just "part of the broader issues concerning temporary shelter in the city of Johannesburg" (Interview: 2009). The city of Johannesburg made available a building called "The Moth Building" and according Mr. McGregor R9 million was spent repairing and refurbishing the building. This was meant to be a learning experience for those involved and if it succeeded, it was going to be replicated in other provinces. The building was said to have room for 700 people which were going to include the refugees, asylum seekers and homeless locals. The rationale behind this thinking was that if the building is occupied by foreign nationals only, then it can easily be a target of xenophobic attacks. By accommodating the

[26] Works for the Provincial Department of Cooperative Governance and Traditional Authorities for Gauteng Province. At the time of the interview, he was also Chairperson of the National CMM Task Team which included representatives from the National, provincial and municipality governments.

homeless locals and foreign nationals, Johannesburg will be addressing "broader issues of temporary housing and homelessness" (Interview: 2009). The plan was to take people to the Moth Building by July, 2009 but until now no forced migrants have been accommodated in this building. Mr. McGregor pointed out that

> "there were differences of opinion on who was supposed to run the building. When we agreed that Government will pay for an NGO to run the building, the issue of budget became a hurdle and up to now it has not been resolved" (Interview:2009).

In terms of the provincial government's understanding of vulnerability and shelter, I conclude that being a forced migrant or homeless does not make a person to be vulnerable but other circumstances such as the xenophobic violence and the court case pushed them to act. However, their actions have been curtailed by lack of funding. The issue of vulnerability of forced migrants brought the government to shift their focus onto children and also the need to move these children from the CMM to shelters that had been identified. Ann Skelton[27] released a report on the children staying at CMM and pointed out that "unaccompanied children staying at the Church should be allowed to stay there, but qualified staff should be brought in to help them…. (and she also noted that) the children had established a strong bond between themselves and with other adults at the church and recommended that they should not be moved or separated for now." www.thezimbabwean.co.uk

The reasons for the provincial government's action to resolve the issue of homelessness and the CMM can also be deduced from the comments made by the officials. Kanyisile Nduli[28] said that

> "the church is not conducive to housing people. The Bishop [Paul Verryn] had good intentions but the church is now exposing government. It is embarrassing to us. In 2010 we don't need people to show us pictures of Johannesburg and embarrass us" (Minutes: 2010:3).

South African homeless people were being considered for inclusion in the Moth building with the ratio of 1: 4 or 25% of the residents had to be South Africans. Although the government has not admitted that 2010 is the year of the World Cup which can be a push factor the city to clear up places where it thinks that they will not present a good image of Johannesburg as "a world class African city." Basing on the Consultative meeting that was

[27] Ann Skelton: Advocate at the University of Pretoria's centre for Child Law
[28] Khanyisile Nduli is Special Advisor to the Minister of Cooperative Governance and Traditional Authorities

held by the Mayor of Johannesburg on the 6th October, 2009 with the Johannesburg Migrant Advisory Committee[29] the mayor outlined his objective as

> "to increase tolerance for migrants and combat xenophobia, implemented through the anti–xenophobia and common citizenship programme, which aims at eliminating xenophobic attacks and increasing tolerance to migrants …. and to promote good practice citywide of services needed for migrant integration".

The city's migrant policy[30] articulated amongst other things, transitional shelter as one of its themes. The mayor did not say how, where and when will the city do something about transitional shelter but pointed out that the city was "here to learn as Johannesburg is build on the work done by migrants of all kinds".

Table 4. The Vulnerability Table: The type of migrants that are assisted with shelter

	NAME OF ORGANISATION	VULNERABILITY GROUP THAT IS PROVIDED WITH SHELTER
1.	UNHCR	Zimbabweans with special humanitarian needs (Male and Female) and other foreigners with Refugee claims in South Africa
2.	Government	Victims of Xenophobic Attacks (May 2008) and other homeless people.
3.	Central Methodist Mission, Johannesburg	Refugees, Asylum Seekers, Undocumented migrants and homeless people. (Male and Female), children and people with disabilities and the sick.
4.	Sisters of Mercy shelters (Rosebank and Berea Shelters)	Homeless South Africans and Forced Migrants: Rosebank: Male and Female: (80%) local and 20% forced migrants. Berea Shelter: 60% local and 40% forced migrants; Only women.
5.	Bienvenu Shelter:	Forced migrants: Women and Children in distress:

[29] The Johannesburg Migrant Advisory Committee was established on the 5th March, 2009 by the Johannesburg Metropolitan Council

[30] Themes articulated in the city's migration policy are "skills/ qualification conversion for refugees, access to financial services, education, transitional shelter and social services" Speech of the Mayor of Johannesburg: Amos Masondo on the 6th October, 2009.

	(Bertrams)	Pregnant, newly arrivals, women with young children. (Mainly with Asylum Seekers or Refugee Status).
6.	Jesuit Refugee Services	Asylum Seekers and Refugees Only. Women, men and children.
7.	Frida Hartley Shelter	Women and young children: The policy is 60% local and 40% forced migrants: Asylum Seeker's permit or Refugee Status is needed.
8.	Bethany Shelter	Abused Women and their children: 60% local and 40% Forced migrants.

The following table (5) shows the number of people that accommodated at each shelter and period of time they can stay in these places.

Table 5. The total number of people accommodated at each shelter

Government	Statistics not available	3 months
UNHCR	350	3 months
Central Methodist Mission	Approx 2000	Indefinite
Sisters of Mercy shelters	120	6 months to a year
Bienvenu shelter (Bertrams)	40 women and 20 children	3 months
Jesuit Refugee Services	400 per month	6 months
Frida Hartley Shelter	30 women	3 – 6 months
Bethany Shelter	40 women	6 months to a year

4.5 Finances or Budgetary Concerns

Another theme that comes out from the research done is that of the role played by finances in the policy making issues. Mr. Alphonse Munyaneza of the UNHCR pointed out that "budget is definitely a major concern especially when dealing with the housing issues for the refugees" (Interview by author). For the UNHCR, there is a board that consists of 60 to 90 countries that meet every year in October and UNHCR presents its budget to them and if the funds are not enough adjustments or more fundraising has to be done. For the same reasons

of funding, UNHCR decided that it could not keep the people staying in temporal shelters in different places in Rosettenville to continue staying there because the available funds had been exhausted.

Other institutions such as the church based institutions have adapted in such a way as to accommodate a certain number of locals so that they can access funding from the government. The Sisters of Mercy in Rosebank are mainly funded by the government [Department of Social Welfare] and one of their shelters has mainly South African homeless people living there while the other in Berea has more foreigners being accommodated there. The members staying at the shelter are requested to contribute something on monthly basis. What they do is to make sure resources are shared from one shelter to the other. Funds limit the number of people these shelters can accommodate and the type of services that are offered in these shelters. The Bienvenu Shelter on the other hand is supported by the Catholic Church and accommodates only migrants. Part of their funding comes from overseas which gives them freedom to keep the people they wish to for a short period of time. The JRS sees itself as an implementing partner of the UNHCR and receives most of its funds from the UNHCR and it is guided by the policies of UNHCR on financial issues.

Finances or budgetary issues also affect the provincial government of Gauteng in addressing the issues of homeless people especially those who were supposed to move from the CMM. The government was able to use R9 million to renovate and refurbish the Moth building but failed to take the people there because of funding which was to be used to pay an NGO that will be managing the building. "When DSD [Department of Social Development] realised there was no budget for the CMM/ Moth situation, we approached the Treasury and had several meetings to motivate for money. We needed to convince the Treasury that we were not planning to provide a permanent home for foreign nationals but only transitory housing with a clear exit strategy"[31] There were guarantees that funding was going to be available in 2010 to make sure that Moth building would function to its full capacity as planned.

The following table reflects the funds that different service providers have and this also helps to explain the number of people who can be accommodated by these shelters, taking into consideration the space the service providers have available for accommodation.

Figure 6. Finances used by Shelters

[31] Solly Mdweni: Department of Social Development. South African National Government.

Name of Shelter	Budget per Year	Funder/s
Provincial Government	R9 000 000	Provincial and National Government: The National Treasury
UNHCR	Not stated	United Nations and other private donors
Jesuit Refugee Services	R4 500 000 per year	United Nations high commissioner for Refugees and the Society of Jesus (Jesuits Internationally)
Beinvenu Shelter	R500 000 – R1 000 000	Catholic Archdiocese of Johannesburg Catholic Church Internationally especially Germany and Brazil UNHCR for specific projects
Mercy Sisters' Shelters	R1000 000	Department of Social Development Mercy Sisters Internationally Private local donors
Frida Hartley Shelter	R500 000 – R750 000	Department of Social Development
Bethany House	R900 000 - R1 000 000	Department of Social Development Local Community Anglo – American South Africa.

The following table shows the different service provided by the different shelters. These other services are aimed at reducing vulnerability of individuals and prepare them to face life better after they stay at the shelter

Table 7. Services offered in the Shelters

Government	- Accommodation, water and sanitation in Tents provided by the UNHCR. - Security of the place - Negotiation for the return of the Xenophobic victims to the places where they were staying before
UNHCR	- Accommodation in sponsored shelter in different places in Rosettenville. - Provision of food vouchers. - Facilitation of the processing of legal documents such as asylum seekers' permit or refugee status. - Help with the access to the labour market - Skill horning and assist towards self reliance - Exit plan: Repatriation, Local Integration, Temporal Stay.
Central Methodist Mission	- Accommodation - Health facilities run by MSF - School for the children - Nursery and Preschool facilities. - Some skills training. - Home Based Care Room for the sick Church services for the residents.

Sisters of Mercy Shelters	- Accommodation - Food provided in common - Skills training especially in the Berea shelter such as Computer literacy, dressmaking, embroidery, cooking. Counselling Facilities
Bienvenu Shelter	- Accommodation - Food provided for residents - Nursery for children - Preschool for children - Skills training such as dressmaking, child care, Computer literacy Loans for small income projects
Jesuit Refugee services	- Home Based Care - Assistance with schooling for the children - Offer loans for small income projects
Frida Hartley Shelter	- Accommodation - Assistance with chid care. - Offer opportunity to look for work and at times assist you with it. - Food for all the residents
Bethany Shelter	- Accommodation - Assistance with child care. - Preschool for the residents. - Spiritual inputs - Counselling Skills training: Sewing, bead work, prayer and leadership training.

4.3 Analysis of the shelter providers using advocacy coalition framework

The different shelter providers that I interviewed are engaged in policy decisions and practises in different scales. The UN bodies as well as the South African Provincial Government of Gauteng are involved in policy decisions in a bigger scope as compared to the church and community based organisations. Although the scale might be different with these shelter providers, what they all share in common is that they all engage in the policy process that at times leads to new policies or change of policy.

Using this theoretical framework, the Gauteng Provincial Government working together with the Disaster Management Team provided shelter for the victims of xenophobia after the May 2008 attacks that left 62 people dead and thousands injured and others displaced. The provincial government together with UNHCR helped to move people from the police stations and public halls to the different camps sites that had been created especially throughout the Gauteng Province. Deducing from the actions of the provincial government, I can say that their policy has been that of offering emergency shelter after disaster and in this case, xenophobic attacks would count as such. From the interview with Mr. McGregor, there seem to be a policy shift from providing shelter only after a disaster to permanently having a shelter that will accommodate forced migrants and locals for a limited period of time.

The ACF points out to the role played by beliefs in different organisations. From the different institutional representatives that were interviewed, they all possess some core beliefs that are difficult to change. Based on the interviewed conducted to the different shelter providers, the different core beliefs of the institutions began to merge. The provincial government that is controlled by the ANC has the belief that government services should be primarily for citizens. Another core belief is that providing shelter to foreigners would be politically unpopular or attract violence from the angry locals. This core belief was expressed by a government official in a meeting discussing shelter provisions. Mr. Khanyisile Nduli[32] pointed out that:

> "We are also including South Africans in the project [of housing foreign nationals and locals in Moth building] because we had protests and so we needed to be responsible to South Africans, also because this was just after

[32] He is the Special Advisor to the minister of Cooperative governance and Traditional Affairs.

> the elections. (Notes from the meeting held on the 3rd December, 2010 of the task teams regarding the Central Methodist Mission).

From the above quoted statement, it alludes to the belief that if the locals are not included then there is a high risk that such a decision will be unpopular. It might also attract violence from the angry locals who would have felt left out or marginalised. South Africa as a country is struggling with the housing its own people as stated by McDonald, "housing for the urban poor is one of the biggest challenges for the South African government. With over three million people living in shacks or inadequate housing and with tens of thousands joining the ranks of the homeless every year …" (1998:1). According to Mr. McGregor, it is the policy of the South African government not to provide shelter for the refugees and asylum seekers in the country but they are expected to self integrate. This can be pointing to the belief that government services should be primarily for citizens.

This core belief did change in the aftermath of the xenophobic attacks. All three levels of government (local, provincial and national) in South Africa worked together to provide emergency shelter to the people who were affected. Another change in the core beliefs is seen in the consideration of providing temporal shelter to the people staying at Central Methodist Mission. Mr. McGregor pointed out that

> "Last year (2008) during the unfortunate events that led to many foreign nationals including South Africans being violently attacked. That was all called Xenophobic violence. During the period of last year, the government in all three levels responded as best as it could providing shelter for the victims of what happened in May [2008] not just in Gauteng but throughout the country… We [as government] felt that we had a moral obligation to play a role because the people that were affected, were affected by the South African citizens and we felt a moral responsibility to respond … We decided to set up temporary shelters. As you know that the South African government's policy is not to create camps.[33]"

The current debate on providing alternative shelter for the people staying at Central Methodist Mission by the government reflects a change in the core belief of not providing shelter for foreign migrants. This change has been brought upon by factors such as the court case against the city of Johannesburg by the businesses in the area around the Central Methodist Mission about the enforcement of the city's bylaws. Another reason is that there is a need by the provincial government to address the issue of temporal shelter in the inner city

[33] Gauteng province had six temporary shelters set up. Three were around Johannesburg and the other three around Pretoria area.

and to have a pilot project on how to address the issue of homeless in the city. Mr. McGregor pointed out that:

> "This process is clear that the government is trying to resolve the issue of homelessness in the inner city, and not only for foreign nationals. This is a pilot model and if it works, it will be expanded beyond this one building and to other cities." (Minutes from the 3rd December, 2010 Meeting).

In the same meeting, Mr. Nduli brought forward another reason why they has been a change of the core beliefs,

> "We have the challenge that even our own people from rural areas come to the cities and we need to make sure that the bigger cities don't fall apart because we have too much of a concentration of people in the city."

The provincial government's core belief that the government services should be primarily for citizens has changed somewhat as there is talk about providing accommodation for refugees and asylum seekers staying at Central Methodist Mission in the inner city of Johannesburg. This is reflected by the availability of the Moth Building to house refugees and asylum seekers who are staying at CMM. Other than the articulated reasons for this change of the core beliefs, I also wish to point out that 2010 is the year South Africa is hosting the Soccer World Cup. Hosting such an event is an opportunity for the provincial government together with the local government structure to 'clean up' the city before the visitors arrive. This on its own challenges the provincial government to try and present a managed picture of Johannesburg with no squalor and as 'world class African city,' as Mr. Nduli pointed out,

> The bishop [Paul Verryn] had good intentions but the church is now exposing the government. It is embarrassing to us [those in government]. In 2010 we don't need people to show us pictures of Johannesburg and embarrass us.

Up to the time of writing this research, no person from the Central Methodist Mission had been moved to the Moth building because the government claims not to have the funds to run the place reflects what is called non decision making. From 2008, when the court case against the city of Johannesburg for not implementing the city's bylaws and the many meetings held by the provincial government and other stake holders to discuss alternative shelter for the people staying at Central Methodist Mission, the people have not been moved. Instead the

Moth building is now being occupied by South African nationals as reported by Phillip Harrison[34]

> "In July (2009) there was an eviction in Carr Street, Newtown [Johannesburg]. The court instructed the city to house the 120 people temporarily … these are already in the Moth building. A further 80 – 90 will probably be moved out of Chancellor House when it is refurbished. The court is likely to tell the city it must provide them with housing. By January there will therefore probably be close to 200 South Africans in the building …"

There is non decision making when it comes to refugees and asylum seekers especially those staying at CMM. The non decision making can be an indication that the provincial government together with the local government are reluctant to implement policy changes. The reasons for this vary. The lack of financial resources to run the place can be one of the reasons. If this reason is valid, how come South Africans are able to occupy the building despite the lack of finances? The threat of the court case is no longer there. One can say that there is still a belief that government's services should be primarily for citizens. Therefore the urgency to house the refugees and asylum seekers temporarily is no longer there when this issue is not on the agenda for policy change.

Another core belief of government is that providing shelter to foreigners would be politically unpopular or attract violence from angry locals. This belief is attested to by the fact that in May 2008, they were xenophobic attacks that took place in many parts of South Africa. One of the issues raised was the competition for scarce resources such as housing. It was because of the xenophobic attacks that the South African government in all its spheres initiated temporary shelter for the internally displaced persons in 2008 as stated by Mr. McGregor during the interview.

The Advocacy Coalition Framework states that many factors are involved in the policy change process. In this case of the provincial government changing from providing emergency shelter to having a shelter for forced migrants and locals, the provincial government has worked with many actors to come with this policy change. Some of these

[34] He is working for the Department of Urban Planning and was part of the meeting held on the 3rd of December, 2009 of tasks team on CMM, Johannesburg.

actors are the people staying at CMM, the different NGOs, UN agencies, Wits (FMSP), the media, the business community and even the national government.

The people staying at Central Methodist Mission can be viewed as stakeholders in that their numbers increased especially from 2005 elections and Operations Murambatsvina (Operation Restore Order) that was conducted by the Zimbabwe government. In 2008 after the March elections and the violence that followed, many people left Zimbabwe and some of them stayed at CMM. According to Bishop Paul Verryn, from the end of March 2008 to September of the same year the number reached their climax of more than three thousand. The church itself became too small to accommodate these people so that some of them were sleeping along the streets such as Small St and other streets. The big number of people sleeping in the streets attracted the attention of the media and it also strained the relationship the city of Johannesburg and the businesses surrounding the area of CMM. This led to the court case being brought against the City of Johannesburg for failing to implement its bylaws. The municipality officials and politicians of Johannesburg were also involved as stakeholders in that it is in Johannesburg that many migrants came to settle or to pass by. Other stakeholders include the UN agencies and some NGOs who had interest in the sheltering of the vulnerable refugees and asylum seekers. The Department of Home Affairs is a major stakeholder in issues that deal with refugees, asylum seekers and migrants recording their presence in the country and enforcing the Immigration and Refugees Acts.

The Advocacy Coalition Framework seeks to persuade decision makers, such as government, to see the need to change policy. The use of information here by the provincial government is reflected in the information that is available from the Department of home Affairs (DHA). The information such as the number of people who have applied for asylum seekers' permit, those who have been deported from South Africa and for example in 2006, we have the highest number of people who were deported since 1990 and there were 266 067 whilst only 53 361 people in 2006 applied for asylum seeker's permits[35]. The city officials base their decisions not only on the information provided by DHA but on many other factors such as the existing policies in the country that deal with refugees and asylum seekers such as Immigration Act and Refugees Act..

[35] The statistics are taken from the CoRMSA report of June 2008.

The provincial government stated that in addressing issues affecting the refugees and asylum seekers, they are in coalition with different UN agencies confirmed by UNHCR. An example of UN bodies working together with the provincial government is United Nations Development Programme (UNDP), UNHCR, and United Nations' Children Fund (UNICEF). They also work together different NGOs, religious groups, organised structures in the society and other levels of government. Names of different NGOs and religious groups that the provincial government is working with were not mentioned by name. Most of these coalitions are formed in the face of crisis or need for example, during the xenophobic attacks, in trying to find a solution to the Central Methodist Mission. The coalition that has lasted longer than others is the one between the government and UNHCR.

4.3.1 The UN Agencies

The core beliefs of the UNHCR are very different from those who the provincial government. Although these two structures do cooperate as times. Looking at the United Nations High Commission for Refugees using the ACF, the core beliefs is that a refugee is a person in need of protection and this is done in liaison with the country in which the person have been recognised as a refugee. The UNHCR has not been directly involved in providing shelter for refugees and asylum seekers until recently. From the interviews held with Mr. Pete Manfield of OCHA and Mr. Alphonse Munyanenza who represented two different areas of United Nations, it was apparent that the United Nations has not been involved in shelter issues in South Africa for a long time. The UNHCR only came to South Africa in the 1990s and after they have been invited by the government of the day. The involvement of the UNHCR with refugees in the past has been mainly with South African struggle refugees who were mainly from different African countries. The UNHCR helped these South Africans to come back "home". After that, they were involved with Mozambican refugees especially after the UNHCR was part of the 1993 Tripartite Agreement[36]. Mr. Munyaneza described the UNHCR's mandate as that

> "of monitoring the 1951 Convention of Refugee Status. We also provide expertise. It's not an active role. The protection provider is the state".

[36] The Tripartite Agreement was signed by government of Mozambique, South Africa and the Office of UNHCR.

In all the involvement of the UNHCR in the 1990s, they were not providing shelter for the refugees. An example is the UNHCR's involvement with the Mozambicans, here their mandate was "to organise a voluntary repatriation programme, in effect to facilitate the movement of refugees out of the country [South Africa back to Mozambique]. This was expressed most clearly by the fact that the only documents issued to refugees were registration forms for repatriation" (Polzer 2007: 31).

The core beliefs of UNHCR of working together with the hosting government did not change after the xenophobic attacks. The UNHCR has cooperated with the South African government especially after the Xenophobic attacks of May, 2008 as they helped with shelter provisions in the form of tents in the different established camp areas in South Africa. In 2009, they provided shelter for 126 refugees and homeless Zimbabweans who were seen as having special needs who were sleeping outside the Central Methodist Mission. This was in response to the request from the government to UNHCR to assist with the sheltering of these people. In dealing with emergency shelter Mr. Pete Manfield from OCHA stated that the UN has different ways in which it provides shelter and these are planned camps[37], self –settled camps[38], Collective centres[39] and these are known as grouped settlements. Dispersed settlements are staying with host families[40], rural self settlement[41] and urban self settlement[42] (OCHA 2008:269). In the South African situation, hostel type of accommodation in areas such as Rosettenville was identified as suitable temporary shelter by UNHCR. The long term policies viewed by the UNHCR and OCHA were local integration or repatriation for those who wanted to go back to their country of origin. There has been no talk on the third country settlement solution that is, sending people to another country such as America, Canada, Australia and New Zealand as the third option. "What is good for refugees is to make them fit into the community. Local integration, health, education and access to business" said Mr. Munyaneza. The following Table 8 was obtained from the UNHCR and it illustrates its

[37] These are camps that are built to house refugees and asylum seekers before they even arrive. These are usually built by the humanitarian organisation or the hosting government. Examples of this are the camps that were set up after the May Xenophobic attacks.
[38] These are camps where refugees and asylum seekers settle on their own without the support of the host government or some humanitarian organisation.
[39] These are places that are already built such as public halls, police stations, schools, hotels or other public buildings. These tend to be used as temporary shelter.
[40] This is an arrangement that one or more people stay with friends, relatives or on rented accommodation.
[41] Here refugees and asylum seekers live in a rural setting informally. They negotiate their way and settle mostly without the help of humanitarian agencies or government.
[42] This is arrangement that one or more people find their own accommodation and self in an urban environment without humanitarian organisation's assistance or help.

involvement in shelter provisions for the vulnerable Zimbabweans with special humanitarian needs and other foreigners with refugee claims. This table point out to people that UNHCR has been helping with shelter and on what basis. For example, the Zimbabweans are not considered as refugees but people with special humanitarian needs. This distinction is very important in highlighting labels. The label refugee makes one to access more help from UNHCR as their mandate is to refugees but people with humanitarian needs are assisted out of their goodwill as explained by Mr. Munyaneza.

Table 8. Response of UNHCR to Zimbabwean with special humanitarian needs and other foreigners with



ACF emphasises policy change as resulting from changing beliefs. On the part of the UN agencies, there has been no change of beliefs especially that of working in partnership with the government in addressing the needs of the refugees and asylum seekers.

The UNHCR coalition with the South Africa government has been in place since their arrival in South Africa in 1990. Mr. Munyaneza stated that

> "UNHCR got involved in shelter provisions at the request of the government … doing this thing (providing shelter) is the responsibility of the government and UNHCR came in because government did not have the ability and experience for that …"

Through the Protection Working Group[43] the UNHCR can be said to be in coalition with different bodies such as Forced Migrations Studies Program, Consortium for Refugees and Migrants in South Africa, Human Rights Commission, Centre for the Study of Violence and Reconciliation, Caritas, and other UN Agencies who sit and deliberate on issues that affect refugees and asylum seekers and look for ways to prove their protection. Through the exchange of information and research, this coalition works towards influencing policies that have to do with refugees and asylum seekers. This working group was able to invite decision-makers such as the top management of South African Police Service, "Director Chipu[44] and Senior Superintendent Khumalo to attend the meeting. At this meeting various issues were discussed that will further strengthen the relationship between SAPS and PWG and promote the shared mandate of early warning/detection of xenophobic violence" (Minutes from PWG October, 2009).

According to ACF, for major policy change to happen, the coalitions need to reach a compromise. I think that for UNHCR to work closely with government requires compromises. At times the government sees things differently from the UN agency. The government has the responsibility towards the South African citizens to provide services. On the other hand, UNHCR has a wider mandate of serving the refugees and asylum seekers who fall beyond some of the policies of the government. Compromises between UNHCR and governments are at times in situation such as sheltering the victims of xenophobic attacks (May 2008) and also providing shelter to the Zimbabweans who are seen as having humanitarian needs.

[43] It is a group of interested parties which includes the UN agencies, Forced Migration Studies Program and other NGOs working with refugees that meets twice a months to discuss issues affecting the refugees and asylum seekers.

[44] Director of visible policing in the South African Police service.

Some conclusion can be draw from the UN (UNHCR and OCHA) is that they have not been involved so much in shelter provisions for the vulnerable migrants until recently. Secondly, as a matter of protocol, these agencies wait for the government to invite them to partner with them in issues of sheltering the vulnerable refugees and asylum seekers.

CHAPTER 5 CONCLUSION

5.1 Introduction

This chapter aims at bringing together the issues that have been raised and analysed in this research. This research set out to determine the factors affecting policy decisions and practises regarding the provision of shelter for the most vulnerable refugees and migrants in urban areas. This was done by paying close attention to different shelter providers who participated in the study. This study has been conducted primarily in Johannesburg which is a city with many refugees and migrants as stated by Greenburg and Polzer (2008:2). The South African policy on local integration does not put refugees and asylum seekers in camps as seen in many African countries but it allows self settlement and self integration for the refugees and migrants. This study has also been done in the backdrop of a city that witnessed xenophobic violence in May 2008.

The study hoped to contribute to the debates currently taking place concerning the services that different agencies need to provide for forced migrants. The provision of shelter is but one of the many challenges faced by migrants in urban city environments (FMSP 2007:6). From the interviews, and observations of many meetings that discussed shelter provisions and document analysis, I was able to get understand the shift in policy or practise by different service providers not providing shelter for non nationals to providing it. In particular, nine service providers were interviewed, some of their documents such as minutes from meetings, programs that they were involved in were also viewed and considered as part of the research.

In this research, the Advocacy Coalition Framework was used because of how the ACF is one of the theories that explains the policy making process. ACF was relevant to my study as it pointed out important factors that are needed for policy change to take place such core beliefs, coalitions that exist and the compromise that take place between the role players so as to have policy change. It sees many stakeholders being involved in policy change process. The policy change is viewed as a competition between coalitions of actors who advocate for certain solutions. As different coalitions position themselves and vie for their ideas, there is need for compromises to be reached. In my study, there was a need for a compromise to be reached especially concerning the issue of shelter provision for the people staying at CMM. Considering that the position of provincial government was not to provide shelter, the position of other actors such as the people staying at CMM were continuing with their stay

despite the fact that the business community around CMM did not want them there. The business people wanted the people moved by taking the municipality of Johannesburg to court for not implementing the city's bylaws. An alternative accommodation facility was not offered to them. The provincial government was aware that if people were evicted, the court might demand the municipality to provide alternative accommodation for the evicted people. A compromise was reached in that the provincial government saw a need to provide shelter for the people in the form of the Moth building. The process has been simplified here to illustrate the element of compromise. If people were to be moved to the Moth building, then the provincial government wanted to make sure that it would not only be foreign migrants but some locals as well.

Different coalitions approach the existing policy with different core beliefs. The government's core beliefs are that its services should be primarily for citizens and that providing shelter to foreign nationals would be politically unpopular. It is this core belief that in most cases remains constant but at times it changes to accommodate some compromises. The core beliefs of UNHCR, for example is that refugees are those who have been recognised as such by the state in which they have sought asylum. In these instances, other people who could be classified as refugees but are undocumented end up being treated as foreigners with special humanitarian needs, as Zimbabwean have been viewed by UNHCR[45]. The other church based service providers also have their own core beliefs, for example that refugee and asylum seekers who are women and children need more protection. Community based service providers' core belief is women in distress are highly vulnerable and need protection. This does not matter whether they are local or foreign. The core beliefs reveal that service providers have unique needs as these determine how they interpret policy on forced migration.

The interviews conducted with different service providers help to elucidate the process of policy change. The service providers who were interviewed could be divided into four groups: the government, the UN Agencies, church based and community based. The bigger the service provider, the more complex the policy change process is. This is illustrated with relatively simpler policy change process for a shelter such as Frida Hartley that caters for less than 40 women and has a board of management that actively makes policy. The government's policy change process on the other hand is very complex and it involves many

[45] See the UNHCR diagram inserted above.

people and different role players. By applying advocacy coalition framework, I was able to analyse each service provider as to its belief systems, coalitions, the actors and compromises that take place during the policy making or change process.

To conclude, I wish to draw out certain points I think are important. Institutional differences do affect shelter related decisions and practises. Different service providers set different agendas concerning what they view as the pressing needs that should be attended to and the way to attend to them. Service providers that are religious based, for example, tend to set their agenda around their own perceptions of vulnerability. Although many asylum seekers and refugees have a degree of vulnerability caused by the fact that they are refugees or asylum seekers, the vulnerability is seen by many shelter providers as higher in women and children hence many shelters tend to accommodate this group. Even in religious service providers, CMM is unique in its understanding of vulnerability and the people that are accommodated there. Religious based service providers have a different kind of politics as compared to the provincial government or the UN agencies. The religious based service providers get their mandate to shelter people from their Christian convictions and also from the fact that they have been doing this service for a long time. An example is that of JRS which has been involved in refugee work from the 1970s till today. The mandate of government comes from its own citizens. There is always pressure for the government to fulfil the expectations of its own citizens first. Any government that forgets this mandate faces the danger of losing its next elections hence its powerbase.

In contrast, many of the service providers such as JRS, Frida Hartley Shelter, Mercy Shelter and Bethany House have funders or the donors to which they are accountable. Funders may influence policy changes in smaller institutions. In other words, finance does play a big part in different institutions. Who gives you money has a say somehow on how and on whom you spend that money. The JRS for example had to abandon their shelter provision exercise as Holcroft says, "It was partly circumstances, partly policy. The circumstance is that we were not doing the shelter well… So the decision was enforced on us by the UN (funding partner) but I think it was a reasonable decision"[46]. Other service providers such as the Frida Hartley shelter and Mercy Shelter have to keep a certain percentage of people staying in the shelters as locals because they receive some financial assistance from the government.

[46] Interview with Fr. David Holcroft: 27th January, 2010.

Another observation obtained from the research is the oversight by service providers of the vulnerable refugees and asylum seekers in most decision-making process. Decisions in the following institutions are made by senior managers together with their boards without representation from the forced migrants. These shelters are Beivenu Shelter, Mercy Shelter and JRS. This does not mean that the forced migrants do not have a role to play in policy change process. It only means that in most decision making meetings that I attended, policy makers (government, board of management etc) are present but the refugees and asylum seekers are not represented. The CMM remains unique in that it is one of the service providers who included the vulnerable people as part of the decision making process.

This research highlighted the lack of cohesion in decision making process as it is done by different stakeholders serving different purposes. Another highlight is the lack of decisive action by the provincial government on the issue of shelter provisions for the most vulnerable refugees and asylum seekers in urban areas. The present challenges of homeless and shelter-less refugees and asylum seekers are still to continue unless more policy changes by the government are initiated that are going to answer the needs of the vulnerable foreign nationals without ignoring the needs of locals. A policy in favour of temporary sheltering of homeless locals and foreign migrant might help to curb xenophobic violence. Although these findings of this study cannot be generalised to other cities in South Africa as different dynamics might be at play in other places such as very small number of forced migrants, or that many find private accommodation in the open market. I found out that there is willingness to act on the challenges that face the vulnerable refugees and migrants from the government as illustrated by their active participation on providing shelter to the people affected by xenophobic violence. There has been also positive engagement from the UNHCR in providing shelter in Rosettenville for a short period. The community based and religious institutions involved in shelter provision are also helping to ease the pressure on government and other bodies.

I suggest further studies on the impact of being a refugee or asylum seeker and being homeless in the city in the area of Johannesburg. Is South African city's situation unique when compared to other cities such as Nairobi in Kenya for example? Are the challenges of shelter the same in other countries when settlement of refugees and asylum seekers in urban areas is not allowed?

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