SOUTH AFRICAN DEPORTATION BASED ON THE EXPERIENCES OF

PREVIOUSLY DEPORTED IMMIGRANTS

by

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A mini dissertation submitted in partial fulfilment of the requirements for the degree

Master of Arts in Research Psychology (Coursework)

in the

Department of Psychology

at the

UNIVERSITY OF PRETORIA

FACULTY OF HUMANITIES

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Submitted: August 2020

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ABSTRACT

Irregular immigration is a significant challenge in South Africa and the Department of Home Affairs struggles to control the influx of undocumented immigrants. This study sought to respond to this by framing the migration event and repatriation process based on the lived experience of participants from the arrest of the immigrant to the subsequent deportation from the country. Moreover, the study sought to understand why immigrants reside in South Africa undocumented; facing deportation threat and how deportation threat affected their life functioning. The intent was therefore, to uncover the effectiveness of deportation as a means of control and deterrent for irregular immigration as well as provide insight for areas of improvement to address the migration gap.

The study employed Interpretative Phenomenological Analysis to understand deportation at an individual level, that is, the meaning, feelings and experiences regarding deportation as a practice. The enquiry involved semi-structured interviews with five previously deported participants. The Ecological Systems Model and Phenomenological Variant of Ecological Systems were utilised as the conceptual framework to structure the research findings.

The results of the study found an ecosystemic influence on the migration and legalisation decisions made by the immigrants. The actions and forces on all levels of the ecosystem either hindered or encouraged the ability of immigrants to migrate legally and obtain documentation that would legitimise their stay in South Africa. Thus, suggesting a need for a multi-level strategy to not only remove irregular immigrants from the country but also address the factors that encourage them to migrate in the first place; provide opportunities for maintaining undocumented status; and the avoidable barriers that limit legalisation.

Key terms: irregular immigration, undocumented immigrants, deportation, detention,

deportation threat, Department of Home Affairs, Interpretative Phenomenological Analysis,

Ecological Systems Model, and Phenomenological Variant of Ecological Systems

ACKNOWLEDGEMENTS

DECLARATION OF OWN WORK

I, Natasha N. Maile, declare that this dissertation – **South African deportation based on the experiences of previously deported immigrants** – is my original work apart from where I made used of or quoted another source, which has been acknowledged by means of complete references.

I also declare that the work I am submitting has never been submitted before for another degree to any other tertiary institution for examination.

Signature:

Date:

ACRONYMS USED

DHA	– Department of Home Affairs
DZP	– Documentation of Zimbabweans Project
ESM	– Ecological Systems Model
ILO	– International Labour Organisation
IOM	– International Organisation for Migration
OECD	– Organisation for Economic Co-operation and Development
PVEST	– Phenomenological variant of Ecological Systems Theory
SADC	– Southern African Development Community
SAHRC	– South African Human Rights Commission
SAPS	– South African Police Services
ZAR	– South African Rand

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CHAPTER 1 - INTRODUCTION

1.1. Overview

Migration represents a topic that has provided difficulties as well as opportunities for all nations. With the advent of globalisation, the world has become smaller (Dithebe & Mukhuba, 2018b). Nations that seemed far away have become easily accessible in space and time by means of communication and transportation routes. Individuals are no longer confined to the mercies of their native nations and can have opportunities and aspirations for growth and prosperity abroad (Dithebe & Mukhuba, 2018b; Flahaux & De Haas, 2016). The nations themselves benefit from cultural diversity (Damelang & Haas, 2012), skill circulation, trade and technology transfer (Damelang & Haas, 2012; Viljoen, Wentzel, & Pophiwa, 2016).

However, with the benefits of migration there have been ensuing challenges. More refugees and Asylum seekers are a continued sore point for better off nations (International Organization for Migration [IOM], 2018). Moreover, irregular immigration has become a global phenomenon (Dithebe & Mukhuba, 2018b). Perceived competition of resources and tensions between locals and immigrants have resulted in the securitisation of migration and tightening of borders (Flahaux & De Haas, 2016; Khan, Louw, & Willie, 2018; Ngalo, 2018). Along with the stereotyping, discrimination and sometimes victimisation of foreigners by means of xenophobic attacks (Dithebe & Mukhuba, 2018b; Segatti, 2011; Umezurike & Isike, 2013).

South Africa has like other nations grappled with immigration. With undocumented immigrants primarily acting as scapegoats for issues such as poor service delivery, high crime rates and unemployment (Pineteh, 2017). While simultaneously seeking to harness the potential of immigrants to supplement skill shortages, facilitate skills transfer and investment (Ellis & Segatti, 2011; Viljoen et al., 2016). Therefore, immigration plays a prominent role in

the politics and policy of South Africa and is a pivotal issue for the nation.

In response, this study aims to understand irregular immigration from the perspective of immigrants that were deported for being undocumented. The following sections will outline the research area of interest as well as provide the rational and foci for the study.

1.2. Research Problem

South Africa has been one of the most prominent destinations for African migration (IOM, 2008) with an estimated 3.1 million international immigrants – documented and undocumented (IOM, 2018). Most immigrants were from SADC countries especially Zimbabwe, Lesotho and Mozambique. Other notable African countries were Nigeria, and Kenya (Department of Statistics South Africa, 2016, 2019). While many immigrants are legally in the country, there has been an increase in attention toward irregular immigration. Irregular immigration statistics are difficult to ascertain due to its clandestine nature (IOM, 2018), the avoidance of official surveys or contact with departmental services by undocumented immigrants (Meny-Gibert & Chiumia, 2016) and a lack of collation and tracking of statistics collected (Segatti, 2011).

The South African government has incurred significant costs due to the detention and deportation of undocumented immigrants. In the period 2014/15, it was estimated that it cost ZAR 2.97 million to detain 1,000 immigrants for 30 days (Jeynes, 2016). It has been estimated that the average cost of deportation by road is ZAR 725 per person and ZAR 29,000 by chartered flight (Mthembu-Salter, Amit, Gould, & Landau, 2014). It was also reported that the Department of Home Affairs (DHA) spent over ZAR 31 million in the 2015/16 fiscal year on the detention and deportation of foreign nationals (Seleka, 2017). The DHA has conducted many deportations reported as 15,033 for the period 2017/18 (DHA, 2018a) and 24,266 in 2018/19 (DHA, 2019). Moreover, in the period 2017/18, the DHA had pending legal claims

amounting to ZAR 665.9 million for accusations of immigration violations. These include alleged cases of unlawful arrest and detention of undocumented immigrants and damages incurred due to delays in processing permits (DHA, 2018a). These figures demonstrate the large cost of curbing irregular immigration on South Africa's expenditure.

The highlighted statistics indicate that there is a significant population of undocumented immigrants in South Africa. Moreover, the deportation costs and figures indicate that many of these undocumented immigrants have experienced deportation. Moreover, the undocumented immigrant population may experience deportation as an ever-present fear, and threat to livelihood (Galvin, 2015; Sutton, Vigneswaran, & Wels, 2011; Zayas, Aguilar-Gaxiola, Yoon, & Rey, 2015).

The DHA is struggling to control the entry of undocumented immigrants (DHA, 2017). This is especially evident with the "revolving door" of deportation (Rietig & Dominguez-Villegas, 2015; Schulkin, 2012; Schuster & Majidi, 2013). Therefore, indicating the failure of deportation as a control method for irregular migration (DHA, 2017b; Galvin, 2015).

More so, there have been reports of human rights violations that occur during the detention of immigrants (Amit, 2015; Belknap, 2016; Jeynes, 2016; Viljoen et al., 2016). A more in-depth discussion on these issues is found in Chapter 3. These human rights violations circumvent the requirements of the Immigration Act (2002). Issues such as these can have a detrimental impact on an individual. This study has the potential to unearth the experience of the described human rights violations; if they occurred at all in the sample.

The study therefore aimed to frame the entirety of the repatriation process based on lived experience from the arrest of the immigrant to deportation from the country as well as the experiences afterward. The study further sought to understand why immigrants remain in South Africa when they no longer had legal status and faced the threat of deportation. In addition to

providing the motivation of immigrants resorting to irregular immigration and maintaining undocumented status in South Africa. An exploration into the individual conceptualisation and experience of deportation was intended to possibly provide insight for the development of strategies to improve the migration gap.

1.3. Research Question

The research study is underpinned by the desire to understand the subjective experiences of immigrants that have previously undergone deportation from South Africa. The main research question was supplemented by other subsidiary foci. Firstly, the study sought to ascertain any difficulties, if any, that the participants may have experienced during the deportation process. Secondly, the study investigated the participants' experience of re-entry into South Africa following deportation. Lastly, the study considered influence of deportation threat on the everyday life functioning of immigrants, if at all.

1.4. Research Objectives

The goal of the research is to understand how the participants of the study understand their unique experience of deportation. To achieve that goal, the objectives of the study were as follows:

- investigate the motivations for immigrants to migrate to South Africa;

- appreciate the migration experience of immigrants;

- appreciate how immigrants understand deportation as a practice for immigration control;

- look into the possible influence of the fear of and/or deportation itself on the life functioning and livelihood of immigrants interviewed, if at all occurring;

- enquire about the motivation for maintaining undocumented status instead of pursuing legal documentation; and

- investigate the mechanisms of re-entry into South Africa following deportation.

1.5. Dissertation Structure

The dissertation is organised into seven chapters.

Chapter 2 provides the context of the study. The chapter highlights the required background to understand the content and issues discussed in the subsequent chapters. In addition to providing the definitions of key terms and concepts.

Chapter 3 is the literature review of the study. The chapter situates the study by providing the gap it intends to fill in existing literature. There is also a discussion on the theoretical schools prevalent in the dialogue of migration within the field of psychology. Moreover, the chapter will outline the conceptual framework which informs how the research results will be interpreted.

Chapter 4 outlines the research methodology employed in the study. The chapter frames the theoretical underpinnings of the study, as well as the research design (research, sampling, data collection and data analysis methods) employed. The reflexivity of the researcher and the ethical considerations made in the study will also be discussed.

Chapter 5 highlights the key findings that were identified upon analysing the data collected via the research design highlighted in Chapter 4. The findings are organised into themes and sub-themes which are substantiated with direct quotations from the interview transcripts.

Chapter 6 engages with the research results that are interpreted using the conceptual framework in conjunction with literature to develop conclusions for the research topic.

Chapter 7 concludes the study by answering the research questions, evaluating the value of the study and making recommendations.

1.6. Conclusion

Migration is a contentious issue in South Africa. Irregular immigration has been of special interest as the securitisation of migration presented an avenue for discrimination and exclusion of immigrants. But it fails to address the reasoning behind immigrants' entrance or sustaining of undocumented status in the country. Thus, fostering the revolving door of deportation which demonstrates the ineffectiveness of detention and deportation as migration control mechanisms. The upcoming chapter will provide context by defining key concepts and highlighting aspects of migration specific to South Africa to provide an informed lens to interpret the study.

CHAPTER 2 - CONTEXT OF THE STUDY

2.1. Overview

This chapter provides the contextual understanding of the research study. Key terms will be defined and their usage in the study will be specified. The landscape of South African migration policy and the key players of the policy will also be discussed. Knowledge of the context of migration and migration policy in South Africa is important for the understanding of the issues to be investigated and discussed in the upcoming chapters.

2.2. Migrants and Migration

The Special Rapporteur (General Assembly of the United Nations, 2002, p. 12) defined migrants as:

a) *Persons who are outside the territory of the State of which they are nationals or citizens, are not subject to its legal protection and are in the territory of another State;*

b) *Persons who do not enjoy the general legal recognition of rights which is inherent in the granting by the host State of the status of refugee, naturalized person or of similar status;*

c) *Persons who do not enjoy either general legal protection of their fundamental rights by virtue of diplomatic agreements, visas or other agreements.*

In this study, this definition will be implied when referring to an individual as an immigrant due to its comprehensiveness.

Migration itself refers to "the movement of persons away from their place of usual residence, either across an international border or within a State" (Sironi, Bauloz, & Emmanuel 2019, p. 135). There are two types of migration namely emigration and immigration.

Emigration refers to an individual leaving their country or homeland to reside in another country. Contrary, immigration refers to entry into a country with the purposes of settling there (Sironi et al., 2019). In this study the focus is solely on immigration as the movement of people entering South Africa will be the area of interest.

Migration is driven by a multiplicity of influences. These result from the push and pull factors of migration respectively. Push factors refer to difficulties or challenges that drive a person to leave one place for another (Gelderblom, 2006). That is, the individual seeks to remove themselves from an undesirable place for a more favourable one, thus facilitating emigration. Examples of push factors include unfavourable demographic and economic characteristics, and political systems (Solomon, 2003).

In contrast, pull factors are conditions that draw individuals from their current location to locate to the more favourable location (Gelderblom, 2006). Pull factors that encourage migration include preceding migrant groups (Collyer, Düvell, & de Haas, 2012; Gelderblom & Adams, 2006; Wentzel, Viljoen, & Kok, 2006), and migration aspirations (Flahaux & De Haas, 2016).

It is argued that multiple push and pull factors act in conjunction to provide conditions that facilitate emigration and the chosen destination country (Flahaux & De Haas, 2016; Gelderblom, 2006; Solomon, 2003).

2.3. South African Migration Policy

South Africa's migration policy is enacted by the DHA. The DHA is responsible for the determination and protection of the identity of South African citizens. This includes the issue of birth, marriage and death certificates, in addition to identification (ID) and passport documents. While simultaneously regulating immigration by overseeing the admission, departure and regulation of the status of foreigners, and the deportation of undocumented

foreigners (DHA, 2018b). The DHA's migration policies are governed by the Immigration Act No. 13 of 2002 and the Refugees Act No. 130 of 1998. These acts lineate the processing and procedures for dealing with immigrants and refugees that enter South Africa respectively.

The Immigration Act (2002) seeks to regulate all aspects of foreigners to include their entrance, residence and departure from the borders of South Africa. The Immigration Act (2002) has been amended in the years 2007 and 2011. Thus, comments on the Immigration Act (2002) hereafter will refer to the act as it was amended in 2011.

The Immigration Act represented an attempt at transformation of South Africa's immigration policy to ensure the equality and human rights of immigrants as well as align with the country's constitution (Ntlama, 2018). The Immigration Act is inclined toward the managing of borders as well as the protection of national interest (Khan et al., 2018). The Act has been criticised for permit requirements that to are difficult for immigrants to adhere to (Machecka, Lunga, & Musarurwa, 2015). As well as failing to address that most immigrants entering South Africa are low- and semi-skilled (Viljoen et al., 2016). The stringent nature of the Immigration Act may have also inadvertently created conditions that encourage irregular immigration of these immigrants that cannot meet the extensive application requirements (Machecka et al., 2015).

The Refugees Act (1998) as stated in the preamble specifically seeks to regulate Asylum seekers that enter the country by regulating applications and assigning refugee status, protecting recognised refugees as well as providing for other matters relevant to the population group. The Refugees Act (1998) has been amended in the years 2008, 2011 and 2017. It should be noted that the comments on the Refugees Act henceforth will refer to the act as it was amended in 2011 as the study was conducted prior to the enactment of the 2017 amendment which came into operation in 2020.

2.4. Classifications of Immigrants.

Immigrants are classified into different categories within the South African migration policy. The different classifications carry with them different application requirements, privileges, and levels of attainability. The main categories of classification will be discussed in the following sections.

2.4.1. Temporary residence.

Temporary residence refers to when migrants are granted a permit to reside with South Africa for a determined time period depending on the purpose of the visit. Temporary residence permits as well as their provisions are under section 10(2) of the Immigration Act (2002) include inter alia, those for visit, study, work, conducting business and medical treatment. Two of the temporary residence permits relevant to this study are discussed below.

2.4.1.1. Documentation of Zimbabweans Project (DZP).

The DZP was introduced in 2010, following the 2008 post-election violence in Zimbabwe (Derman, 2013; Vigneswaran, 2011; Viljoen et al., 2016). The permit was intended to relieve pressure on the Asylum system by relaxing requirements for Zimbabweans to work, study, and conduct business in South Africa. And therefore, regularise undocumented Zimbabweans that were already residing in the country (Amit, 2011; Derman, 2013; Viljoen et al., 2016) and reduce deportations (Pokroy-Rietveld, 2014). The permit holders were given allowances for reapplication for the Zimbabwean Special Dispensation Permit in 2014 valid for three years (Viljoen et al., 2016; Washinyira, 2018) and the Zimbabwean Exemption Permit in 2017 valid for four years (Washinyira, 2018).

2.4.1.2. Visitor's permit.

The Visitor's permit is provided for under section 11 of the Immigration Act (2002). It allows for people to visit South Africa for a temporary basis of 90 days or less for tourism or business purposes (DHA, 2020b). Some countries are exempt from visa requirements and can obtain a Visitor's permit at the border. Days allowed differ from country to country. Zimbabweans are allowed for up to 90 days and Malawians are permitted for up to 30 days per visit. The Visitor's permit is supposed to be capped at 180 days per year (C. Watters, personal communication, July 24, 2020). The permit allows for business purposes, but these should not involve the individual being paid in South Africa such as temporary assignments (Intergate Immigration, 2015). The permit does not provide for immigrants to work unless it is endorsed activities recognised by the DHA such as research and conferences (DHA, 2020b) under section 11(2) of the Immigration Act (2002).

2.4.2. Asylum seekers and refugees.

Asylum seekers are individuals that have requested international protection for whatever reason but their claim for refugee status is yet to be ascertained (DHA, 2020b; Manicom & Mullagee, 2010). Thus, Asylum seeker is the first stage of categorisation before being possibly classified as a refugee.

A refugee is defined as in the Refugees Act (1998) chapter 1 section 3, as a person:

a) *owing to a well-founded fear of being persecuted by reason of his or her race, tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such*

fear, unwilling to return to it; or

b) *owing to external aggression, occupation, foreign domination or events seriously disturbing or disrupting public order in either a part or the whole of his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge elsewhere: or*

c) *is a dependant of a person contemplated in paragraph (a) or (b).*

The DHA has an assigned application process for Asylum seekers to be recognised as refugees. Upon entry in South Africa legally by land, airport or seaport, the immigrant states that they are an Asylum seeker and are issued with a section 23 Asylum transit permit. The permit is valid for 14 days and within this period the immigrant must report to a designated refugee reception office to lodge a refugee application. An admissibility hearing is conducted. Then a section 22 Asylum seekers permit, valid for up to a 6 months' stay is issued pending a final decision on the application. This can be renewed pending expiry. The permit allows the holder to work and study in South Africa while simultaneously protecting the holder from deportation (DHA, 2020a).

During the Asylum seeker permit's validity period a second interview is held. The application is assessed, and a decision is made while providing motivation for the conclusion on the claims. If the claim is accepted the immigrant is presented with a written recognition of refugee status, and usually issued with a section 24 refugee permit (DHA, 2020a).

2.4.3. "Illegal" immigrants.

Section 1 of the Immigration Act (2002), inter alia, defines an "illegal" immigrant as a "foreigner who is in the Republic in contravention of this Act". This group of immigrants account for irregular immigration as they operate outside regular migration channels during

entry and/or residence in a country (Sironi et al., 2019).

Contraventions include immigrants that enter the country illegally by *border jumping*, which refers to entering the country via non-designated points with or without documentation such as a passport (DHA, 2017; IOM, 2008; Trad, Tsunga, & Rioufo, 2008). Contraventions also include evading border controls through human smugglers and middlemen known as omalayishas such as bus drivers who work with corrupt police and immigration officers on both sides of the border (IOM, 2008, 2018; Thebe, 2011). Additional categories of "illegal" immigrants include visitors and students working when their permits do not provide for this (IOM, 2008; Trad et al., 2008). Another significant group includes overstayers where immigrants stamp out their passport using omalayishas but remain in the country. Along with those remaining in the country after an application is rejected or permit is revoked (Crush, 2001). In addition, the group includes those that stay beyond the expiry of a temporary residence permit (Crush, 2001; DHA, 2017; IOM, 2008; Thebe, 2011; Trad et al., 2008). For instance, section 11(1)(*a*) of the Immigration Act (2002) states that a migrant can enter on a Visitor's permit which allows the immigrant to reside in the country for up to 90 days. If they remain in the country beyond the stipulated period, they are considered as an "illegal" immigrant according to the Act.

Within this study, immigrants that are classified as "illegal" under the Immigration Act (2002) will be referred to as undocumented immigrants. Only when specifically referring to the Act will the immigrant be described as "illegal". Quotation mark are used to acknowledge the negative connotation of the term. Thus, in this study, an undocumented immigrant will refer to an immigrant that is not recognised as legally residing within South Africa due to a lack of an appropriate permit, that is, a valid Asylum seeker permit or temporary residence permit. Or an immigrant that violates the conditions of their relevant permit such as overstaying its validity or working when not endorsed to do so.

2.4.4. Undesirable persons.

The Immigration Act (2002) highlights different categories of immigrants that are not allowed access into the country and are also not considered for any residence permit. The category of interest in this study is that of undesirable persons. Immigrants are declared as undesirable if they fall into any of the seven categories in section 30(1) of the Immigration Act (2002). In this study, the relevant categories are section 30(1)(*e*) which refers to "anyone who has been ordered to depart in terms of this Act" and section 30(1)(*h*) for "any person who has overstayed the prescribed number of times".

The most common category of individuals determined to be undesirable in South Africa are those that would have overstayed the time frame indicated on their respective permit – section 30(1)(*h*) (Mfubu, 2018). According to regulation 27(3) of the Immigration Regulations (2014) persons that overstay the expiry of their visa will be declared undesirable for a defined time frame based on the length of the overstay period. The categories are: (a) overstaying less than 30 days from the visa expiry date leads to one being deemed undesirable for 12 months; (b) overstaying a second time within 24 months, one is undesirable for two years; and (c) overstaying for more than 30 days, one is undesirable for five years. Upon being declared as undesirable, the foreigner is to be denied entry into the country or detained to be deported from the country (Mfubu, 2018).

2.5. The Stages of the Repatriation Process from South Africa

The Immigration Act (2002) and the Immigration Regulations (2014) provide the applicable procedures to be followed when public service officials are dealing with immigrants, that is, from the identification of potentially undocumented immigrants to the deportation of those immigrants back to their home countries. It should be noted that in this study, repatriation will be used to refer to the stages of removing an immigrant from South Africa inclusive of the

apprehension, detention and deportation of the immigrant. Therefore, deportation will be viewed as a singular stage within the entirety of the repatriation process. The procedures provided in the Immigration Act (2002) as guidelines of practice are discussed below.

2.5.1. Apprehension of potentially undocumented immigrants.

Section 41 of the Immigration Act (2002) empowers law enforcement agents such as immigration officers, and the South African Police Service (SAPS) to question and determine the legal status of an individual (Sutton & Vigneswaran, 2011). The Immigration Act (2002) in section 34 also allows officers to arrest and detain undocumented immigrants. In the periods 2016/17 and 2017/18, SAPS arrested 13,007 (SAPS, 2017) and 14,732 (SAPS, 2018) individuals respectively in contravention of the Immigration Act.

Section 41 of the Immigration Act (2002) states that there must be reasonable grounds for suspecting that an immigrant may be undocumented. Upon the arrest, the immigrant is to have their status verified. Upon being recognised as being "illegal", the immigrant is to be issued with an intent for deportation, the reasons for the decision and the rights accorded to them under section 34(1) of the Immigration Act (2002) with opportunity for the immigrant to appeal the decision.

2.5.2. Detention.

Detention generally refers to the holding of individuals for migration related issues (IOM, 2019) that can include irregularities with documentation, violations of visa requirements, unauthorised arrival and verification of status. Detention has been used mainly to curb irregular immigration. But has also been criticised for removing potentially problematic poor migrant populations that cause concern to citizens from society (Lietaert, Broekaert, & Derluyn, 2014).

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Within South Africa detention in migration policy usually refers to the holding of a determined or suspected undocumented immigrant in a repatriation centre or a police station designated as a place of detention (Hiropoulos, 2017). Detention can occur under the following conditions in the Immigration Act (2002), namely detention at port of entry and after crossing the border. The latter is of interest to this study and states that an undocumented immigrant may be detained within the borders of South Africa while their status is verified by the DHA; or pending the deportation of the individual from the country.

Asylum seekers and recognised refugees are catered for under the Refugees Act to determine the validity of their permits. According to section 21(4) of the Refugees Act (1998), an individual cannot be detained or deported for unlawfully entering or residing in the country if they have applied for Asylum and are awaiting a decision or in the process of appealing a decision or has been granted Asylum seeker status. No action is to be initiated on an Asylum seeker that has entered South Africa unlawfully or has overstayed their permit. When the Asylum seeker permit has expired the individual is supposed to be handled by means of the Refugees Act, and not the Immigration Act. Thus, Asylum seekers cannot "overstay" their permit under the provisions of the Refugee Act (Cote, 2018). The expiration of an Asylum permit in the Refugees Act (1998) can result in the following consequences:

- A conviction which can lead to a fine or imprisonment of no more than 5 years under section 37(*b*)

- Withdrawal of the permit under section 22(6)(*a*) and detention under section 23.

Deportation cannot be conducted until a decision is finalised on the claim of Asylum (Cote, 2018).

According to section 34 of the Immigration Act (2002) in terms of detention and deportation procedures the immigrant:

a) *shall be informed in writing of the decision to deport him or her and of his or her right to appeal such decision in terms of this Act*;

b) *may at any time request any officer attending to him or her that his or her detention for the purpose of deportation be confirmed by warrant of a Court, which, if not issued within 48 hours of such request, shall cause the immediate release of such foreigner*;

c) *shall be informed upon arrest or immediately thereafter of the rights set out in the preceding two paragraphs, when possible, practicable and available in a language that he or she understands*;

d) *may not be held in detention for longer than 30 calendar days without a warrant of a Court which on good and reasonable grounds may extend such detention for an adequate period not exceeding 90 calendar days*. However, courts can extend detention up to 120 days (Le Roux, 2018; Venter, 2019); and

e) *shall be held in detention in compliance with minimum prescribed standards protecting his or her dignity and relevant human rights.*

For immigrants captured within the interior of the country under section 33(2) of the Immigration Regulations (2014), the individual must first be issued with a Form 29 Notification of Deportation. This informs the individual that they have been deemed an "illegal" immigrant, the right to internal appeal, acknowledgement of their rights, and the intent to deport the individual.

2.5.2.1. Detention centres.

The only designated deportation facility in South Africa outside of police stations is Lindela repatriation centre. Lindela is in the Gauteng province and can hold up to 4,000 detainees with male and female sections. While under the responsibility of the DHA, the daily

operations of the facility are managed by a private company named Bosasa Operations (Pty) Ltd (Amit, 2015) now named African Global Operations (Van Lennep, 2019). The monitoring of Lindela is primarily undertaken by the South African Human Rights Commission (SAHRC).

Lindela is mandated to only hold immigrants that have been verified as "illegal" (Amit, 2015) thus excluding refugees under section 23 of the Refugees Act (1998), unless deemed to no longer need protection and refugee status is withdrawn. Moreover, the detention of immigrants within the facility is to abide to the conditions highlighted under section 34 of the Immigration Act (2002). Specifically, section 34(1)(*e*) prescribes the protection of the dignity and relevant human rights of detainees. The standards for accommodation, nutrition and hygiene are lineated in regulation 33(5) read with Annexure B of the Immigration Regulations (2014).

2.5.3. Deportation.

Section 1 of the Immigration Act (2002) defines deportation as the "the action or procedure aimed at causing an illegal foreigner to leave the Republic in terms of this Act". Thus, deportation is the voluntary or involuntary removal of an "illegal" immigrant back to their country of origin after they violated immigration law (Cote, 2018; IOM, 2019; Venter, 2019).

Deportation is facilitated by the DHA in conjunction with relevant authorities of foreign countries to ensure the provision of travel documents (Cote, 2018) and immigrants are received in the home countries upon return. Immigrants can be deported by bus, train or plane. And after deportation they are deemed as an undesirable person privy to being banned from South Africa for one to five years (Mfubu, 2018; Venter, 2019).

2.6. Conclusion

This chapter sought to provide a backdrop of the study by defining migration and immigrants, then highlighting the migration policy that the participants of the study navigate regarding the legal status in South Africa. Thus, providing an understanding of the issues to be discussed. The following chapter highlights existing literature on South Africa's migration policy, the psychological focus of migration, and the conceptual framework to be applied to this study.

CHAPTER 3 - LITERATURE REVIEW

3.1. Overview

The following chapter will provide a look at available literature on the topic of migration. Firstly, the focus will be on existing literature on South Africa's migration policy to situate this study. Secondly, the focus will be describing the topic of migration from a psychological lens. Lastly, the chapter will describe the conceptual framework from which the research findings will be interpreted.

3.2. Review of Existing Migration Studies

Immigration has become a common place topic around the world. However, an issue of concern is irregular immigration and has become a topical issue in politics and the media (Scalabrini Institute for Human Mobility in Africa, 2017; Triandafyllidou, 2013; Van Lennep, 2019). The hosting of undocumented immigrants is perceived as yielding a higher cost than benefit as they compete for resources and low-level jobs with the host country's citizenry (Campbell, 2006; Khan et al., 2018; Klotz, 2013). This has led to the securitisation of migration policy where migration is associated with national security issues (Abebe, 2019; Flahaux & De Haas, 2016; Khan et al., 2018; Ngalo, 2018).

The two main migration control strategies adopted are the arrest, detention and deportation – referred to collectively as the repatriation process in this study – of undesirable immigrants and the restriction of legalisation options to deter entry (Abebe, 2019; Schweitzer, 2017). South Africa has made use of both strategies and each has been discussed in literature.

The repatriation of immigrants has been the most topical due the implication of othering and criminalising immigrants (Drotbohm & Hasselberg, 2015; Van Lennep, 2019); while increasing the opportunity for human rights violations (Letsiri & Wotela, 2015).

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The effectiveness of deportation as a practice has been called to question. Some studies such as Vinogradova's (2016) model predicted that undocumented immigrants tended to stay in countries with very strict deportation laws such as Japan for shorter periods of time and voluntarily left due to the high deportation threat as compared to relatively more lenient countries like the USA. Moreover, high deportation numbers have been cited as evidence of the success of strict deportation laws (Vigneswaran, 2020). This provides some evidence for the possible benefit for strict deportation laws for a host country.

On the contrary, others have noted the failures of the practice. One instance of this is the observation of the revolving door of deportation. This refers to the tendency of undocumented immigrants to follow a cycle of migration, deportation and re-migration (Galvin, 2015; Rietig & Dominguez-Villegas, 2015; Schulkin, 2012; Schuster & Majidi, 2013). Nations such as the United Stated of America (Rietig & Dominguez-Villegas, 2015; Schulkin, 2012), Botswana (Galvin, 2015) and South Africa (DHA, 2017; Letsiri & Wotela, 2015; Thebe, 2017) have noted the presence of immigrants that have been deported more than once. The revolving door phenomenon is further exacerbated by porous borders and geographical proximity that ameliorate re-entry (Galvin, 2015; Sarabia, 2012).

In addition, in South Africa, the repatriation process is inudated with reports of human rights violations. In terms of the apprehension of undocumented immigrants, violations included the use of methods such as sweeps and spot checks which have resulted in numerous unwarranted arrests (Hiropoulos, 2017). Moreover, there have been reports of police officers denying immigrants the opportunity to provide appropriate documentation, ignoring that participants have work permits and refugee status papers, destroying documents and soliciting bribes (Amit, 2010; Kriger, 2006). There are also problems with the verification of immigrant's legal status. In addition to failures to provide immigrants with the intent of deportation and

their accorded rights (Amit, 2010; SAHRC, 2015).

Detention has also seen several violations in monitoring reports on Lindela. Unverified immigrants as well as Asylum seekers have been found detained in the facility (Amit, 2015). The SAHRC (2015) found that 89% of respondents in their investigation of Lindela claimed to have not been provided with a warrant confirming their detention before being taken to the facility. The list of transgressions is further elongated by reports of corruption and violence at Lindela. This included the bribery of Bosasa officials for purposes of visitations, extra food and blankets, and mobile phones (Hiropoulos, 2017). The SAHRC (2015) and Amit (2010) also had accounts of physical assault from other detainees in the facility as well as Bosasa officials; with incidents of segregation as a form of punishment (SAHRC, 2017).

Section 34(1)(*e*) of the Immigration Act (2002) states that detainment of foreigners must meet minimum standards to protect their dignity and relevant human rights. These standards for accommodation, nutrition and hygiene are lineated in regulation 33(5) read with Annexure B of the Immigration Regulations (2014). These have also been violated with incidents of overcrowding within some cells in the facility (SAHRC, 2017, as cited in, Hiropoulos, 2017, p. 11), substandard cleanliness of the facility (SAHRC, 2017), long intervals between meals, and insufficient provision of personal hygiene items (Amit, 2010; SAHRC, 2015).

The occurrences of the revolving door of deportation and the human rights violations inherent in the repatriation process lend themselves to the view of deportation as an expensive, and ineffective practice (Masiloane, 2010; Triandafyllidou, 2013; Van Lennep, 2019).

The second migration control policy is the restriction of legalisation routes. It has been found to be seemingly successful in reducing irregular immigration inflows in some European

countries (Triandafyllidou, 2013). However, it has also had its challenges. It is argued that strict access and border laws motivate irregular immigration (Amit & Kriger, 2014; Czaika & De Haas, 2013; Johnson & Woodhouse, 2018) encouraging even stricter enforcement (Masiloane, 2010) resultant in a never-ending cycle of enforcement and evasion. In conjunction with unintended consequences such as the increased vulnerability of immigrants and enabling the human smuggling industry (Abebe, 2019). Moreover, it has been observed that strict laws lead to higher rates of long-term residence of undocumented immigrants as they are unable to return to their home countries without risk of detection by law enforcement (Sarabia, 2012).

As a result of maintaining undocumented status, deportation threat has been cited as an ever-present fear that immigrants experience (Sutton et al., 2011; Vinogradova, 2016; Zayas et al., 2015). Fearfulness linked to deportation threat includes the fear of loss of social relationships, economic viability and police confrontation. The perceived threat to one's self-worth with an inability to control outcomes makes deportation threat a psychosocial stressor increasing susceptibility to mental illness. For instance, in one study Mexican men reporting high levels of fearfulness linked to deportation threat also demonstrated heightened depressive symptoms (Letiecq, Grzywacz, Gray, & Eudave, 2014). Undocumented immigrants have been found to employ agency to this deportation threat by employing strategies to avoid apprehensions such as evading the police (Masiloane, 2010) and obtaining fraudulent ID documents (Schweitzer, 2017).

The presence of deportation threat in South Africa is compounded by the presence of undocumented immigrants that do not apply for permit options that they qualify for (Letsiri & Wotela, 2015). This was exemplified by the lower than expected uptake of the DZP permit (Bimha, 2017). Literature has pointed to the reasoning for this trend which included the monetary cost of applying for permits. As well as the permit application process being reported

as highly procedural (Ntlama, 2018), administrative and frustrating while favouring skilled labour over low-skilled labour (Machecka et al., 2015).

Overall, the literature demonstrates the ineffectiveness of migration policy that relies heavily on the repatriation process and restricted access to legalisation to subvert irregular immigration. Irregular immigration often continues despite the introduction of restrictions or border controls (Czaika & De Haas, 2013; Khan & Lee, 2018). The common denominator in this ineffectiveness are the actions of undocumented immigrants that make use of irregular means to achieve their migration goals. Thus, placing the undocumented immigrant at the centre of migration policy. The immigrants are the bodies that bear the impact of the migration policies, but also influence the direction and success of these policies through their responsiveness and subsequent decision-making.

This line of thought provided the rationale of this study by making the undocumented immigrant the focus. It is important to understand from an individual level, the motivations and factors that drive immigrants to make the decisions that circumvent migration policy and engage in irregular immigration. As well as highlight how migration policy is implemented from the perspective of the individuals that endure/d the policies and processes. This provides insight into the extent that the dignity and rights of immigrants are protected by law enforcement agencies. In addition to how the immigrants understand and evaluate their experience. By framing the entirety of the repatriation process from South Africa and the subsequent re-entry into the country; this study sought to potentially provide insight into the individual reasons why the threat and experience of deportation failed to lead to legal routes of entry and residence in South Africa. With the implication of possibly recommending pragmatic means to curb irregular immigration long-term.

In order to assess the findings of the study from a psychological perspective, a

conceptual framework was required. The following section describes the application of psychology to the issue of migration.

3.3. The Psychology of Migration

The psychology of migration offers the underlying individual or subjective accounts applicable to migration (Lee & Hernandez, 2009). Psychological research of migration has mainly focused on the drivers of migration movements and the consequences of settlement in the new environment thereafter (Sakiz, 2015). It has been argued that migration studies are inherently psychological as they tend to focus on the "intraindividual, interpersonal, and intergroup processes" (Dovidio & Esses, 2001, p. 377).

The psychology of migration is said to have focused mainly on acculturation and assimilation (Lee & Hernandez, 2009) under cross-cultural psychology and intergroup relations under social psychology (Berry, 2001). Moreover, migration has also focused on pathologies of immigrants particularly forced migrants (Carvalho e Silva & Bucher-Maluschke, 2018; Esposito, Ornelas, & Arcidiacono, 2015; Palmary, 2018). A general weakness of the psychology of migration is the prioritisation of individual perspectives on human behaviour with minimal or no acknowledgement of the influence of the surrounding social environment (Lee & Hernandez, 2009).

The following briefly summarises the main schools of thought on migration in the field of psychology. The conceptual framework to be applied for this study and the reasoning for this will also be discussed.

3.4. Alternative Schools of Thought for the Psychology of Migration

3.4.1. Cross-cultural psychology.

Cross-cultural psychology applies the concept of acculturation to the impact of migration. Acculturation involves the contact and consequences thereof between two or more cultural groups (Berry, 2001; Berry, Poortinga, Breugelmans, Chasiotis, & Sam, 2015). It is postulated that when an immigrant group encounters the host country's group there are several intercultural strategies that can be adopted on both ends (Berry, 2001). The immigrant group has four options, i.e., to integrate, assimilate, separate or marginalise themselves to the majority group (Berry, 2001; Kimberlin, 2009). On the other hand, the host country group also has four options, i.e., to segregate and exclude the minority group or facilitate multiculturalism or a melting pot of the groups (Berry, 2001).

Another means of understanding acculturation is the use of cultural identity. This refers to a "complex set of beliefs and attitudes that people have about themselves in relation to their culture group membership" (Berry, 1996, as cited in, Berry, 2001, p. 620). Immigrants that struggle with the navigation of norms and social intricacies of the new culture they are exposed to may experience acculturation stress (Ho, Rogers, & Anderson, 2013; Kimberlin, 2009). In this affective perspective, migration and acculturation are viewed as major life events (Berry et al., 2015). Thus, they may lead to the mental health problems such as depression (Kimberlin, 2009), anxiety and psychosomatic issues (Berry et al., 2015).

Acculturation has been a popular research focus for migration (Schwartz, Unger, Zamboanga, & Szapocznik, 2010; Van Tonder, 2013). However, the theory is criticised for limiting all immigrants with their multiplicity of characteristics such as race, gender and nationality into four defined acculturation strategies (Rudmin, 2003). Furthermore, it fails to

account for the entire migration process. Migration goes beyond the adjustment following the settlement into the host country and cannot be fully conceptualised with acculturation theory (Van Tonder, 2013).

3.4.2. Psychopathology.

The psychopathological school of thought traditionally focused on the mental pathology resultant from migration. That is, the potentially increased susceptibility of migrants to psychological disorders such as post-traumatic stress disorder (Palmary, 2018), depression and anxiety (Castañeda, Felt, Martinez-Taboada, Castañeda, & Ramirez, 2013; Ho et al., 2013) as a result of their migration experience. Pathological focus has mainly been placed on forced displacement and migration (Carvalho e Silva & Bucher-Maluschke, 2018; Palmary, 2018; Thela, Tomita, Maharaj, Mhlongo, & Burns, 2017). Immigrants to South Africa were found to have significant symptoms of depression, anxiety and post-traumatic stress (Thela et al., 2017).

The psychopathological view of migration has been criticised for its assumption of psychotherapy and medication as treatments for psychopathology resultant from migration (Palmary, 2018). Moreover, pathology is mainly attributed to the once-off migration event while largely ignoring other factors such as continuous social exclusion and uncertainty (Palmary, 2018), difficulties in cultural adaption and integration (Ho et al., 2013) and lack of social support (Castañeda et al., 2013). Lastly, psychopathological thinking fails to account for the value of meaning-making in the evaluation of trauma. An event can be similar for multiple individuals, but their subjective appraisals and meaning-making of the events also play a role in determining the level of susceptibility to mental disorders (Furnham, 1997, as cited in, Castañeda et al., 2013, p. 78; Palmary, 2018).

3.4.3. Social psychology.

Social psychology offers multiple theories that account for the intergroup relations that occur due to migration. A major focus is prejudice which refers to the "negative emotional responses or dislike based on group membership" (Baron & Branscombe, 2012, p. 179). Concepts such as stereotypes, realistic group conflict theory have been used as explanations for prejudice and discrimination against immigrants that represent the outgroup in South Africa.

Stereotypes are simplified beliefs regarding the inherent characteristics of a particular group (Baron & Branscombe, 2012; Sutton & Douglas, 2013). Stereotypes have the potential for depersonalisation whereby individuals view themselves and others as replaceable actors of essentialised stereotypical attributes (Spears, 2011). For instance, in South Africa black African immigrants are construed as stealing women and bringing social ills like crime (Ejoke & Ani, 2017; Umezurike & Isike, 2013). In extreme cases, stereotyping may lead to dehumanisation where a group is denied of individuality and at times described as an animal, thus permitting inhumane treatment toward them (Sutton & Douglas, 2013).

Prejudice and discrimination are usually attributed to the presence of a real or symbolic threat posed by an outgroup. Within South Africa a commonly cited cause of dislike for immigrants is that of competition for scarce economic and health resources (Crush, Tawodzera, Chikanda, Ramachandran, & Tevera, 2017; Mamabolo, 2015; Vigneswaran, Araia, Hoag, & Tshabalala, 2010). Response to competition is accounted for by the realistic group conflict theory postulating that when resources are finite there will be competition to secure those resources for one's ingroup (Licata, Sanchez-Mazas, & Green, 2011; Sutton & Douglas, 2013). The more direct competition there is between groups for these resources, the more prejudice there is. Thus, increasing the likelihood of the group to view itself as worthy and superior and

judging other groups in relation to itself (ethnocentrism). Then the outgroup is perceived as an adversary to the groups' acquisition of resources (Baron & Branscombe, 2012; Sutton & Douglas, 2013). The competition and resultant ethnocentrism can then create motivation for discriminant behaviour toward outgroup members like immigrants by means such as exclusion from social and economic spaces, as well as negative and/or derogatory stereotypes describing immigrants (Crush et al., 2017; Isike, 2017) and xenophobic violence (Chigeza, De Wet, Roos, & Vorster, 2013; Mamabolo, 2015).

The highlighted psychological schools of migration provide valuable perspectives on migration related behaviours and tendencies. However, the objectives of this study focus on the individual perspective of the repatriation process and the factors that influence the migration and legalisation decisions of immigrants. Therefore, the ecological system model with a phenomenological focus was the most applicable conceptual framework for the study.

3.5. Ecological System Perspective of Migration

Bronfenbrenner's (1979) ecological system model (ESM) originally comprised of four interconnected and interdependent levels; namely the microsystem, the mesosystem, the exosystem and the macrosystem. The microsystem includes the developing person actively participating in an immediate setting. Followed by the mesosystem which consists of linkages between different microsystems; that is the relations of the developing person in the different settings they operate in. The third level is the exosystem which refers to settings and events that the individual does not necessarily actively participate in. Yet the person can affect or be affected by events in that setting. The succeeding macrosystem includes the overarching ideologies, and cultural influences of social institutions (Bronfenbrenner, 1979, 2005a, 2005b). In 1986, the chronosystem was included in the ESM as the fifth level. This accounts for the dimension of time, particularly the influence of changes in terms of life experiences and events

in the external environment or within the individual (Bronfenbrenner, 2005a, 2005b).

The ESM has been applied to migration in terms of the interplay the different levels of the ecosystems on the lives of immigrant groups (Green, Chesla, Beyene, & Kools, 2018; Hong, 2010; Paat, 2013). The ESM has also been applied in studies highlighting the influence on the micro- and macrosystems in facilitating the push and pull factors of migration (Robinson, 2011; Tankwanchi, 2018). For instance, bad governance and public corruption was cited as a push factor for Sub-Saharan medical physicians migrating to the United States (Tankwanchi, 2018). Thus, the macrosystem of the government as an institution influenced the individual to migrate for better opportunities in the United States.

The study by Finigan-Carr, Johnson, Pullmann, Stewart, and Fromknecht (2019) highlighting the ecological framework of child sex trafficking is an example of the application of the ESM regarding migration, particularly forced migration. Capitalism on the macro-level, low socio-economic status on an exo-level, dysfunctional familial dynamics on the meso-level and mental illness on a micro-level amongst others create optimum conditions for child sex trafficking to be rife (Finigan-Carr et al., 2019, p. 51). Thus, demonstrating the nature of the interdependence between the different levels of the ecosystem and how the relationships can influence a phenomenon such as migration. This multi-level perspective can be applied from the perspective of emigration from the country of origin to the immigration into the host country and the resulting dynamics of this.

The phenomenological variant of ecological systems theory (PVEST) further applies the ESM by integrating with intersubjective individual experiences (Spencer, Dupree, & Hartmann, 1997). Through PVEST there is the assertion that the different levels of the ecosystem affect an individuals' self-esteem as well as how the individual perceives and creates meaning of different aspects of the self (Spencer et al., 1997). Thus, the integration of

phenomenology with the ESM, provides the meaning-making and understandings of the individual that is experiencing the forces of the different levels of the ecosystem operating around them.

The five levels of the ecosystem influence each other as well as rely on one another. Thus, this model is applied as the conceptual framework to this study as there is a symbiotic relationship between the individual and the environment (Bronfenbrenner, 1979) as in the topic deportation. Due to this, the study assumes that all levels of the ecosystem have an interdependent relationship with each sub-system being influenced by and influencing the other. It was therefore, presumed that the micro-level consists of the behaviour and perceptions of immigrants, kinship networks as the mesosystem, law enforcement agencies like the DHA and SAPS as the exosystem, home country governments and South African public policy regarding migration on a macro-level and the migration experiences on the chronosystem. It was expected that the accounts of the participants would shed light on the interplay of these systems and the extent of the influence exerted by each level on the entire ecosystem.

Moreover, PVEST will also be applied to the study by focusing on the microsystem, i.e., the immigrants' subjective meanings and perceptions of the different levels of the ecosystem that they interact within. In addition, the influence of these sub-systems on their understanding of their migration and deportation experiences will also be attended to.

3.6. Conclusion

This chapter highlighted the existing literature on South Africa's migration policy and its inefficiency. This provided the gap that this study seeks to fill by providing the undocumented immigrant's perspective on the processes to highlight weaknesses and make pragmatic recommendations to the policies.

The psychological perspective on the issue of immigration was also highlighted. From examining the literature there is no shortage of discussion on the impact of migration on host countries and their citizenry as well as the immigrants themselves. However, there seems to be a limited focus on the experience of migrants that must deal with issues regarding their legality in their country that goes beyond the likely increased susceptibility to mental illness.

As highlighted by the discussion on the ESM and PVEST, immigrants operate in a multi-level ecosystem which influences their perception of events such as deportation and migration itself. Thus, providing the conceptual framework from which the experiences of the immigrants will be appraised when discussing the research results. The following chapter will explain the research methodology that was adopted in this study.

CHAPTER 4 - METHODOLOGY

4.1. Overview

The study is a qualitative inquisition focusing on the experience of immigrants that have undergone the process of deportation from South Africa. This chapter seeks to highlight the methodology that was adopted to address the research question in relation to the theoretical description previously described. The chapter will highlight the importance of qualitative research, as well as the theoretical departure, research approach, research process, and the ethical considerations of the study.

4.2. Qualitative Research

The study follows a qualitative research approach. Qualitative research is "engaged with exploring, describing and interpreting the personal and social experiences of participants" (Smith, 2015, p. 2). This is achieved by attempting to understand the unique experience of a small number of participants. The purpose of qualitative research is to provide a rich description of a phenomenon while recognising the complexity of humans and the environments they operate in (Pietkiewicz & Smith, 2014; Smith, 2015; Sullivan, 2010; Willig, 2013).

Qualitative research is not a research approach as it involves multiple and sometimes contrasting philosophical underpinnings such as social constructionism, critical theory and relativism. Along with multiple research approaches such as case studies, phenomenology and grounded theory. Regardless of the way that qualitative research is applied, the main goal is to provide thick and rich descriptions of a phenomenon. Consequently, this study was qualitative as the purpose of the research was to attain an understanding of deportation from the individuals' experience of the occurrence. Beneath is a description of the research design

applied in the study.

4.3. Interpretative Phenomenology

The study follows an interpretative phenomenological methodology which aims to acquire a better understanding of the nature and quality of phenomena. Phenomenological methods represent a quest to uncover the complexity of phenomena by understanding the human experience toward it and the world around them (Eatough & Smith, 2017; Hammersley, 2004). That is, a phenomenon cannot be separated from the individual or subjective experience of it (Willig, 2013). Interpretative phenomenology infers and draws insights from descriptions of one's lived experience of a phenomenon (Shaw, Burton, Xuereb, Gibson, & Lane, 2014; Willig, 2013).

The following sections will highlight the philosophical assumptions in the study, that is a relativist ontology and interpretivism paradigm; then a description of Interpretative Phenomenological Analysis.

4.3.1. Relativist ontology.

Interpretative phenomenology subscribes to a relativist ontology which assumes that reality is constructed by unique individual experiences; attributing reality to the thoughts and subjective experiences of the individual (Levers, 2013; Willig, 2013). Consequently, there are multiple realities as individuals can experience and appraise the same phenomenon differently. Thus, from a relativist stance, the purpose of science is to generate knowledge of peoples' beliefs and views on a topic (Sullivan, 2010; Willig, 2013) on their "own terms" (Hammersley, 2004, p. 816).

4.3.2. Interpretivist paradigm.

Interpretivism posits that knowledge is relative to certain circumstances such as culture and multiple representations – different unique interpretations – of reality exist (Benoliel, 1996). As a result, it is argued that individuals only have access to their perceived world and this reality is meaningful. The paradigm focuses on acknowledging and describing the meaning of human experience (Levers, 2013; Mölder, 2010). Thus, to acquire knowledge of the world, researchers make use of epistemologies that involve some form of interpretation of the meaning that people associate with their actions (O'Reilly, 2009).

The subjective focus of relativism and interpretivism link with the objectives of the study as it attempts to explore the lived individual experiences of immigrants who have undergone deportation by moving away from making deductions regarding the practise by looking at the phenomenon at a broad level such as focusing on statistics and trends on the issue. By understanding deportation at an individual level; the meaning, feelings and experiences regarding the practise can be illuminated to help explain or elaborate on the trends observed at the macro-level.

4.4. Interpretive Phenomenological Analysis (IPA)

The study makes use of IPA which involves exploration of a participant's experience (lifeworld) from their perspective with the researcher playing an interpretative role (Eatough & Smith, 2008, 2017; Pietkiewicz & Smith, 2014; Pringle, Drummond, McLafferty, & Hendry, 2011; Willig, 2013). IPA is not concerned with objective statements on a phenomenon, but instead focused on the individual perception and meanings attached to an occurrence (Pietkiewicz & Smith, 2014; Smith, 2004; Smith, Flowers, & Larkin, 2009; Smith & Osborn, 2015). In this line of thought, "human beings are not passive perceivers of an objective reality"

(Brocki & Wearden, 2006, p. 88) but instead actively engage in the development of their own narratives and meanings of various phenomena (Brocki & Wearden, 2006; Pietkiewicz & Smith, 2014).

It is assumed that lived experience is context-based and is dependent on social relationships as well as prevailing cultural, historical and societal perspectives (Eatough & Smith, 2008; Smith et al., 2009). IPA "assumes a chain of connection between people's talk and their thinking and emotional state" (Smith & Osborn, 2015, p. 54). Moreover, the participants' accounts are assumed to be inclusive of not only factual content but also other aspects like motives such as saving face and rationalising one's actions. Thus, placing the researcher as an active agent in the data analysis by applying *sense-making* to the data (Eatough & Smith, 2017). That is, researcher seeks to attain an insider perspective of those inner thoughts and emotions of the participants, including those not immediately apparent in the data (Brocki & Wearden, 2006; Eatough & Smith, 2017; Pietkiewicz & Smith, 2014; Smith & Osborn, 2015).

IPA is comprised of three key features, namely experience (phenomenology), interpretation (hermeneutics) and ideography (Eatough & Smith, 2017; Pietkiewicz & Smith, 2014). Firstly, experience refers to the subject of interest that the research aims to understand from the individuals' perspective. For IPA, experience represents aspects of an occurrence that are meaningful to the individual and influence how they respond (Eatough & Smith, 2017). The experience is captured by having participants tell their stories in their own words and focusing on their direct experience (Pietkiewicz & Smith, 2014; Smith et al., 2009).

Secondly, interpretation refers to the sense-making undertaken by the researcher to make assertions of the inherent meaning of statements made by individuals (Eatough & Smith, 2017; Pietkiewicz & Smith, 2014). Interpretation in IPA is a dynamic process which applies

the concept of the hermeneutic circle. This is where comprehension entails a circular and iterative effort to understand the relationship between the specific part/s and the whole of a concept or phenomenon (Eatough & Smith, 2017; Smith et al., 2009). The researcher thus engages in different levels of interpretation through exhaustive and repetitive engagement with the transcripts of the participant's lived experience (Smith, 2004). The interpretation process of IPA also comprises of a double hermeneutic where two levels of meaning-making occur. That is, the participants create meaning in their lived experience and the researcher attempts to decipher the assigned meaning (Pietkiewicz & Smith, 2014; Pringle et al., 2011; Shaw, 2010; Smith et al., 2009). These hermeneutics allow the researcher to simultaneously view the phenomenon from the participants' perspective and critically probe for meanings that may not have been explicitly communicated by the participant (Eatough & Smith, 2017; Smith et al., 2009). However, this interpretation cannot be divorced from researcher's own preconceptions of the phenomenon when interpreting the data as well as the nature of the interplay between the researcher and the participant (Brocki & Wearden, 2006; Smith et al., 2009; Smith & Osborn, 2015; Willig, 2013).

Thirdly, IPA also uses an idiographic method of analysis. The case is pivotal to inquiry, so data is analysed based on dynamic and iterative engagement with each individual case. Care is taken to prevent overlap between cases during initial engagement (Eatough & Smith, 2017; Pietkiewicz & Smith, 2014; Shaw, 2010; Smith, 2004; Smith et al., 2009; Smith & Osborn, 2015). The individual is therefore viewed as a subjective as well as unique phenomenon that stands separate to the other subjects in the data set (Eatough & Smith, 2017; Shaw, 2010; Smith et al., 2009). Only at the end of the analysis are claims on the phenomenon made based on the aggregate of themes from the individual subjects (Eatough & Smith, 2017; Shaw, 2010; Smith, 2004; Smith et al., 2009; Smith & Osborn, 2015).

IPA consequently seeks to understand an experience from that participants' unique view; to capture the essence of an individual's experience; that is the quality and consistency of a phenomenon through the researcher's interpretation of it. This makes IPA particularly useful when facilitating the exposure of under-researched voices (Cassidy, Reynolds, Naylor, & De Souza, 2011) like immigrants by capturing their unique interpretation of phenomena relevant to their lives such as deportation.

4.4.1. Sampling procedure.

Five participants who have been previously deported from South Africa were selected. The sample size of five was used based on the recommendation of Smith et al. (2009). This applies the idiographic focus of IPA emphasising detailed accounts of individual lived experiences. Thus, concentrated focus on a small number of cases allows for the drawing of richer information from participants.

The inclusion criteria for the study were as follows. Participants must have undergone deportation. This included the entirety of the repatriation process, that is, the capture of the immigrant by SAPS and/ or DHA officials, being held in the cells of SAPS or a repatriation centre and subsequently the removal from South Africa. Participants had to be English language proficient due to the researcher's language capabilities. Sex and the current immigration status of the participant were not specific to the study as they were deemed irrelevant to the aims of the study. It was stipulated that participants be 18 years and older in age to ensure that only consenting adults were included in the study. A maximum age benchmark was not set as age did not affect the aims of the study. The participants that met the criteria were approached individually to seek their permission to participate in the study.

The study made use of purposeful sampling where the researcher identifies and selects

cases that are rich in information relevant to the topic of interest (Emmel, 2013; Holloway & Wheeler, 2009; Palinkas et al., 2015). Participants were selected using purposeful sampling to ensure that the sample is highly homogenous to match the research question (Holloway & Wheeler, 2009; Pietkiewicz & Smith, 2014; Smith et al., 2009; Smith & Osborn, 2015). Participants were approached in the service industry mainly restaurants and tradesmanship where the researcher had contact.

It was anticipated that the sample population would be difficult to access as it was likely that some potential participants may have entered South Africa by irregular means or were undocumented. In response to this snowball sampling was also employed. Snowball sampling is where participants refer acquaintances that meet the study criteria (Holloway & Wheeler, 2009; Smith et al., 2009). Snowballing provided endorsement for the researcher and fostered trust between the researcher and participants. Thus, participants were selected by means of recruitment and engagement by the researcher as well as recommendation from identified individuals.

4.4.2. Data collection.

The study made use of semi-structured interviews where the research inquiry combines pre-determined open-ended questions with the opportunity to explore responses further (Seidman, 2013; Smith & Osborn, 2015; Willig, 2013). This allows the researcher to elicit information relevant to the research question while concurrently providing flexibility for participants to adequately express themselves (Pietkiewicz & Smith, 2014; Smith et al., 2009; Willig, 2013). Semi-structured interviews permit the investigator and the participant to engage in a conversation where initial questions can be tailored to suit the participants' responses and probe interesting and important areas which arise (Smith et al., 2009; Smith & Osborn, 2015). Additionally, the method allows for the establishment of rapport and the show of empathy

which foster a greater flexibility of coverage and allows the interview to go into atypical areas, producing more rounded data (Pietkiewicz & Smith, 2014; Smith et al., 2009).

Semi-structured interviews were also adopted as they aid the phenomenological outlook of the study. The in-depth interviewing allows for the recognition of four aspects of interpretative phenomenology, namely; the temporal and transitory nature of human experience, subjective understanding and lived experience of phenomena, as well as an emphasis of meaning and the context in which that meaning exists (Seidman, 2013).

There was a set of questions constructed previously to drive the objectives of the study, but these were used as a guide for the interview by indicating to participants the area of interest, providing cues for participants and allowing the researcher to adequately explore the area of interest (Seidman, 2013; Smith & Osborn, 2015). The interviews made use of an interview guide with non-directive, open-ended questions (refer to Appendix C).

Interviews were conducted on a one-on-one basis to ensure that the personal quality of the interviews was upheld while simultaneously fostering the confidential nature of the research process. Due to the nature of the topic and the focus on the participants' experience, the interview time span was reassessed based on the requirements of each individual interview. Interview length ranged from 25 minutes to just over an hour. Interviews were conducted in public locations that included restaurants and cafés that were selected by the researcher or the participant to elicit informality and rapport while simultaneously ensuring that participants were comfortable with the process.

Data collection involved multiple phases. Firstly, during interviews voice recordings were made by use of a cell phone. The researcher also made notes of anomalies or areas of interest such as signed communication that would not be captured by audio and additional

comments made after concluding the interview relevant to the study. Secondly, a diary recording the researchers' insights and biases before and after each interview was maintained. The insights and biases recorded are acknowledged in the trustworthiness and rigour of results section.

4.4.3. Data processing.

Data was collected by means of audio recordings and researcher notes. The researcher reviewed the audio files of all the participants and inscribed detailed transcripts of the complete interview of each participant including the interviewer's questions. Any researcher notes were then transposed into the transcription to add to the information from the audio recordings. The transcriptions focused on the semantic level with all spoken words being included as well as noting any relevant supplementary information such as significant pauses, laughs and false starts if available (Smith & Osborn, 2015).

Transcriptions sought to record the interviews to represent their natural format as much as possible. This was to ensure that components of the interview such as pauses are recorded and included in the analysis of the data. The maintenance of the natural format assisted with the decoding of the participants lived experience and aided in the interpretation of the interviews (Smith et al., 2009). Thus, facilitating the insider's perspective sought by IPA.

4.4.4. Data analysis.

The interviews were synthesised using the IPA method. The qualitative analysis software ATLAS.ti (version 8) was used to assist in the analysis of the data and the tracking of identified themes and comments made from the data. Data analysis made use of the following IPA stages.

4.4.4.1. Analysis of each individual participant account.

The researcher engaged thoroughly with the text, through multiple readings of each text. This allowed the researcher to freely associate with the interview data and envision the flow of the interview (Pietkiewicz & Smith, 2014; Smith et al., 2009). Following the initial reading, the researcher engaged in the noting of points of interest to develop a phenomenological mindset and understand the participants' viewpoints. Comments were then made for the interview that included; (1) descriptive comments that capture the meaning of the participant's lived experience; (2) linguistic comments that focus on the use of language and the significance of the language used in describing the experience and (3) conceptual comments that note the context as well as reflection notes such as preliminary associations and summary statements (Pietkiewicz & Smith, 2014; Smith et al., 2009; Smith & Osborn, 2015; Willig, 2013).

The researcher also adopted a strategy of deconstruction where a concentrated focus was made on participant's words and meanings. This was achieved by fracturing the narrative flow of the interview to analyse what the participant said beyond simplistic readings. Deconstruction allowed for the emphasis of context in the meaning that is reported by the participant (Smith et al., 2009).

Following the engagement with the text, the researcher identified and tagged emergent themes that typified each section of the text (Pietkiewicz & Smith, 2014; Smith et al., 2009; Smith & Osborn, 2015; Willig, 2013). These themes were structured to adequately capture the essence; that is, the nature and quality of the section of the text.

In the third stage, the researcher generated a structure for the themes found. This involved the identification of relations between the themes. Furthermore, natural clusters amongst the themes based on meanings and orientations were created (Pietkiewicz & Smith, 2014; Smith et al., 2009; Willig, 2013). These were created by the following means: (1)

abstraction where similar themes are merged under a super-ordinate theme; (2) polarisation where the theme is focused on an oppositional relationship; (3) contextualisation where themes are focused on contextual or narrative elements of the analysis; (4) numeration where themes are organised based on the frequency that a concept or idea is reported; and (5) function where themes are examined for their interplay of meaning of specific function (Smith et al., 2009; Willig, 2013). The identified natural clusters were named to sustain the meaning of the experience.

Finally, a summary table was drawn. This table included the structured themes, as well the specific quotes that exemplified those themes with the specific location they are found in the transcript (Smith et al., 2009; Willig, 2013).

Each participants' interview was analysed one at a time without overlap (Eatough & Smith, 2017; Pietkiewicz & Smith, 2014; Shaw, 2010; Smith, 2004; Smith et al., 2009; Smith & Osborn, 2015). Only when the researcher felt a "degree of closure or gestalt has been achieved" (Smith, 2004, p. 41) did the researcher then proceed to analyse the next interview. However, the researcher was cognisant and acknowledges that the analysis of succeeding cases may have been influenced to some extent by previously analysed interviews. Regardless, the researcher followed the described method to facilitate the emergence of new themes from successive cases.

4.4.4.2. Integration of all the participant accounts.

A master table was drawn to include all the themes that had been identified amongst the five participants as a group. The themes were analysed for the possible identification of patterns across the cases (Smith et al., 2009; Willig, 2013). Overlaps between the participants were noted to provide a broad view of the experience. Natural clusters were identified amongst

the individual accounts and these were tabulated with specific quotations from the participants and the specific location they are found in the transcript (Willig, 2013). Discrepant data was also noted. These represented the distinctive aspects of the phenomenon from each participants' perspective (Smith et al., 2009). The final themes succeeding this process are presented as the findings of the study.

4.5. Trustworthiness and Rigor of Results

According to Cypress (2017), within qualitative research, rigour refers to the quality of the study while trustworthiness refers to the legitimacy, quality and truthfulness of research results. Rigour and trustworthiness were accounted for in the study by means of credibility, transferability, dependability, and confirmability (Cypress, 2017; Thomas & Magilvy, 2011).

Credibility refers to the representativeness of the research data by looking for similarities of experiences between participants (Cypress, 2017; Thomas & Magilvy, 2011). Credibility was established by means of a vigorous analysis of any discrepant or negative data that deters from the general observed trends within the data was conducted to ensure that patterns or themes identified in the data were a correct representation of all the information encountered during the interview process (Cho & Trent, 2006). Themes identified in the data were grouped together based on the methods to identify natural clusters such as abstraction highlighted above. Within these natural clusters, any discrepant data that differed from other accounts was included to ensure that the individual meanings of the participants were maintained as much as possible.

Transferability was included by using purposeful sampling and providing a thick description of the participants interviewed and the boundaries of the study (Cho & Trent, 2006; Cypress, 2017; Thomas & Magilvy, 2011). Five participants were purposefully sampled, and

all participants met the inclusion criteria of the study. This was to ensure that the group was highly homogenous and could provide thick descriptions of the research topic of deportation. Moreover, the results were presented with as much information as possible on the participants to further ensure that rich information on the research questions was reported.

Dependability was ensured by a transparent, clearly detailed research process to include a detailed description of the research methodology (Thomas & Magilvy, 2011). The use of audio recording and note taking ensured that accurate statements of all information that was communicated by participants during the interview process are used (Cho & Trent, 2006; McMillan & Schumacher, 2006). Furthermore, there was the use of direct quotations whenever possible from these documents when presenting results to prevent the loss of the participants' intended meaning (Cho & Trent, 2006).

Lastly, in the study confirmability was achieved by means of reflexivity on the part of the researcher due to the intensive involvement of the researcher throughout the study process. Reflexivity refers to the consideration of the researcher's influence on the research (Ashworth, 2015; King, 2010; Smith et al., 2009; Willig, 2013). Thus, the researchers' experiences, values and biases are included here to acknowledge their possible influence in the data collection, data analysis and reporting of the research results.

The researcher migrated to South Africa for tertiary education. As a result of this, the researcher has personal experiences with South Africa's migration policy as well as contact with the law enforcement agents of the SAPS and DHA which were both favourable and unfavourable. In addition, the researcher has friends and family that were at some point undocumented immigrants and sympathised with their migration experiences.

The researcher's own migration experiences as well the media and public narratives

encouraged the interest in the topic of deportation. The main intention of the study was to humanise immigrants in South Africa by providing an individual understanding of their motivations and actions beyond the aggregate statements and beliefs of immigrants perpetuated by South African politics, government institutions and the general populace.

It should be noted that in some instances the researcher had to draw on their own migration experiences and preconceived knowledge of South Africa's migration policy to interpret the participants' accounts. Furthermore, due to the immersive interpretative nature of IPA, one accepts that the subjective influence of the researcher in the study is inevitable and will be present to a certain degree.

Regardless, attempts to safeguard against the influence of the researcher's preconceptions were made. Two reflection strategies were implemented; that is the recording of the researchers' insights and biases before and after each interview as well as during the analysis of the interviews (Shaw, 2010; Thomas & Magilvy, 2011; Willig, 2013). The reflections pre-interview were to sensitise the researcher of any biases that may potentially colour the interaction. While ensuring the researcher was attentive when issues of bias were discussed during the interview. Reflections also sought to ensure that during data analysis the researcher could keep track of one's own biases and prevent the influence of these in the interpretation of the data. Moreover, the researcher followed the above-described data analysis stages to ensure consistency during data analysis and further reduce the influence of the researcher during interpretation (Smith et al., 2009).

4.6. Ethical Considerations

The following ethical considerations were made within the study to safeguard the participants in the study:

The study underwent a multiple phase approval process to ensure that the study was be ethical and acceptable for University of Pretoria's Psychology Department standards. This included a small committee of three professionals followed by a Research Committee which appraised the proposal content. Finally, an Ethics Committee reviewed the proposal to ensure that the ethics were to be upheld during and after the study to include consideration for the rights of the participants as well as the recording, analysing, reporting and maintenance of the study data.

The sensitive nature of the study as well as the vulnerable sample population made informed consent an essential ethical concern. Informed consent was attained from all participants. The consent forms included information regarding (Gravetter & Forzano, 2012; King, 2010; Tien, Davis, Arnold, & Benjamin, 2012): (a) the purpose of the study; (b) the expected duration along with procedures of the study; (c) the right of participants to refuse to participate and withdraw from the study at any point; (d) factors that may influence willingness such as potential risk or discomfort; (e) potential research benefits; (f) limits of confidentiality; (g) obtaining permission for the recording of the voices of the participants will be attained; and (h) whom to contact about the research and participants' rights. The participant information sheet used for the study is included under Appendix A.

Confidentiality was upheld by the researcher through the following measures (Gravetter & Forzano, 2012; King, 2010; Tien et al., 2012): (a) only the researcher maintained the personal information such as the contact details and audio recordings of the interviews; (b) personal information was maintained in a password protected device; (c) the researcher avoided alluding to the participant's identity during the recording and subsequent transcription of the interviews; (d) use of aliases during transcription and the reporting of findings; (e) only information relevant to the intention of the study was included in the write-up; and (f) confidential

information obtained in the study was discussed only for scientific purposes.

The interviews were conducted with sensitivity to ensure that participants were protected from any psychological harm. Permission was obtained from the Itsoseng Clinic prior to the commencement of the study. The clinic was to provide psychological services to the participants should they require them. At the end of each interview, the researcher enquired about the emotional experience of the interview to ensure that participants had not experienced any distress. Of which all five participants indicated that no distress had occurred. Regardless, participants were provided with the contact details for the clinic should they have required the services afterward.

4.7. Conclusion

The chapter highlighted the methodology adopted for the research study. The interpretative phenomenological methodology used was underpinned by a relativist ontology and an interpretivist paradigm. The use of the IPA method influenced the sampling, research method (semi-structured interviews) and the subsequent analysis of the gathered data to provide an understanding of the participants' lived experience of deportation. The trustworthiness and rigour of the study was discussed to uphold the acceptability of the produced findings. Ethical considerations were also made in the study to ensure that the rights of the participants were addressed and protected. The following chapter highlights the findings of the research methodology.

<div align="center">**CHAPTER 5 – PRESENTATION OF FINDINGSs**</div>

5.1. Overview

The following chapter will present the findings resulting from the data analysis process described in the Methodology chapter. Emergent themes relevant to the research questions were identified from the interview transcripts and analysed using the IPA method. The identified themes will be corroborated with quotations from the participants and the essence of the theme will be explained.

The chapter begins with a description of the demographic data of the participants to contextualise the themes that will be provided. Then the identified themes and applicable sub-themes of the data analysis will be discussed.

5.2. Description of the Research Participants

Five participants were interviewed for the study following the sampling method highlighted in the previous chapter. The participants will be referred to as Participants 1 to 5 in the discussion of the results. Basic demographic data of the participants is highlighted below.

Characteristic	Participant				
	1	**2**	**3**	**4**	**5**
Sex	Male				
Race	Black				
Age (at interview)	29	38	28	29	28
Nationality	Zimbabwean	Malawian	Zimbabwean	Zimbabwean	Zimbabwean
Career	Waiter	Plumber	Waiter	Waiter	Waiter

Table 1: Demographic data of research participants

Regarding their migration experience all five participants had been deported from South Africa for being identified as residing and working in South Africa illegally. Although, during the interviews there were some extenuating circumstances that will be indicated in the

upcoming sections. It must be noted that the unique characteristics of the participants may colour the themes that are highlighted from the study. Therefore, the participants provided a male-centric, and Southern African perspective in their descriptions and understandings of their stories and experiences.

5.3. Identified Themes and Sub-themes

The identified themes and sub-themes of the data analysis will be highlighted with verbatim quotations provided to underpin the findings. The themes will be organised based on different sub-sections of the migration experience to provide an ordered understanding of the migration and subsequent deportation and re-entry experiences. This should not be taken as an effort to isolate issues raised exclusively to a certain sub-section as many of the themes were interrelated.

5.3.1. First entry into South Africa.

The summarised data on the first entry of the participants into South Africa for prolonged residence are provided in the table below.

Characteristic	Participant				
	1	**2**	**3**	**4**	**5**
Means of entry	Border jumping	Musina border post	Musina border post	Border jumping	Border jumping
Legality of entry	Irregular	Legal	Legal	Irregular	Irregular
Legalisation of stay before deportation	Asylum	Asylum	Asylum	None	Asylum

Table 2: Characteristics of the research participants at first entry into South Africa

Themes in the data that were identified under the sub-section of their first entry into South Africa will be highlighted below.

Theme 1: **Motivations for first entry into South Africa**

The participants provided multiple reasons for their motivation to migrate to South Africa. The most prominent motive being that of economic prospects within South Africa. South Africa is described as: *"greener pastures"* (Participant 2); and a *"better country"* (Participant 4). The perceived better economy in South Africa was linked to employment opportunities and income generation: *"Just for a living, just to live, to survive"* (Participant 1). Income was also necessary to support oneself and loved ones: *"I was only hoping to get a job, just work and feed my family. That's it"* (Participant 1).

Employment opportunities in South Africa were particularly attractive due to the opportunities for low-skilled labour: *"Maybe it can change our life without any degree"* (Participant 4); and the expectation of high monetary return on work done: *"Target was at least if we can be able to raise at least each can raise like 5000, 5000 to make it 10 grand, we will just stay in South Africa for a minimum of a year"* (Participant 4). Moreover, economic prospects were also expected to allow access to signifiers of wealth: *"We were like boys and we want to buy ourself clothes to wear, we want to be seen and everything"* (Participant 4).

Economic prospects were particularly attractive to the participants as a result of the failing economies in their home countries. Zimbabwean participants pointed to a difficult living situation lacking access to basic goods and employment opportunities: *"Things get very tough in Zim. There was nothing, like even food like even a job so I decided to come here"* (Participant 1). The Malawian participant also cited a lack of employment opportunity as a motivating factor to migrate: *"Malawi, it's not conducive to work there, let me try other adventures"* (Participant 2).

The Zimbabwean participants further highlighted difficulties prevalent in the country

such as political unrest:

> *That time, that party was, people were killed, the youth was forced to do all those things. It was like you are running away. Forcing you to attend their meetings, when you don't attend you are beaten. Some of them were disappearing, we don't know where* (Participant 1).

Thus, South Africa was viewed as a haven from political violence: *"So, I hate to run away for my safety"* (Participant 3).

Additionally, South Africa was particularly attractive to one participant due to its close proximity to Zimbabwe: *"By that time South Africa was an actual better country that is closer for us to come"* (Participant 4); and the ease of access without travel documents: *"And the easier way we can get there as soon as possible is to, to jump the border. Without the passport"* (Participant 4).

Theme 2: Means of first entry

The means of the participants' first entry into South Africa for prolonged residence are summarised in Table 2. Participants 2 and 3 entered via bus travel using the Musina border post. Upon entry they were allocated a Visitor's permit, thus their first entry was legal.

The other three participants entered the country illegally by border jumping and all did not have passports. This group of participants provided a few sub-themes relevant to their experience crossing the border by irregular means.

Sub-theme 2.1: Migration experience as a major life event

Migrating to South Africa represented a major life experience for the participants that jumped the border into South Africa: *"I never been arrested before.... That was my second*

scary movie because when I met the guma-guma's it was the first. And then when I go arrested and that was the second" (Participant 4); and *"I think I can say it's the past. It's the experience of life or something"* (Participant 1). The migration experience was the prelude to the significant changes and readjustments that the immigrants were to undergo in establishing themselves in South Africa.

Sub-theme 2.2: Dangers associated with irregular border crossing

The participants all described dangerous events that occurred during their walk into South Africa. Firstly, one reported the risk of apprehension by law enforcement agents patrolling the bush area: *"When we walk there we faced some challenges of we find police on the way, Home Affairs. Sometimes we found soldiers but sometimes we had to give them something then we have to pass"* (Participant 4). Bribery of these officials was required for forward passage into South Africa.

The participants also experienced a traumatising robbery during their walk by criminal entities that seem to specifically target immigrants crossing the border by irregular means:

> *We met those guys they are called "maguma-guma". Those guys they carry small axes with them, knives and weapons, you understand. They are targeting foreigners that are crossing the borders without papers. Cause they know those foreigners they have got something* (Participant 4).

These robbers were described as using highly intimidating techniques adding to the fearfulness of the experience: *"They search you again and they find out that you are hiding anything they chop your legs and your... they chop your legs and they chop your hands or whatever they chop you"* (Participant 4); and *"They also wanted to rape that lady"* (Participant 5). The experience made the journey more difficult as it left the participants with little or no

assets and money to continue their journey: *"So, we were left with nothing on us. No money for food, nothing. Even some of the shoes we were robbed"* (Participant 1). Moreover, the experience was highly traumatic for the participants: "*But it was very scary. That was the first time I met dangerous people in my life"* (Participant 4).

Sub-theme 2.3: Uncertainty of what lies ahead

The participants crossed the border without concrete plans of what they would do upon arrival within South Africa: *"The idea of jumping the border without the passport was just a sudden idea"* (Participant 4); *"So, that money I have it was like let me just go"* (Participant 1); and *"We didn't know any directions. So, they knew the directions cause they had crossed like that there for so many times. So, we were just with them"* (Participant 5).

For one participant, his religious belief played a role in coping with that uncertainty: *"You are not even know, even if you can reach where you are going or even reach there. You are just like I'm going. Maybe God will help me on the way"* (Participant 1). His belief in God provided a sense of security into the unknown life that awaited him in South Africa.

5.3.1.1. Legalisation of stay at first entry.

As stated in Table 2, four of the participants subsequently legalised their stay in South Africa by applying for Asylum seeker status which all four acquired.

Theme 3: Becoming an "illegal" immigrant

Participants 1, 4 and 5 came in by irregular means with no passports and were thus already classified as "illegal" immigrants according to the Immigration Act (2002) upon entry into South Africa. Reasons provided for this irregular entry were the lack of money to apply for a passport and the sense of urgency to migrate: *"I didn't even have any money like to apply*

the passport and to wait on the passport. It too late for me to wait for that because you know the passport they take like maybe six months" (Participant 5).

It should be noted that Participants 1 and 5 managed to obtain Asylum seeker status after having entered South Africa by irregular means. However, Participant 5 failed to adhere to the renewal procedures of the DHA: *"So, I didn't uh, manage to renew it. I just ignored"* (Participant 5). He was arrested by SAPS for lacking a valid temporary residence permit. However, as previously noted in the Context chapter, an Asylum seeker cannot overstay a permit and is not supposed to be handled by the Immigration Act (Cote, 2018).

Before applying for Asylum, Participants 2 and 3 became "illegal" immigrants according to the Immigration Act (2002). Participant 2 overstayed beyond his permitted days provided by the Visitor's permit: *"Yeah there I overstayed for about 2 or so years"* (Participant 2). Participant 3 also overstayed but used a method of stamping out one's passport: *"That's when I became illegal because I just had to stamp my passport out. Then they will say that I am in Zimbabwe yet I am still staying in South Africa"* (Participant 3). This method involved the participant having their passport stamped as having left South Africa. Thus, the participant becomes an unrecognised resident within South Africa, living and working undocumented.

<u>Theme 4</u>: Reasons for maintaining an undocumented status at first entry

The participants highlighted the inconvenience of the Asylum renewal procedures: *"Like you have to renew it each and every time.... it was taking my time for me to go there"* (Participant 5). The time spent with the renewal process is further exacerbated by the monetary costs incurred: *"It's costly to go out of the country coming back.... You are using money which you brought into the country"* (Participant 2). These inconveniences then persuaded the participants to give up on the process altogether: *"I was like, aah no let leave this"* (Participant

2). For Participant 5, once he achieved his goal of obtaining his desired job, he longer saw the need to continue with the renewal process: *"I just ignored. As long as I'm working now. I'm fine it's okay. I didn't really like wanna go there"*.

Participants stated further that they maintained an undocumented status in the country due to a lack of information and resources on legalisation routes: *"I was not yet used to the environment in place. I was starting knowing okay, this is this okay, this can be like this"* (Participant 4). Over time one learns the legal requirements of residence, however, it could be after one's permitted stay period: *"As I keep on staying in South Africa is when I realised if you have money you can go that door, you can go that door…. But that's after time. After you've already overstayed your permission"* (Participant 2).

The above stated reasons increased the attractiveness of using illegal routes such as stamping out one's passport to circumvent detection as an undocumented immigrant. These are supported by the presence of illegal operations by bus service providers and border officials: *"I did it through the bus drivers. Okay, I just go to them and give them your passport. Then they will go stamp it out for you"* (Participant 3).

Participant 4 also alluded to a lack of agency and awareness of the need for a permit:

As much as I didn't have any problem working without my papers by that time that was not any havoc to me or anything to think about. But it was too early for me to think about fixing my papers cause I was just thinking as much as I get more money.

The participant's ease of accessing work without legal documentation provided evidence that it was not necessary to obtain. It was anticipated that one could work and obtain an income without documentation.

Lastly, it was stated that the permit requirements can limit one's options for legalisation.

Participant 3 highlighted that Asylum was his only option:

> *My boss that I was working for, hates to advertise the position that I'm looking for or that I was working for in a national newspaper. I think that is for about two or three weeks or so. Yeah. And then also there were some amounts of money that we're supposed to pay at the Home Affairs for us to get a permit. But then at that moment, I didn't have all that money. So I couldn't do that. And then I opted to go to and seek an Asylum.*

Asylum was perceived as the most attainable means to legalise one's stay due to the limitations placed by the stringent requirements of other temporary residence permits offered by the DHA as well as the monetary cost of the applications.

5.3.2. Deportation threat appraisal.

While residing in South Africa undocumented, participants were asked on their appraisal of the risk of being deported for their contravention of the Immigration Act (2002). Themes relevant to this subsection are discussed below.

<u>Theme 5</u>: Awareness of deportation threat

All five participants demonstrated some form of awareness for the risk of being deported while they were undocumented within South Africa. However, two participants demonstrated lapses in this awareness. One reason for this was a lack of knowledge of deportation: *"I started knowing it after they deport me.... I didn't know anything about it before.... But I knew about how dangerous it is not to have papers in some other people's country"* (Participant 4). Thus, showing an understanding of having legal status but failing to know of the consequences of the transgression.

Another cause was the sense of security of obtaining a legal status: *"I just ignored. As long as I'm working now. I'm fine it's okay. I didn't really like wanna go there"* (Participant 5). Once the participant had obtained a legal status, there was reduced motivation to continue with the renewal process.

The other three participants demonstrated a continuous awareness of deportation. The main cause of the awareness was the continuous presence of police patrols: *"In Joburg there's police always going around, fetching people for drugs, for papers and for everything. So, I was very aware that the more you are illegal there more chances you have to get arrested"* (Participant 4). With one participant highlighting contact with police heightening his awareness: *"I was caught several times"* (Participant 2).

Warning from one's social network also facilitated increased awareness of deportation threat: *"Only when I heard that if they catch you without the legal papers then they are gonna deport you. So, then I had to think of it"* (Participant 3).

Theme 6: Strategies to minimise deportation threat

Four participants provided strategies that they employed to reduce their risk of being deported while they had/ have undocumented status. One strategy was the consistent awareness of one's surroundings for possible apprehension: *"Wherever I'm working, I have to be aware of my surroundings"* (Participant 3). This awareness is for the purpose of avoiding law enforcement agents: *"You run away from them. You try and avoid them with any cause, and let me not meet them"* (Participant 2); and *"If you see any member of the SAPS or the Home Affairs then you have to make sure that you stay as far as possible from them"* (Participant 3).

Another strategy is the use of bribery to avoid arrest by law enforcement agents especially SAPS: *"If you don't have papers you always have to have like float of change and*

maybe sometimes you can just bribe and give something so that you cannot be arrested"
(Participant 4); and *"There are ways if you have money. Bribe them. The police you bribe
them"* (Participant 2).

Participants also described the limiting of ones' movements to reduce the odds of
apprehension: *"You don't travel out, no. From work you go to your place. Avoid walking
around, all those things"* (Participant 1).

The last strategy was to blend into the environment. Participants did this by acquiring
legal documents such as a driver's licence to avoid detection: *"I've got a licence, I've got
whatever they want on the roads, my car is roadworthy, I've got a disc. You... those ones you
face them because there are no papers asked there"* (Participant 2). Fluency in local languages
seemed to be a possible avoidance strategy: *"If you speak to them in English, it's more like you
are swearing at them…. if any of us had to reply in proper Zulu, I don't think it was gonna be
a big fact or any big problem"* (Participant 4). In addition, having stereotypical features of the
average South African in an area helped reduce detection. This included stereotypical physical
appearance and age : *"I was light in complexion you see.... I used to see people getting caught
or getting searched but not me"*; and *"Cause that time I was 18 years old. I was more like a
student when I was staying in there"* (Participant 4). Also included was mirroring the
behaviours of natives in the area to avoid detection: *"If you arrive there you have to act normal
and act a little bit confident. More like you know what you're doing"* (Participant 4).

Theme 7: Influence of deportation threat on everyday life

The threat of being deported affected participants mainly by creating a persistent state
of uneasiness and vigilance. This manifested itself in multiple ways such as limiting
movements to avoid arrest impeding of the participant's feeling of freedom: *"Anytime, you*

know they can, I can be deported. So, you are just not free… You know freedom is the best thing. When you don't have freedom it's like you are outside but you are still in prison" (Participant 1). Another manifestation was the consistent surveillance of one's surrounding: *"I also had to be sure that wherever I'm working, I have to be aware of my surroundings"* (Participant 3). Moreover, the circumstances created a mental strain of persistent worry: *"You're always thinking, you're not happy, you're not free"* (Participant 1).

The continuous strain of living with the risk of deportation was difficult for one participant to the extent of negatively affecting his life satisfaction: *"You are not enjoying your life. You just argh, yeah I'm breathing it's fine. But for real you are not even living"* (Participant 1).

5.3.3. Stages of the repatriation process.

As previously highlighted in the Context chapter; the Immigration Act (2002) provides the stages and best practices of repatriation from South Africa. Table 3 provides the relevant information linked to the repatriation experiences of the research participants. The information will be used in the description of the upcoming themes.

Characteristic	Participant				
	1	**2**	**3**	**4**	**5**
Means of apprehension	SAPS	DHA offices	DHA offices	SAPS	SAPS
Place of detention	Lindela	SAPS cells and Lindela	SAPS cell	SAPS cells and Lindela	SAPS cell
Length of detention	3 weeks	1 month	2 weeks	3 weeks	5 days
Means of deportation	Group removal	Self-deportation	Group removal	Group removal	Group removal

Table 3: Characteristics of the research participants during repatriation from South Africa

The next subsections of themes will focus on these repatriation stages namely the apprehension, detention and deportation events as reported by the research participants.

5.3.3.1. Apprehension events.

Theme 8: Stereotyped targeting of foreigners

As indicated by Table 3, Participants 1, 4 and 5 were apprehended by means of a police patrol. Participant 4 highlighted the use of stereotyped characteristics to identify potentially undocumented immigrants. Features attributed to foreigners included dark skin tone: *"I used to see people got fetched in front of me and me they just think I'm just a normal regular South African. Light in complexion"* (Participant 4); and non-fluency in a South African language: *"By that time, I didn't know how to speak Zulu…. for the police guys that were in Jo'burg that time. If you speak to them in English, it's more like you are swearing at them"* (Participant 4). Lack of fluency in a South African language, Zulu in this instance was an identifying feature of one as a foreign national; with English being perceived as a particularly insulting means to respond to the police for the participant.

Theme 9: Arrested while following Asylum renewal protocol

Participants 2 and 3 were arrested while in the DHA offices attempting to renew their Asylum seeker permits. The arrest in the DHA offices was particularly difficult for the participants as they felt unfairly treated by the ordeal: *"When we went there, we thought we were doing the rightful thing to go and renew our Asylum"* (Participant 3); and *"I'm here with a real thing, but I'm arrested"* (Participant 2). Participant 3 was arrested due to their permit being said to have expired when the participants' appointment was postponed multiple times by the DHA:

> They gave me a date of the 30th of November which was a weekend, a Saturday. I went there on a Friday, before the 30th which was the 29th…. they told me they write somewhere no come on Monday. C.O.M. which was normal to me…. Then I went on a

*Monday. They say no no no you are supposed to come on a Wednesday. Then I went
again on a Wednesday, they say no, why are they busy chasing you up and down. Just
come on Friday we are gonna do everything. Then I went on that Friday, they arrested
me.*

The arrest elicited feelings of resentment as the wrongdoing of the participants was not
apparent to them: *"I had the rightful document that we needed for me to stay here. And then
only when I got back there, they were telling me that okay, I can't stay here anymore"*
(Participant 3). Moreover, the participants described a lack of adequate communication with
officials as well as opportunity for discussion or appeal on the matter: *"So we did not even
have time to see the officer, we were arrested…. You've got no one to ask why…. Who else
gonna, who can I ask?…. There was no talking no what, nothing"* (Participant 2). Thus, further
adding to the feeling of being wronged by the DHA.

Theme 10: Verification of the immigrants' legal status

Participant 1 whom was arrested by SAPS reported a lack of verification of his legal
status before being sent to Lindela: *"They never gave me the opportunity to take me to Home
Affairs to check whether I have a paper or not"* (Participant 1). Moreover, the participant
reported not being allowed to obtain his Asylum seeker permit to verify his status: *"I already
had a paper. They couldn't allow me to take that Asylum"* (Participant 1). This was especially
difficult for the participant as the situation drew feelings of aggrievance: *"It was like you are
a criminal and you have a paper"* (Participant 1).

However, Participant 4's account provided some instance of a verification procedure
by the police: *"They take our details. We write down everything…. In recorrection services
there, that's where they took our fingerprints and they do their things the police"* (Participant

4). This indicated that Participant 4 while not fully understanding the procedures; the police did gather his information for verification purposes. Thus, providing a differing account to Participant's 1 account where no verification procedure was described.

5.3.3.2. Detention events.

Theme 11: Conditions of detainment

The participants were held either at the Lindela repatriation centre and/ or a SAPS police station while awaiting deportation as highlighted in Table 3. The participants provided accounts of the conditions that they experienced in the different detention centres. The accounts for each will be presented under the sub-themes below.

Sub-theme 11.1: South African Police Service holding cells

Participants 3 and 5 were held exclusively at in a SAPS station holding cell for an average of 9.5 days (refer to Table 3). The participants generally reported unfavourable conditions within the facility: *"The environment wasn't nice"* (Participant 5). Regarding nutrition, Participant 1 reported that food was not regularly provided and when provided it was of poor quality: *"Sometimes we were not getting food, or the food that we were getting is not like good food for a- any human being"* (Participant 3). Moreover, water quality was called to question: *"The water that we were drinking, it was coming out like reddish like it's rusty"* (Participant 3).

In terms of the accommodation facilities, descriptions were also unfavourable. The SAPS holding cells were described as unclean: *"Everything was just dirty you know"* (Participant 5). Access to health facilities may have been impeded by the ignoring of immigrant's health concerns by police officers: *"Some of us fell sick in there. When you tell the police officers that the person is sick, they took us for granted"* (Participant 3).

Lack of access to communication with loved ones during detention was reported: *"My family didn't know what's happening to me where I am cause they took our phones and everything"* (Participant 3); and *"You're not even allowed to make calls"* (Participant 5). It was stated that access to phone calls was dependant on one's ability to pay law enforcement agents:

> *They'll give you time to make a call. Like only the time they want like for you to say, oh, did you manage to get money to get someone to send you some money? If there is no one then they said okay then you don't have to use a phone* (Participant 5).

Sub-theme 11.2: Lindela repatriation centre

Participants 1, 2 and 4 were detained at Lindela repatriation centre for an average of 24 days (refer to Table 3). The participants portrayed a general disdain for the centre: *"If I tell the experience that I have because I didn't stay there for a long time because it wasn't conducive"* (Participant 2); and *"The conditions are very very bad…. you are uncomfortable"* (Participant 4). The conditions described within Lindela are like those stated for the SAPS holding cells.

Regarding nutrition, participants reported that the food was unpalatable: *"You don't eat good food. Like for me I wasn't eating the food, I was… it was nothing"* (Participant 2); and *"food that is untasty"* (Participant 4). Food was also described as being provided twice a day but not being enough for adequate sustenance: *"It was 1 in the morning, and I think in the evening again. And sometimes if you have a little money on you, it was not enough so you have. Sometimes, I don't know, you can buy from other people"* (Participant 1). It was also highlighted that some food items provided possibly induced sickness in detainees:

> *Because I've seen people get sick…. a sachet of juice which they were giving you with a little bit of water. Everybody who tasted that juice was going to be coughing. And a horrible cough, that when you cough you spit blood* (Participant 2).

The conditions of accommodation within the facility were also criticised. While it was reported that there was regular cleaning in the facility the standard of cleaning was not thorough: *"They do clean, the place is… It's not that thoroughly clean, they just clean like normal"* (Participant 2); and *"it was not clean as much as we expected"* (Participant 4). Hygiene related issued reported included the presence of pests such as bed bugs: *"there are alot of … what you call … pests. Like bed bugs"* (Participant 2); as well as irregular fumigation of mattresses and washing of bedding: *"The mattresses are not fumigated. You use it, I come I use it. The blankets they are washed when they want."* (Participant 2).

Living conditions were also described as unfavourable with participants describing cold temperatures with inadequate blankets provided: *"It was so tough. It was very cold. This, there was no nice blankets"* (Participant 1). The issue of overcrowding yielded differing experiences with two participants indicating there was overcrowding in the facility: *"It was overcrowded"* (Participant 1); and *"It was overpopulated inside"* (Participant 4). However, one participant found the frequency of detainees in the space provided acceptable: *"honestly, the places are enough. Cause you sleep alone on a bed"* (Participant 2).

In terms of personal hygiene, it was reported that there was an insufficient supply of hygiene products like soap: "*They would only give you a soap, 1 once in a week when it gets finished sometimes you just bath like that*" (Participant 1).

Lastly, participants gave differing accounts on access to communication with the outside world. One participant reported complete inability to telephonically contact others: *"I was supposed to call someone outside but they never allow us to do that"* (Participant 1). However, another participant reported regular visitation and contact with family while being held in Lindela: *"My brother has to come there and visit me twice a week or three times a week"* (Participant 4).

Theme 12: **Treatment by law enforcement agents**

Participants 1 and 2 reported their treatment by law enforcement agents as *"rough"* implying harsh and indecent treatment toward the detainees. Reports of this harsh treatment included physical violence: *"They beat. They don't play"* (Participant 1); and harassment: *"Harassed when it's not necessary"* (Participant 4).

Participants also reported the experience of being dehumanised by the treatment they received: *"There is where they treat you like you are a foreigner, like you are nothing in our country"* (Participant 2). This corroborated an assertion that one's undocumented status justified unfair treatment by law enforcement agents: *"For us they couldn't care much of our rights as much as we didn't have our papers"* (Participant 4). Another instance of this dehumanisation was Participant 3's report of lack of follow up on detainee health concerns:

> *Some of us fell sick in there. When you tell the police officers that the person is sick, they took us for granted, they thought that maybe we were lying just to get a way of getting out of that place.*

It should be noted that one participant reported no adverse treatment while detained in a SAPS holding cell: *"But, it wasn't like that bad cause we were given enough time just... you were just there. You were just held in those cells. Nothing bad happened"* (Participant 5).

5.3.3.3. Deportation events.

As referenced in Table 3; the four Zimbabwean participants were deported by means of a group removal from detention to the Beitbridge border post, and the Malawian participant self-deported by purchasing his own plane ticket. The following theme will highlight the participants deportation experience.

Theme 13: **Support by Zimbabwean agencies after deportation**

The provision of support after deportation by Zimbabwean agencies provided contentious accounts. On one hand, one participant reported the provision of buses to travel to major cities within Zimbabwe: *"They transfer us to another bus…. So, the guys that are going to Harare was being transferred to another that is also going to Harare…. The other guys they got to the Bulawayo buses, and the rest, and the rest"* (Participant 4). Indicating a level of support within Zimbabwean agencies for participants to return to their homes.

Counter to this, the other Zimbabwean participants indicated a lack of support following deportation: *"They just dump you there. And now you don't have, you are broke, you don't have money again to go where you are going"* (Participant 1). Participant 3 remarked on unfulfilled promises of support that included transport and meals:

> *The guys in Zim asked us, if we would like to be provided with transport to go back to our respective homes…. They also said that we were going to provide us with some meals whilst we are waiting…. They didn't follow through, so we ended up making plans of our own.*

This lack of support forced participants to make their own arrangements from the Beitbridge border post: *"I called my brother who was in Zim. So, he sent me money to... for transport from Beitbridge to Harare"* (Participant 5).

Another interesting report was the lack of support from Zimbabwean law enforcement agents. Participants reported Zimbabwean law enforcement agents presenting a dire situation in Zimbabwe: *"Even the police were telling us, uh-ha [sarcastic]… yeah you are like this, what are going to go and do?"* (Participant 1). It was also noted that the agents also encouraged immediate re-entry into South Africa: *"So they told us straight. Who want to go back? There*

is the road, go back" (Participant 1); and *"The soldiers they were telling us that if you really want to go back, we can transport you"* (Participant 5).

5.3.4. Re-entry into South Africa.

Following deportation all five participants eventually re-entered South Africa legally and by irregular means after an average of 1,1 years with a minimum of 3 days and a maximum of 5 years as highlighted in Table 4.

Characteristic	Participant				
	1	**2**	**3**	**4**	**5**
Time between deportation and re-entry	3 days	1 month	14 days	5 months	5 years
Means of re-entry	Border jumping	Musina border post	Musina border post	Musina border post	Musina border post
Legality of re-entry	Irregular	Legal	Irregular	Legal	Irregular
Legal status during interview	Legal	Undocumented	Undocumented	Legal	Undocumented
Means of legalisation	General work permit	Consistent travel in and out of country	Stamping out passport	DZP permit	None

Table 4: Characteristics of the research participants for re-entry into South Africa

When re-entering South Africa, Participants 2 and 4 entered legally through the Musina border post by obtaining a Visitor's permit. However, while Participant 2 makes use of the Visitor's permit by travelling in and out of the country, he contravenes the conditions of the permit by working classifying him as an "illegal" immigrant according to the Immigration Act of 2002 (refer to Sub-theme 16.2).

Participants 3 and 5 also entered through the Musina border post but made use of illicit means to gain entry. Both participants did not have a passport at the time of entry and bribed border officials by their own means or through the bus operators. Participant 1 came in by the

irregular means of border jumping. Thus, also classifying them as "illegal" immigrants according to the Immigration Act (2002).

The themes relevant to the re-entry of the research participants are provided below.

Theme 14: **Motivations for re-entry**

Upon returning to their home countries participants found themselves in a catch 22 situation. Participants had the choice to remain in their home countries where the push factors that initially drove them to migrate were still prevalent; or return to South Africa and attempt to reclaim some form of a living again with uncertainty of their success there: *"We were just like thinking why are we risking our lives. But to go back it was almost the same. So, as a man, you don't have another option"* (Participant 1).

The push factors motivating initial entry remained the same for participants in their home countries. Difficulties reported included industry closures limiting employment opportunities: *"The industries there most of them are shut down…. There's too many people who are experienced on different things in life and then they don't have anywhere to go to apply"* (Participant 4); below living wage salaries while employed *"Like the salary was not okay for me… the costs were high. And the money I was getting it wasn't enough even for the transport"* (Participant 5); and failing municipal service provision: *"There's no water. There's no electricity those load shedding things. So, everything was just tough"* (Participant 5). Continued political unrest within Zimbabwe at the time was also reported: *"We were beaten, taken and beaten. I saw many people beaten with my eyes"* (Participant 1).

Following deportation, participants were motivated to return to South Africa by the desire for economic opportunity as their initial entry. It was important for the participants to attain a liveable income: *"My desires to come back to South Africa, just to earn a living. That's*

it. To earn a living, to get a job only" (Participant 1); and *"I had to come, go back to South Africa. That is the only place that I can go and find something which can make me work and make my money and also take care of my family"* (Participant 4). The access to an income would allow for the reclaiming of financial independence: *"I was used now to start working for myself and I saw how nice to work. It was my first time to work and to start holding your money"* (Participant 4).

The motivation for economic viability seemed to be linked to the need to fulfil the male provider role. It was a defining issue for the participants as they felt that as men, they had to be financially viable to take care of themselves as well as others:

> *I can just be responsible. Just be someone you know, I don't need to be... told or to be helped for unnecessary things. I need to be counted... when there is a problem. They can also count on me. Okay, there is *Participant 4's name*, you can also call *Participant 4's name*, he can help us in this and this. So, that was like my motivation coming here* (Participant 4).

The need to provide seemed to necessitate the assuming of risk when re-entering South Africa to fulfil that provider role: *"We were just like thinking why are we risking our lives. But to go back it was almost the same. So, as a man, you don't have another option"* (Participant 1). Participant 1 was willing to bear the risk of irregular re-entry into South Africa a second time to provide for himself and his family.

Participants were also motivated to re-enter South Africa to reclaim the lives that they had created for themselves prior to deportation. Participants sought to reclaim physical assets: *"What really pushed me to come back is I had things that I had in South Africa"* (Participant 3); and reconnect with loved ones left behind in South Africa: *"My money was left here, my*

car was left here, my kids and everything was left here. So that's what motivated me" (Participant 2).

Lastly, the place attachment to South Africa was also cited by one participant as a motivator for return: *"Malawi is my home but I have a life here…. Because I've been here for, like 11 years or so. There, it's no longer my home. It's my community, but it's not where I belong. I belong here"* (Participant 2). This indicates the possible development of an emotional attachment to the country which might be difficult for the participant to sever completely.

<u>Theme 15</u>: Restrictions imposed by deportation

All five participants indicated that they were unaware of any restrictions imposed as a result of their deportation. It was reported that there was no communication of the consequences of deportation by South African law enforcement agents: *"They never told us anything. They just deported us. Nothing was said"* (Participant 1); *"I didn't heard much about restriction of not to come back there, or not being allowed to come back. The idea there was just to be deported"* (Participant 4); and *"They never told us of any restrictions or anything. All they did was to take us back and they left is in Zim"* (Participant 3).

Only one participant alluded to some form of documentation being signed prior to deportation. However, the participant demonstrated a lack of comprehension of the documentation signed and the significance of that documentation: *"There's a form they gave us I don't remember any much…. But if it was a restriction, I think I was gonna have a problem on taking my passport but I take my passport it was successful"* (Participant 4).

Moreover, restrictions were not a consideration for the participants nor were they applicable in their re-entry into South Africa: *"I don't even know, what is the issue in South Africa…. All I know is I went out at the airport, I came back by bus"* (Participant 2).

Theme 16: Interest in legalising stay after re-entry

Four participants indicated a desire to legalise their stay at some point after re-entry into South Africa: *"I really would like to have all the legal… and do the legal process to make sure that my stay and my working here is legal"* (Participant 3); and *"If I could? Yeah. I really want that"* (Participant 5). Only one indicated a lack of interest in legalisation due to the anticipation of a short-term residence: *"I didn't actually look forward for a permit by that time. Because when I actually came here, I didn't... I was not looking forward to stay here like being permanent"* (Participant 4).

The participants followed multiple means to legalise their stay. In addition, they highlighted issues regarding the comprehension of permit conditions. These will be discussed in the following sub-themes.

Sub-theme 16.1: Means of legalising stay

At the time of the study only two participants were residing in South Africa legally. That is, Participant 1 with a General Work permit and Participant 4 with the DZP permit. Interestingly, Participant 1 highlighted that his permit was acquired by illicit means: *"You have to pay some money to get it. I think it was a back-door thing. You know Home Affairs how it is"* (Participant 1).

Other participants made use of stamping in and out at the border for more days under the Visitor's permit as a means of legalisation: *"They give you 30 days…. You stay in South Africa for like 20 or so days. You get out of the country. You go back home. Come back after 3, 4 days"* (Participant 2); and *"After every 30 days, I go back and then I make sure that I stamp it in and I'm legally in"* (Participant 3).

<u>Sub-theme 16.2</u>: Comprehension of permit conditions

While legally residing in South Africa, the Visitor's permit does not allow working within South Africa. Differing levels of comprehension of the permit were observed. Participant 3 demonstrated an understanding that this does not allow the participant to work within South Africa: *"My status is legal. Not knowing of the working part, but my passport is always uhm, like the days are still valid"*. However, Participant 2 seemed to have misconceptions of relevant permit classifications and conditions:

> *Participant: You come running a business you are becoming a business visa.*
>
> *Researcher: Oh, so you're using a business visa, not the Visitor's one? [participant confirmation]. How did you get that?*
>
> *Participant: Cause it's the same thing*

Firstly, the participant believed he was using a business visa. This is a temporary residence permit under section 15 of the Immigration Act (2002) with requirements that include the establishment or investment in a business in South Africa with the prescribed capital investment. The participants' work as a freelance plumber does not seem to meet this criterion. In addition, the permit allows for longer term residence than the constant entry and exit described by the participant. Therefore, it is deduced that the participant makes use of a Visitor's permit. Secondly, Participant 2 seemed to highlight a belief that the permit allows for immigrants to work. While the permit does allow for business purposes, they should not involve the individual being paid in South Africa such as temporary assignments (Intergate Immigration, 2015). The Immigration Act (2002) specifically does not allow for immigrants to conduct work under section 11(2).

As a result, both participants are in violation of the Immigration Act (2002).

Unfortunately, both participants seem to not understand that violating the Visitor's permit by working and receiving an income classifies them as "illegal" immigrants.

Theme 17: Reasons for failing to legalise stay at re-entry

Participants cited multiple reasons for their failure to legalise their stay in South Africa at the time of the study. The cost of obtaining relevant documents was a significant barrier for some participants: *"We tries to look into the legal routes, but still it is expensive"* (Participant 3); and *"It is very expensive for you to get a passport right now"* (Participant 5).

Moreover, the permit application process was described as complicated, thus excluding them from applying. Cited issues included the lengthiness of the process: *"It's like a long process to go through that legal route…, when we go through the border, they only give you those 14 days and to go through a legal process within 14 days, it's impossible"* (Participant 3); prioritisation of highly qualified immigrants: *"You must be qualified for something, more qualified than others, like more qualified that most South Africans. That's when you can obtain those things very fast"* (Participant 2); and the influence of previous contraventions on the success of future applications: *"You also have to lie cause you can't tell them that I've been here in South Africa for such and such years. You won't qualify for that"* (Participant 2).

The difficulty of accessing permits is viewed as a move towards the tightening up of the process by the DHA:

It was easier back in the days when they had visas and all that stuff that you had to apply for. But now we can't do that. The only way to go is the permit and it's not easy to get that permit (Participant 3).

5.3.5. Additional migration factors.

Theme 18: **Role of social networks**

Social networks seemed to play important roles in influencing the migration related decisions at different stages of their migration experience. Firstly, precedent groups served an important role when first entering South Africa. These groups provide evidence and accounts for potential success in South Africa: *"I have friends, I have family that is staying here. And they were telling me that this side is much better. So I have to opt to come this side for safety and economic reasons"* (Participant 3). Other immigrants also acted as knowledgeable guides for the participants that were irregularly entering South Africa: *"When like still on the Zim side like we also met this other lady and this guy. They knew the directions, so we just saw them…. So, they helped us... uh... we were just lucky, just following them"* (Participant 5).

Upon arriving in the country, these precedent groups provide support in the form of money and accommodation: *"My brothers they send me money. We use a train from Musina coming this side ….I was staying with my brothers"* (Participant 5). They also provided access to employment opportunities: *"I didn't have any experience of any job that was my first time to start working. So he organised me a job where he was working"* (Participant 4). Thus, the precedent groups support the participants while they navigate and settle into their new lives in South Africa.

While residing in South Africa the immigrants' social network further served multiple functions. The network helped disperse relevant information such as new permit opportunities: *"It's the news that everyone communicate to you about it and we are all aware of it…. What happened is we heard the news that uhh... we're gonna start getting permits"* (Participant 4). The knowledge from the participant's social network informed him of the DZP permit

opportunity which he then applied for. The networks also served to sensitise participants on issues of concern such as strategies to avoid apprehension by law enforcement: *"I was told that if you see police or anyone stopping people then you have to make sure that you avoid that police officer"* (Participant 3).

The participants' family network also provided support following deportation. Family members availed funds for the participants to go home following deportation: *"I called my brother who was in Zim. So, he sent me money to... for transport from Beitbridge to Harare"* (Participant 5). Family members also supported the participants while they re-evaluated their lives after deportation: *"Take your time we are not chasing you from Zimbabwe here. We still have food for you. Why can't you take your time, apply your passport, wait for six months and then you go back nicely"* (Participant 4). For Participant 4, his family members directly influenced the move to obtain documentation for legal entry into South Africa: *"And to the parents they were panicking a lot that you can; you cannot go back to where you once got in trouble. So, they were actually advising if you want to go back why can't you fix your papers"*.

Additionally, family members in the home country provided motivation for the participants to migrate in the first place. The anticipated economic opportunities would allow for remittances to be sent back home to support family members: *"I was only hoping to get a job, just work and feed my family"* (Participant 1); and "*I had to come, go back to South Africa. That is the only place that I can go and find something which can make me work and make my money and also take care of my family"* (Participant 4).

The social networks therefore played instrumental roles in the migration related decisions made by the participants. While simultaneously providing required support for the participants at all points of the migration experience; from initial entry to re-entry following deportation.

Theme 19: **Service delivery of law enforcement agencies**

In their reports of their migration experiences, the participants highlighted accounts regarding the quality of law enforcement agencies' service delivery. The main agencies discussed in the reports were SAPS and the DHA. These will be discussed in the sub-themes below.

Sub-theme 19.1: South African Police Service

The service delivery of SAPS was generally framed negatively. The main matter with SAPS was the prevalent acceptance of bribes to subvert the law. Bribery was applicable for reprieve from apprehension:

I just met like the cops…. They just asked me like about my papers…. So, they just called me and say you know, my brother, you have to give us something. If you don't have money just to bribe us, we are taking you home (Participant 5).

Bribery was also effective in release from detention: *"You know what had happens, those who've got money can turn themselves out"* (Participant 2); and *"I was thinking that maybe just those guys they wanted money. Cause they would tell me... They were telling me that I have to give them something just for letting me out"* (Participant 5).

SAPS was also reported as failing to observe adequate verification protocols: *"They asked about the papers, they said where are your papers? I said I left it at home. Let's go and take. Said no we can't we are going to deport you straight. They took me straight to Lindela"* (Participant 1). There were accusations of unfair treatment of immigrants by SAPS officers which included unwarranted arrest: *"And the police arrest you. You know even if you have got a South African passport, but still it says that you are not a South African"* (Participant 2). Unfair treatment also included the ignoring of health concerns of immigrants during detention:

"Some of us fell sick in there. When you tell the police officers that the person is sick, they took us for granted" (Participant 3).

Therefore, based on the participants' accounts, SAPS was found to have problems with accepting bribes, inadequate verification of immigrants' legal status and unfair treatment of immigrants.

<u>Sub-theme 19.2</u>: Department of Home Affairs

The DHA plays an instrumental role in the lives of immigrants as they handle their permit applications and determine their legal status in the country. As a result, there were multiple reports regarding the quality of service delivery of the DHA.

One area of struggle was the perceived inconsistency of DHA procedures. Participants expressed frustration with changes in Asylum renewal policies that resulted in their deportation: *"The arrest happened in the offices of Home Affairs. We went in there, the way we always get it"* (Participant 2); and:

> *I was supposed to go back to the South African Home Affairs offices to renew my Asylum…. whilst we were waiting in the queue. We were just called our names…. Then all of a sudden, they told us that our names are not appearing on the system. So, we have to be deported* (Participant 3).

Participants reported following the procedures as they had previously done, then without notice things changed and they paid the price for it.

There were also reports of inconsistent application requirements: *"They were telling me was no you don't make an Asylum with an economic crisis of a country. So, I was asking myself when? Why did they give us in the first place?"* (Participant 2). Moreover, participants

viewed policies as being applied discrepantly amongst applicants: *"The funny part of it, there were some people that were applying the very same day, we were working together, they got their asylums. They managed to renew them and us [signals nothing] couldn't get to renew them"* (Participant 3).

Participant 2 also reported on the lack of support and no opportunity for discussion when the participant was arrested for deportation at the DHA office:

We did not even have time to see the officer, we were arrested. That was how it was. See it was in a rough way. You guys, you've been arrested. You've got no one to ask why. I'm here with a real thing, but I'm arrested. Who else gonna, who can I ask?

Thus, denying the opportunity for appeal or in-depth examination of the issues with the participant's Asylum seeker permit renewal.

The conditions that participants endure during the application process were also identified. Problematic areas included long queues and waits with safety concerns: *"It was taking my time for me to go there, wait for long in the queues and when you go there you know, how there's thieves, they steal from you"* (Participant 5). Moreover, participants reported inaccessible application requirements for permits. These included the cost, unfeasible requirements for employers and lengthy processing times:

We tried to apply for a permit. But then it was a long and expensive process…. My boss that I was working for, hates to advertise the position that I'm looking for or that I was working for in a national newspaper. I think that is for about two or three weeks or so (Participant 3).

These requirements made some participants unable to access permits forcing them to reside and work while undocumented in the country.

Another area of issue was the perception that the DHA allowed deportation to be used as a means for employers to exploit workers by avoiding adequate compensation: *"Almost 6-7 months while not getting any pay. Just getting only money for food. When the time comes to like saying I want the money…. he had to call the police for me to be deported"* (Participant 1). The participant felt targeted by the police when apprehended and denied the opportunity to verify his Asylum status while in custody of the SAPS and the DHA following a dispute with his employer.

It should be noted that one participant reported a positive experience with the DHA. Participant 4 reported efficient service as well as simplified and attainable requirements for the DZP permit application:

> *We had to wait there for a long time but according to a lot of people that was there and the way the queue was moving it was very nice and fast…. So, we had to get a letter from work which was not a hustle…. Then we go there we just hand it over to them. They stamp it. They do their thing. Nothing was complicated.*

5.3.6. Individual understanding of the repatriation experience in South Africa.

Theme 20: **The unfairness of deportation**

All five participants felt that the deportation process was inherently unfair. Participants felt wronged by having to undergo deportation: *"I didn't do any harm to the country yet even though I come in 3 months it's very less time that I afford to be... to be treated that way according to me"* (Participant 4). This was particularly the case for Participants 2 and 3 that were apprehended while renewing their Asylum seeker permits: *"I was following procedure as it has to be that after every six months, I have to go back and renew my Asylum. So I went back there with the intention of renewing it, but only to be arrested"* (Participant 3); and *"To*

me deportation.... It was a different experience like they deported me with a paper which was given to me by them. Then they arrested me I don't understand really" (Participant 2).

Sub-theme 20.1: Lack of individualisation of procedures

One participant reported a lack of individualised procedures when repatriating immigrants as a sore point in the deportation process. He felt the DHA should assess the individual circumstances of immigrants before deciding on deportation: *"I think they had to consider the time that I came here, how illegal am I and how old I am"* (Participant 4). Moreover, it was an expectation for there to be a hierarchy of punishments for "different" migration contraventions: *"I find it so unfair that if someone is 3 months it can be treated the same like someone who is illegal maybe 3 years or maybe more"* (Participant 4).

A need for individualisation was also alluded to by another participant that was particularly aggrieved by the lack of opportunity to consolidate one's affairs: *"I feel pain because at least if they told me, you're under arrest, we have given you days to leave our country. I would have collected my things. I would have communicated with people, my business people"* (Participant 2). Therefore, the participant found the application of a blanket punishment for all undocumented immigrants as an unfair means to enforce migration policy.

Sub-theme 20.2: A common interest for Southern African countries

Some of the participants had a belief in the existence of a common Southern African interest. This common interest formed the basis for their expectation of support from the South African government: *"In Southern Africa there was like they were supposed to understand like the current situation that was happening in Zim and all those things. They were just supposed to give us like papers"* (Participant 1); and *"I just thought maybe it might also the way that maybe South Africa was supposed to treat us as well as neighbours"* (Participant 4).

The expectation seemed to inform the participants' disappointment in South Africa for failing to uphold and support fellow Southern Africans: *"They were just supposed to take us and give us papers. Because they knew what was happening in Zim, you see…. In Africa it seems like we are just saying we are one but it doesn't apply really"* (Participant 1).

Disappointment was further fuelled by the perceived failure of governments to acknowledge the challenges in their home countries: *"They tell you Malawi is not poor…. the President and the ministers…. People are just lazy to stay in their countries. Things like those of us who have been there…. We've seen, this is the place to stay not there"* (Participant 2); and *"These African leaders, they always make sure they cover for each other…. they were supposed to ask themselves why people were running away to come here. They were saying things are fine that side"* (Participant 1). For these participants deportation and the inability to legalise their stay in South Africa was a violation of the common Southern African interest.

Theme 21: Impact of the repatriation experience

The experience of being deported from South Africa had multiple ramifications for the participants in multiple areas of their lives. The identified outcomes will be discussed in the following sub-themes.

Sub-theme 21.1: Defining of legal transgression

The participants tended to view their status as undocumented immigrants as a transgression that differs from criminality. The mental separation was demonstrated by participants' refusal for being viewed as "illegal". It was confusing for the participants that having "illegal" status is viewed and treated as a criminal offence: *"We were held as criminals as people who have committed crime, of which we were here lawfully"* (Participant 3).

The participants sought to separate themselves from criminality by stressing that their

residence in South Africa is not by choice. The participants highlighted that their migration was for only for economic survival: *"Some people they might take it lightly as if we enjoy being in South Africa. No we don't. We are here because you can't live without money. You can't live without food, you can't live without employment"* (Participant 3); and *"So it's not that we want to take these other people's jobs no. The situation. You think even the country was fine, we would be working in our country"* (Participant 1). This seemed to serve the purpose of providing a noble defence for maintaining an undocumented status; as wanting to work is not viewed as criminal intent. Thus, contravening migration policy by working undocumented is not seen as a crime due to the perceived lack of harm done:

> *This is just a boy trying to make a living. It's not like someone you caught doing a crime and then it's doing harm to a country and then he's supposed to go back and be a danger for the community* (Participant 4).

Criminals are framed as lesser and more deviant than them: *"I never been arrested before…. that was my first time to be mixed up with people that are dirty"* (Participant 4); and *"If you haven't done anything wrong, or you just don't have the papers or the documents... uh, it's unfair. But it's fair to those kind of people like maybe a criminal, he did something wrong, killed someone, steal something"* (Participant 5).

The separation of being undocumented and criminality was also demonstrated by the contempt of the similarity between detention facilities and prison: *"The treatment they are doing in other jails, the treatment they are also doing in there"* (Participant 1). The similarity to prison was also provided by an account that the individual was reduced to an ID number: *"When you go there they give you a paper, an ID, an ID like for identification of yourself there…. It identifies you…. So why it's called jail is because you are not a free man"* (Participant 2). Moreover, the taking away of one's freedom in detention was troubling: *"We*

wish even you were in your country where things are not good, I can wish to be outside where I can run out of the wall" (Participant 1). The removal of one's freedom was so egregious that the participant indicated preference for one's home country with its problems than detention within Lindela.

Further bitterness was toward the perception that detention was an unwarranted stage in the repatriation process: *"I don't understand why do they have to hold me in a cell cause I didn't do a, commit any crime…. They were supposed to just deport me straight back home, than holding me in a cell"* (Participant 3). It was felt that immigrants should be immediately deported without warranting an extended period of detention. Moreover, participants seemed to feel like detention was a punishment only fitting for criminals which they were not.

Sub-theme 21.2: Deportation as a major life disruption

Deportation itself represented a major life disruption for the participants. A life disruption is defined as an "often abrupt transition from a person's previous way of living" (Hopp, Thornton, Martin, & Zalenski, 2012, p. 157). Deportation removed participants from income generating activities: *"By that time I was working I was getting money and so it affected me a lot because uh... It just made me just to make myself not getting enough money just to take care of myself"* (Participant 5). Losses also included assets and money acquired in South Africa: *"I lost communication with my customers my clients…. I open accounts, which now I can't access those accounts…. some of the money I lost"* (Participant 2).

Following deportation, participants found themselves at a point of crossroads where they had to decide the next course of action; pondering "what now?". Participants found themselves back in their home countries with no viable employment options: *"It get me like on the zero point like now I don't have a job. I'm going back to Zim. And in Zim there's no jobs.*

I'm not saying I'm pro at any kind of job" (Participant 5).

The despondence of the situation made Participant 1 temporarily contemplate engaging in robbery and theft to survive:

When we were deported the people I was walking with, it was like you know what guys, life is not fair. Why can't, why can't we just rob people?... Better me just rob people and make money than to walk all those nights.

The major disruption then caused a complete restart of some participants' lives upon re-entry into South Africa: *"When you come back you are starting again. You're new"* (Participant 2). While another participant used his deportation experience as motivation to ensure that re-entry into South Africa would be legal: *"I'm gonna go back there, I'm gonna be responsible. I'm gonna be someone with these papers"* (Participant 4). Thus, attempting to shelter oneself from the possibility of undergoing the same experience in future.

Sub-theme 21.3: Emotional impact of repatriation

The repatriation experience stirred up a multiplicity of emotions in the participants. Firstly, arrest and detention were highly traumatic and painful experiences for the participants: *"It was my first time being arrested I didn't know much about... I was just scared"* (Participant 4); and:

I feel like uh something that is really traumatising was, it's not an easy thing to be behind the bars…. So it's something that really took me time, even to open it up to my family or to my mom, that I was in cells (Participant 3).

The participants that were arrested renewing their Asylum seeker permits, struggled with detention due to the perception of their imprisonment being unfair: *"But then why do they*

have to take me to a cell and hold me as a criminal. Cause what I thought is, what I was doing, uh, I was following procedure" (Participant 3); and *"You are now in custody for not knowing what you've done"* (Participant 2). This created resentment and awkwardness for these participants while being detained: *"But if you are not a criminal, you don't know why you are arrested, it feels awkward, why am I here?"* (Participant 2). They depicted a need for closure for the confusing and perceived to be unjust experience: "*You know I still don't understand it til now. Because I was deported with papers. I was using an Asylum…. if they had told me exactly what went wrong with my Asylum, I would have understood"* (Participant 2); and *"I think they, they have to explain to people, like, for instance, in my case, I didn't know the reason. And up I do today don't know, the reason why I was deported"* (Participant 3).

The experience of being deported was also very disheartening and frustrating for participants due to the life disruption: *"It frustrates because life is no longer the same"* (Participant 2); and:

> *It just hurts like in a way, like everything that you were doing... like your goals... You were working and everything. You were targeting something. You say you want to make money. You wanna uh, make that kind of good life that you used to have, you miss that kind of life* (Participant 5).

One participant alluded to the stigmatisation of being deported by one's family and the community: *"They were actually disgracing to us. They were blaming us like who told you guys, you want to go to South Africa, but look what's happening"*; and *"Because coming back was a problem without a passport because my mother was not happy…. So even people in the areas they were talking about it"* (Participant 4). This caused some distress to the participant and his family.

An interesting observation regarding the emotional impact of the experience was the role of masculinity expectation. Some participants expressed the expectation of men to suppress feelings and struggles: *"It's very frustrating. It's very bad. But as a man you grow you forget, other things they are okay. What happened it happened"* (Participant 2). This included seemingly downplaying the experience for the benefit of others: *"I stayed five months after deportation because I also need to calm my mother down. And also pretend to be like, I'm okay"* (Participant 5).

5.4. Conclusion

This chapter focused on the themes and sub-themes that were identified in the analysis of the research data. The themes were linked to the migration experience of the participants from their initial entry into South Africa, the repatriation process and their re-entry following deportation using the participants verbatim accounts. The themes will then be discussed and interpreted in the following chapter with the application of the conceptual framework and relevant literature.

CHAPTER 6 - DISCUSSION OF FINDINGS

6.1. Introduction

The following section will provide a discussion of the identified themes and sub-themes highlighted in the previous chapter. The discussion will apply the conceptual framework of ESM and PVEST as well as existing literature to the findings. This will see the identified themes and sub-themes being organised under the five levels of the ESM model based on the research findings, that is, the microsystem, mesosystem, exosystem, macrosystem and chronosystem. Due to the phenomenological nature of the study, the ecosystem will be discussed with emphasis on the immigrant representative of the microsystem. Thus, the other four levels of the ESM will be discussed from the perspective of the immigrants' understanding and perception of the forces operating at each level of the ecosystem.

The discussion under each level of the ecosystem will seek to capture the essence of each of the applicable themes. Moreover, the interplay of the ecosystem level and the immigrant will be highlighted by emphasising the perception and attributed meaning of the experience to the individual. And where applicable the due influence of the ecosystem level on the individual and vice versa will also be considered in reference to the research questions of the study.

It should be noted that issues from different sub-sections of the migration experience as presented in the previous chapter may be in different levels of the ecosystem in this chapter. Moreover, some themes may appear more than once in different levels of the ecosystem. However, themes will be numbered as they appeared from the previous chapter for clarity.

6.2. The Macrosystem

The macrosystem from the research findings consisted of the prevailing government policies and economies of South Africa and the immigrants' home countries. These represented the pull and push factors for migrating to South Africa respectively. The following themes highlighted the role of the macrosystem on the participants' migration and deportation experiences.

<u>Themes 1 and 14</u>: Motivations for first entry and re-entry respectively

The participants provided multiple motivations for their initial and subsequent re-entry into South Africa following deportation. In both instances, the perception of better economic prospects was the main attraction of South Africa to the participants. Economic prospects were attractive to participants due to employment opportunities, opportunities for low-skilled labour, and access to signifiers of wealth. These accounts are consistent with literature that highlights economic opportunity as a pull factor for immigrants (Derman & Kaarhus, 2013; Muzondidya, 2016; Organisation for Economic Co-operation and Development & International Labour Organisation [OECD & ILO], 2018a) and aspirations for a better quality of life (Dithebe & Mukhuba, 2018a; Flahaux & De Haas, 2016). South Africa was also attractive due to its ease of access based on its close proximity to Zimbabwe (Dithebe & Mukhuba, 2018a; Muzondidya, 2016; OECD, 2016) and its accessibility without travel documents (Dithebe & Mukhuba, 2018a; Machecka et al., 2015; Ngomane, 2011).

The home countries of the participants acted as push factors as they presented the challenges the participants wanted to move away from. These included motivations that have been cited in literature such as failing economies (OECD & ILO, 2018a; Hall, 2013). For the Zimbabwean participants this was characterised by limited employment opportunities

(Cartage, 2009; Derman & Kaarhus, 2013; Idemudia, Williams, & Wyatt, 2013; Zwizwai, 2011), below living standard wages (Chitando, Nyakudya, & Phiri, 2016; Hall, 2013; Kanyenze, 2011; Zwizwai, 2011), lack of access to basic goods and failing municipal service provision (Cartage, 2009; Derman & Kaarhus, 2013; Hall, 2013; Idemudia et al., 2013; Phiri, 2016; Zwizwai, 2011). Lack of opportunity for economic prosperity in one's home country also made it necessary for the return to South Africa to reclaim assets that one had accumulated.

Another push factor specific to Zimbabwean participants was fleeing from political unrest. Zimbabwe was plagued with political violence and censorship under the rule of Robert Mugabe under the Zimbabwe African National Union – Patriotic Front party. Under the rule of the party, there were reports of abuse by police and soldiers, forced attendance of meetings, political motivated killings and fear of victimisation (Cartage, 2009; Compagnon, 2010; Derman & Kaarhus, 2013; Idemudia et al., 2013).

The following themes demonstrate the influence of the described motivations for the participants' decision to migrate and their subsequent undocumented residence in South Africa.

Theme 2: **Means of first entry**

It was found that participants entered South Africa by two means; namely, irregular border jumping (60%) and legal bus travel via the Musina border post where a Visitor's permit was obtained (40%). Regardless of their entry being legal or irregular, the participants demonstrated that they were not fully aware of how they would legalise their stay prior to their arrival.

Theme 3: **Becoming an "illegal" immigrant**

All the study participants were classified as "illegal" according to the Immigration Act (2002) before they sought to legalise their stay. Three of the participants were already

recognised as "illegal" in South Africa as they had not entered through an official border post. Moreover, the two participants with the Visitor's permit entered the country with intentions to stay beyond the allowed number of days and eventually engaged in paid work. Thus, violating their permit conditions also rendering them "illegal" according to the Immigration Act (2002). Participants resided in South Africa undocumented or made use of illegal means such as stamping out one's passport (Thebe, 2011). Only after residing in South Africa undocumented for some time, did the participants excluding Participant 4 apply for Asylum seeker status prior to their deportation.

The low precedence of legalisation shown in Themes 2 and 3 signifies the interplay between the macrosystem and the immigrants. The difficulties posed by the participants' home countries (push factors) possibly spawned a sense of urgency and desperation from the participants to leave their home countries without foresight for legalisation of their long-term residence in South Africa. For the participants in this study, the potential benefit of a better life from the anticipated pull factors of the country outweighed the uncertainty and risk of living and working without proper documentation.

6.3. The Mesosystem

The mesosystem within the research findings consisted mainly of members of the immigrants' social network, that is, their interpersonal relationships. The social networks consisted of precedent immigrant groups (inclusive of family members, friends and acquaintances already in or familiar with South Africa), family members remaining in their home countries and kinship ties made in South Africa.

Theme 18: Role of social networks

Precedent immigrant groups played several significant roles in the migration

experiences of the participants. Precedent groups provide accounts and evidence of the potential prosperity one can obtain in the host country (Gebre, Maharaj, & Pillay, 2011; Ngomane, 2011). In addition, acquaintances that have experience jumping the border facilitate entry by guiding new immigrants through the irregular migration route (Hall, 2013; Muanamoha, Maharaj, & Preston-Whyte, 2010). Precedent groups also assisted with the acclimatisation of the immigrants to South Africa (Dithebe & Mukhuba, 2018a; Muzondidya, 2016; Thebe, 2017; Wotela & Letsiri, 2015). They provide support for the immigrants in the form of money, accommodation and employment opportunities (Gebre et al., 2011; Gelderblom & Adams, 2006; Hall, 2013; Moseki, 2011; Muanamoha et al., 2010; Muzondidya, 2016; Ngomane, 2011).

The participants' social networks also served to disperse relevant information (Khosravi, 2016). In the study, this included permit opportunities and protection strategies to avoid apprehension by law enforcement.

Lastly, family members remaining in their respective home countries also wielded influence. They provided motivation for migration, as it was difficult to provide for one's family with the struggling home country economies. Thus, demonstrating the potential of family members as a stressor (Lukacs, 2011) acting as a push factor to migrate to send back remittances to their loved ones (Bloch, 2010; Haour-Knipe, 2011; Muzondidya, 2016). Family members also provided support following deportation by availing funds, and accommodation while the immigrants re-evaluated their lives. Moreover, in one instance, family members catalysed the acquisition of documentation (passport) for legal re-entry into South Africa.

Theme 14: Motivations for re-entry

Upon living in South Africa, kinship ties were made, and these were difficult to severe.

One participant had children in the country and separation from them was not an option. Family ties and relationships in the host country have been cited as a motivation to return after deportation (Sarabia, 2012; Schuster & Majidi, 2013). This development of kinship ties and strong interpersonal relationships lends itself to the development of a place attachment to the host country (Lietaert et al., 2014; Scannell & Gifford, 2014), that saw the immigrant viewing South Africa as their home.

Lastly, family networks exerted pressure on the participants due to the expectation of the male provider role. This involves the expectation on men to be the economic providers for their families (Sileo, Fielding-Miller, Dworkin, & Fleming, 2018; Spjeldnaes, Moland, Harris, & Sam, 2011), which may create pressure for men to embody that role (Leone, 2012; Lynch, Brouard, & Visser, 2010) necessitating migration in search of economic opportunity (Barker & Pawlak, 2011; Haour-Knipe, 2011). The desire to achieve the male provider role through financial viability was important to the participants. It also justified the willingness to take on risk which in this case was irregular re-entry into South Africa to provide for oneself and others.

Overall, the mesosystem was a significant factor in influencing the migration experiences of the immigrants. On one hand, the social network was beneficial to the immigrants. The network provided support that was invaluable to the participants which allowed them to forge a life for themselves while residing in South Africa and following deportation. Furthermore, family invigorated preference and consideration for legal means of migration. Alternatively, the family networks also created pressure for the participants due to the burden to provide financially for loved ones. Thus, necessitating irregular means of entry and residence in the country as the need to provide overrides the uncertainty and risk of potential victimisation by law enforcement as well as detention and deportation.

6.4. The Exosystem

The exosystem based on the research findings consisted mainly of the law enforcement agencies in South Africa, that is, the DHA and SAPS. Participants also indicated the influence of South African employers and Zimbabwean agencies. These agencies were central to many of the participants' migration and deportation experiences. Consequently, influencing some of the participants' perceptions of their experiences and decision-making. The participants also reported several issues regarding the functionality of the DHA and SAPS and their treatment of the immigrants. The themes relative to this ecosystem level are discussed below.

6.4.1. Zimbabwean agencies.

Zimbabwean agencies influenced some of the participants' migration decisions. The agencies were deduced to include the Department of the Registrar General, Department of Immigration and law enforcement agencies (soldiers and police) based on the participants' accounts.

<u>Themes 3 and 17</u>: Becoming an "illegal" immigrant and Reasons for failing to legalise stay at re-entry respectively

One participant alluded to the high cost of applying for a passport at the Zimbabwean Department of the Registrar General as well the long waiting time of six months for the passport to be finalised. Literature correlates this with reports of passports being both difficult and expensive to obtain in Zimbabwe (Derman, 2013; Derman & Kaarhus, 2013; Dithebe & Mukhuba, 2018a; Musoni, 2020).

Without access to passports, immigrants are limited to irregular means of entry into South Africa either by means of bribery at the border (Derman, 2013; Muzondidya, 2016; Thebe, 2011) or jumping the border (Musoni, 2020; Sutton & Vigneswaran, 2011;

Vigneswaran et al., 2010). In addition, they will be unable to access permits for legalisation outside of an Asylum seeker permit without a passport (Vigneswaran et al., 2010).

Theme 13: **Support by Zimbabwean agencies after deportation**

The Zimbabwean Department of Immigration and police officials were described in conflicting accounts. One participant reported the provision of transport to major cities after being deported from South Africa. However, the other three Zimbabwean participants and Derman (2013) indicated no support in terms of food and transport from the Department of Immigration and Zimbabwean police.

Moreover, upon being deported from South Africa, participants reported very defeatist attitudes of life in Zimbabwe by law enforcement agents. With some participants being encouraged by agents to immediately return to South Africa. Lack of support from the Department of Immigration and the negative attitudes of law enforcement made re-integration into Zimbabwean life a daunting experience. To the extent of encouraging one participant to jump the border back into South Africa only three days after deportation.

It has been cited that lack of support following deportation leaves immigrants feeling abandoned (Khosravi, 2016; Muanamoha et al., 2010) making re-integration difficult. Dako-Gyeke and Kodom (2017), also found that inaccessible formal support services influence the quality of re-integration following deportation. In their study, the lack of support services in the form of credit, resources and psychological support made re-integration difficult for the sample and their families. Therefore, demonstrating the role of support services from home countries when deported to ease an immigrant's uncertainty and challenges with re-integration and reduce the extent of re-entry (Rietig & Dominguez-Villegas, 2015).

6.4.2. South African employers.

<u>Theme 4</u>: Reasons for maintaining an undocumented status at first entry

Some South African employers are willing to violate the Immigration Act (2002) and labour market regulations by employing undocumented immigrants (OECD & ILO, 2018a). This is said to be a means for employers to reduce costs (Derman, Hellum, & Shirinda, 2013) by obtaining cheap labour (Dithebe & Mukhuba, 2018a; Trad et al., 2008) and avoiding paying benefits such as medical aid (Machecka et al., 2015; Muanamoha et al., 2010). In this study, these employers served as evidence for the lack of necessity of permits to access an income. This made obtaining legal documentation a low priority for one participant until he was deported. Moreover, the ability to work without a permit undermines South African migration policy by allowing immigrants to be gainfully employed while undocumented.

6.4.3. South African Police Service.

SAPS plays a significant role in the enforcement of South Africa's migration policies due to the ability of police officers to apprehend potentially undocumented immigrants during patrols. The challenges reported for SAPS included stereotyped targeting of foreigners as well violations of the immigrants' rights such as ignoring of health concerns in detention as accorded by the Immigration Act of 2002 (refer to the Adherence to the stages of repatriation process – Apprehension section for elaboration).

<u>Theme 3</u>: Becoming an "illegal" immigrant

One participant was arrested by a police officer for having an expired Asylum seeker permit. This is unlawful according to Cote (2018) as an Asylum seeker cannot overstay a permit and is not to be handled by the Immigration Act. The occurrence indicates the violation of Asylum seekers rights to protection from refoulment (Amit, 2010, 2015; Cote, 2018) and the

possible misinterpretation of the provisions of the different Acts by SAPS officials.

Theme 19: Service delivery of law enforcement agencies

Sub-theme 19.1: South African Police Service.

SAPS was also reported as engaging in the unfair treatment of immigrants by means of unwarranted arrest of immigrants even those with legal documentation (Amit, 2010, 2015; Sutton, 2016).

Lastly, the biggest accusation on the SAPS's service delivery was the pervasiveness of bribery to subvert the law. Bribery was cited by all participants as a strategy to be pardoned from apprehension and release from detention as substantiated by literature (Amit, 2010; Gebre et al., 2011; Kriger, 2006; Sebola, 2011; Sutton, 2016).

SAPS mainly influenced the life functioning of the immigrants by acting as the executor of deportation threat. Therefore, SAPS presented a potential disruption to their livelihood by initiating the deportation process if apprehended. While also representing a means to avoid apprehension and continue living in South Africa undocumented through bribery.

6.4.4. Department of Home Affairs.

Participants highlighted multiple areas of qualm with the DHA that subsequently influenced their decision-making regarding their legal status in South Africa. Identified areas regarding the service delivery and implementation of the South African migration policies are discussed below.

Themes 4 and 17: Reasons for maintaining an undocumented status and Reasons for failing to legalise stay at re-entry respectively

The DHA was central to the reasons provided by participants that hinder their access to

routes of legalisation in South Africa. Most of the challenges with the DHA identified were echoed in existing literature. These included the following:

- inconvenient Asylum application procedures especially the time frame for the application of Asylum seeker status in 14 days as provided for by the Asylum transit permit. It is reported to take longer than 14 days for immigrants to be registered as Asylum seekers due to factors like long queues and travel constraints (Trad et al., 2008; Vigneswaran, 2008);

- costs related to time and money incurred for the application (Dithebe & Mukhuba, 2018a; Ngomane, 2011) and renewal of permits (Amit & Kriger, 2014; Eghosa, 2015; Khan & Lee, 2018);

- difficulty accessing information and resources on legalisation routes (Amit & Kriger, 2014; Johnson, 2015; Trad et al., 2008; Vigneswaran, 2011); and

- complicated and exclusionary permit application processes which were described as expecting unfeasible requirements for employers, prioritising highly qualified immigrants (Machecka et al., 2015; Muzondidya, 2016; OECD & ILO, 2018b; Viljoen et al., 2016) and the impediment of previous contraventions such as overstaying on the success of applications.

The concerns of the participants correlate with literature that argues South African migration policy is tightening up accessibility to permits and refugee status (Amit & Kriger, 2014; Crush et al., 2017). This shift is exemplified by the final version of the White Paper on International Migration for South Africa (DHA, 2017), which seeks to provide a comprehensive review of immigration in South Africa and relevant legislative policy. While not officially enacted into law, the White Paper seeks to replace the 1999 White paper which formed the basis for the Immigration Act. The purpose of the White Paper is to align international migration with the national priorities of the nation, to protect the "sovereignty, peace and security" (DHA, 2017, p. 31) of South African citizens while simultaneously

respecting and securing the human rights of immigrants. However, the White Paper has been linked to the securitisation of migration, where migration is associated with national security issues (Flahaux & De Haas, 2016; Khan et al., 2018; Ngalo, 2018) and perceived threats to the availability of state resources for the citizenry (Khan et al., 2018; Klotz, 2013). A further criticism is the distinction between desirable and undesirable immigrants. The White Paper places more value on desirable international immigrants with critical skills (Khan & Hurt, 2018); with undesirable immigrants constituting of poor black Africans (Heleta, Ekambaram, & Barnwell, 2018) being excluded.

These challenges seem to leave Asylum as the most attainable legalisation route for many immigrants (Amit, 2011; DHA, 2017; Johnson, 2015; OECD & ILO, 2018b; Trad et al., 2008; Vigneswaran et al., 2010). Along with necessitating irregular migration for those that cannot access any legalisation routes (Ngomane, 2011).

Theme 19: **Service delivery of law enforcement agencies**

Sub-theme 19.2: Department of Home Affairs

A further challenge of the DHA was the perception of inconsistency in the implementation of procedures. Inconsistencies reported included uncommunicated changes in Asylum seeker permit renewal policies, changes in application requirements and discrepant implementation of policies among applicants. It is reported that immigration officials have discretionary power over the implementation of permit applications, detention and deportation procedures (Sutton & Vigneswaran, 2011). Moreover, officials have made use of informal strategies such as the development of "new" procedures to complicate and undermine Asylum seeker permit applications (Vigneswaran, 2011). In addition, studies found that DHA officials were seen as uninformed of policy changes (Machecka et al., 2015) or lacking comprehension of migration laws in general (Letsiri & Wotela, 2015; Umezurike & Isike, 2013). These studies

provide possible explanations for the inconsistencies highlighted by the study participants.

Furthermore, the DHA was accused by one participant of allowing the abuse of deportation by employers to remove undocumented employees. Sources have cited similar accounts of some employers specifically hiring undocumented immigrants and then firing them without pay as the immigrants are unable to complain or would threaten them with deportation (Derman, 2013; Muanamoha et al., 2010; Sebola, 2011; Trad et al., 2008).

The DHA offices were also criticised for having long queues and waits (Derman, 2013; Khan & Lee, 2018) with the addition of safety concerns (Vigneswaran, 2008). Sutton et al. (2011) state that the experience of long queues can stir feelings of frustration, struggle and dehumanisation for immigrants. Moreover, the spatial dimension of queueing serves as a "barrier to limit access to state resources and processes, while symbolically and physically excluding specific categories of immigrants" (Sutton et al., 2011, p. 33). Consequently, designating the DHA as a symbolic domineering gatekeeper for legalisation into the country.

On the other hand, one participant reported a positive experience with the DHA when applying for the DZP permit. Service was described as efficient and the permit requirements were simplified and attainable. However, a study by Amit (2011) found that when applying for the DZP, immigrants reported waiting in queues for days, and having to take time off work. As well as reports of being assaulted and robbed while queueing.

Theme 16: Interest in legalising stay after re-entry

Regardless of the challenges posed by the DHA, 80% of the participants indicated that they have a strong desire to legalise their stay in South Africa pending their re-entry. With only one indicating that legalisation was not a priority due to the anticipation of short-term residence in South Africa. This seems to indicate that participants do not maintain an undocumented

status by choice; and if given access and the means would be willing to follow legal routes of legalisation in South Africa.

Sub-theme 16.1: Means of legalising stay

Only one participant managed to legalise their residence in South Africa due to the implementation of the DZP permit. The permit represented an effort by the DHA to adapt migration policy in response to migration increases and challenges triggered by a crisis in a neighbouring country. It allowed the legalisation of 245,000 Zimbabweans whose applications were successful (Washinyira, 2018).

Unfortunately, the project provides another example of problems with the DHA and South Africa's immigration policy. The project temporarily achieved its goals with short-term permit concessions. However, these permits do not result in permanent residence for permit holders (Bimha, 2017) and can be withdrawn leaving those immigrants privy to deportation unless they meet the requirements for other temporary residence permits (Moyo, 2018). Yet, the challenges in Zimbabwe and other African countries remain. Hence ensuring the persistent entry of immigrants looking to South Africa for a better life and reprieve from their home countries. In conjunction, the need for the project again demonstrates the restrictive requirements of temporary residence permits, forcing immigrants to opt for Asylum as their only legalisation route in the country or maintain an undocumented status in South Africa.

The DHA challenges highlighted provided justification for illicit means of entry and legalisation. This included corruption where immigrants acquire sometimes fraudulent permits and South African ID documents from the DHA (Alfaro-Velcamp & Shaw, 2016; Amit, 2010; Muanamoha et al., 2010; Muzondidya, 2016; Umezurike & Isike, 2013). One participant was able to pay for a General Work permit. There were also means of bribing border officials to

allow entry (Derman, 2013; Machecka et al., 2015; Musoni, 2020; Muzondidya, 2016; Thebe, 2011). The presence of illicit routes helps encourage irregular migration as it provides channels for immigrants to circumvent the law.

Moreover, participants made use of stamping in and out using the Visitor's permit to legitimise their stay in South Africa (Musoni, 2020; Vidal, 2010). However, this permit is not intended for long-term stay in South Africa (C. Watters, personal communication, July 24, 2020). For long-term stay immigrants are expected to apply for a temporary residence permit (Machecka et al., 2015). Thus, indicating loopholes in South Africa's migration policy that can be exploited to legitimise long-term residence. In addition to the DHA's failure to monitor individuals that remain in the country long-term under the Visitor's permit. Along with providing additional evidence for the limited access of immigrants to legalisation routes, increasing the likelihood and necessity of engaging in illegitimate legalisation methods.

Sub-theme 16.2: Comprehension of permit conditions

Another interesting finding involved two participants using the Visitor's permit to legitimise their stay in South Africa that seemed to not fully comprehend the conditions of the permit. With one participant being misinformed that the Visitor's permit allows for work. Both participants were working within South Africa which is not catered for under the Visitor's permit under section 11(2) of the Immigration Act (2002). As a result, contravening the Act resulting in them being classified as "illegal" immigrants. However, the participants were unaware of this. This is indicative of a lack of adequate understanding on the part of the immigrants of the conditions of the permit they use to legitimise their residence in South Africa. Additionally, it demonstrates the inability of the DHA to ensure that permit conditions are not misconstrued with adequate information dissemination (Ngomane, 2011).

<u>Theme 15</u>: Restrictions imposed by deportation

Lastly, all five participants indicated a lack of awareness of any restrictions imposed due to their deportation. Participants reported that no restrictions were communicated to them during their deportation. In the instance where documentation was mentioned prior to deportation the participants demonstrated a lack of comprehension for the documents signed. This indicates that the DHA failed to provide the participants with adequate information regarding the implication of their deportation from South Africa.

Moreover, participants indicated that their deportation did not affect their re-entry at the border. Derman (2013) accounted that some deported immigrants have been released without penalties. Thus, highlighting another shortcoming of the DHA regarding the follow through of the Immigration Act when dealing with deported individuals that should be then classified as undesirable persons. These classifications should deny immigrants access into the country for a prescribed period however, the participants that entered South Africa legally did so without difficulties at the Musina border post undermining migration policy and easing re-entry.

The highlighted challenges posed by the DHA influenced the decisions made by the immigrants regarding their legal status in South Africa. Exclusionary permit requirements made permit application inaccessible. The added inconvenience of the consistent renewal process of the Asylum seeker permit made one participant completely abandon the process altogether. The DHA's inefficiencies and inconsistencies in applying the migration policy also inadvertently facilitated irregular migration and re-entry after deportation. These difficulties had the effect of making irregular routes of legalisation more attractive. These included the stamping out of one's passport, illegal procurement of permits and working undocumented. Thus, the very procedures adapted by the DHA with the intent of controlling migration seem

to steer immigrants toward entering South Africa by irregular means as well as maintaining an undocumented status (Machecka et al., 2015). For that reason, the tightening up of permit requirements is not effective when the push factors in their home countries remain and South Africa continues to offer a more attractive alternative.

6.4.5. Adherence to the stages of repatriation process.

The reports on the experience with the DHA and SAPS yielded violations of migration policy. The following section seeks to assess the extent of adherence of the DHA and SAPS to the expected procedural standards identified in the Immigration Act (2002) and the Immigration Regulations (2014).

6.4.5.1. Apprehension.

The accounts of how the participants were apprehended for deportation highlighted some violations of migration policy with the main parties involved being the DHA and SAPS. The following provides a discussion of these findings.

<u>Theme 8</u>: Stereotyped targeting of foreigners

It was reported that police officers made use of stereotyped characteristics to identify potential undocumented immigrants when conducting spot checks during patrols. Matsinhe (2011) postulates that aspects such as physical features, sounds and dress have been used as markers of foreignness or otherness to non-South African bodies. Presentation of these markers garnered discriminatory practices such as strip searches and arrest from the police. In the study, immigrant attributed features included dark skin tone, and non-fluency in a South African language specifically Zulu like literature (Masiloane, 2010; Matsinhe, 2011).

The SAHRC asserts the use of spot checks as not meeting the reasonable grounds

required by section 41 of the Immigration Act for arrest of a potentially undocumented immigrant (Hiropoulos, 2017). However, this method continues to be used with the use of stereotypes to identify immigrants ("Arrested for looking foreign," 2019).

Theme 10: Verification of the immigrants' legal status

Moreover, there was report of SAPS failing to verify the legal status of a participant before being detained in Lindela. Issues with status verification in existing studies included officials restricting the ability of immigrants to provide valid documents if not on hand during the arrest, refusal to verify status, and inability to locate an immigrant's information on the DHA system. As a result, immigrants have been arrested and detained with valid documents (Amit, 2010, 2015; Amit & Kriger, 2014). In the study, the participant stated being prevented from collecting the Asylum seeker permit he claimed to have. This is particularly problematic, as it is unlawful to detain and deport Asylum seekers unless their Asylum seeker status is withdrawn due to prohibitions in the Refugees Act that prescribe the protection of refugees from refoulment (Amit, 2010, 2015; Cote, 2018; Venter, 2019).

However, this account was contradicted by another participant that indicated some form of verification procedure by SAPS. Which may indicate the lack of consistency in the implementation of verification protocols by SAPS before the detention and deportation of immigrants.

Theme 9: Arrested while following Asylum renewal protocol

Two of the study participants were apprehended while they were renewing their Asylum seeker permits. With one participant being arrested as their Asylum seeker permit expired due to rescheduling of appointments by the DHA similar to Khan and Lee's (2018) findings. DHA bureaucracy had been reported as hindering the application and maintenance of

valid documentation in the past (Amit, 2010). Procedural irregularities have also been observed where immigrants' Asylum seeker permits are withdrawn or cancelled without explanation (Amit & Kriger, 2014).

These participants also did not mention discussion with DHA personnel beyond an intent for deportation. That includes the reasons for the decision, the rights accorded to them and the opportunity for appeal according to section 34 of the Immigration Act (2002). This led to the participants being especially resentful of the experience as they did not understand why they were being deported. If participants were presented with such documentation, they did not demonstrate an understanding of the documents nor did they seem aware of their rights pending deportation. This occurrence was reported in studies on detention practices in South Africa (Amit, 2010; SAHRC, 2015, 2017).

6.4.5.2. Detention.

Theme 11: Conditions of detainment

The conditions of detainment were generally described as unfavourable and difficult in both the SAPS holding cells and Lindela repatriation centre. The conditions of detainment will be discussed in conjunction below as they are governed by the same immigration laws.

Sub-themes 11.1 and 11.2: South African Police Service holding cells and Lindela repatriation centre respectively

Section 34(1)(*e*) of the Immigration Act (2002) and regulation 33(5) read with Annexure B of the Immigration Regulations (2014) highlight the minimum standards that are to be upheld when immigrants are in a detention facility to protect their human rights. The standards provided were for accommodation, nutrition and hygiene. The conditions described in the study were compared to the standards of the regulations and other literature.

In terms of accommodation, the Immigration Regulations (2014, p. 270) state that detainees are each to be provided with "a bed, mattress and at least one blanket", with the facility having "adequate space, lighting, ventilation, sanitary installations and general health conditions and access to basic health facilities". Accounts included the provision of a blanket and a mattress as prescribed. However, it was stated that blankets provided were insufficient for cold temperatures. Overcrowding was also cited as an issue by two of the three participants that went to Lindela, but one participant felt this was not the case. Both facilities were also criticised for not being thoroughly cleaned. Lindela was reported as having pests, irregular fumigation of mattresses and washing of bedding. In addition, it was reported that police officers ignored the needs of sick immigrants possibly impeding on their right to access health facilities. Studies have confirmed instances of health concerns of immigrants being ignored while in detention (Amit, 2010) in addition to inadequate treatment of sickness, limited access to water and concerns on the general cleanliness of Lindela (SAHRC, 2017)

Regarding nutrition, the Immigration Regulations (2014, p. 270) state that detainees are to receive an adequate balanced diet, with meals to "...be well prepared and served at intervals not less than four and a half hours and no more than 14 hours between the evening meal and breakfast during a 24 hours period"; and clean drinking water available constantly. Food provided in the facilities was described as unpalatable and having poor quality in some accounts. Moreover, one participant highlighted that there were instances were no food was provided in the SAPS holding cells. In Lindela it was reported that food was provided twice a day but was not enough and would need to be supplemented with one's own funds. Amit (2010) found similar findings with food being provided twice a day instead of three times. Worryingly, there was report of questionable water quality in the SAPS holding cells with the water described as having a "reddish colour". Additionally, it was also reported that some food items induced sickness in detainees such as coughing blood. All these claims again, represent

violations of the Immigration Regulations (2014).

Lastly for hygiene, the Immigration Regulations (2014) state that the DHA should provide means to ensure detainees keep themselves, their clothing, bedding and room clean. The findings only had one report on the supply of hygiene products like soap which were said to be inadequate for the expected time frame of a week until supply was replenished. This allegation correlates with studies (Amit, 2010; SAHRC, 2015) where there were instances of insufficient hygiene product provision for detainees.

Participants also provided accounts of the access they had to communication with loved ones while in detention. The participants held exclusively in SAPS holding cells indicated that there was no access to phones unless one paid the officers for the facility. The allegation is a violation of section 35(2) of the Bill of Rights which states that all detainees have a right to communicate and have visits from significant others or a medical practitioner (Amit, 2010). However, in Lindela there were conflicting accounts with one participant reporting a complete lack of telephone access; while another reported regular visitation and contact with family while detained.

Theme 12: **Treatment by law enforcement agents**

Treatment by law enforcement agents was described as harsh and indecent with reports of harassment and physical violence. Reports also included the dehumanisation of immigrants by reducing them to "just foreigners". De Genova (2017) argues that dehumanisation is inherent in the concept of deportation as individuals are reduced to objects that are disposable. It was also stated that their "illegal" status was used to justify unfair treatment such as lack of follow up of detainee health concerns. Studies have found similar reports of adverse treatment of immigrants in detention that included inadequate access to medical care and medications as

well as excessive force and violence by Lindela staff (Amit, 2010; SAHRC, 2015, 2017). Only one participant reported no adverse treatment while being held in the SAPS holding cells.

The study participants provided descriptions of the repatriation process that mainly indicated violations of the specifications for detention prescribed by migration policy. In the matters highlighted, the human rights and dignity of immigrants were inadequately observed. These violations suggest failures by the DHA and SAPS to implement policy correctly; as demonstrated by the substantial cost of legal cases for the DHA due to illegal arrest and detention of immigrants in addition to delayed decisions on permit applications (DHA, 2018, 2019; Mthembu-Salter et al., 2014).

6.5. The Chronosystem

The chronosystem accounted for the major life events that the immigrants experienced. Major life events are viewed as significant discrete occurrences that an individual undergoes. From the study findings, major life experiences included migrating to South Africa, living as an "illegal" immigrant, and repatriation. The individual understanding of these experiences will be discussed below.

6.5.1. Migration to South Africa.

Theme 2: Means of first entry

Sub-theme 2.1: Migration experience as a major life event

The experience of migrating to South Africa represented a major life event for the research participants, especially those that jumped the border. The following highlights the unique challenges endured by the immigrants during their migration experiences.

<u>Sub-theme 2.2</u>: Dangers associated with irregular border crossing

The participants highlighted the dangers complicit in border jumping. These included contact with law enforcement patrols which could have jeopardised their journey. Bribery was used to prevent apprehension and was described as a common occurrence for immigrants crossing the border by irregular means (Hall, 2013; Idemudia et al., 2013; Muzondidya, 2016; Thebe, 2011).

Moreover, there was contact with criminal entities that specifically target immigrants crossing the border by irregular means. These entities termed maguma-guma are reported as making use of highly intimidating techniques and robbing participants of their assets and money (Derman, 2013; Hall, 2013; Musoni, 2020; Muzondidya, 2016). The maguma-guma make the journey more difficult without money and assets as well as a potentially life-threatening ordeal.

<u>Sub-theme 2.3</u>: Uncertainty of what lies ahead

Lastly, the participants that jumped the border seem to take the decision as a leap of faith. The immigrants did not have concrete plans and were unsure what their outcomes would be when they arrived in South Africa (Hall, 2013). They only hoped for better life outcomes than in their home country.

A sense of security and reassurance for one participant was religious belief. Religious belief and faith have been found to be sources of strength and hope for immigrants during difficult migration experiences. Religion provides a kind of guarantee of safety and protection from the uncertainty of irregular immigration (Belknap, 2016; Goodman, Vesely, Letiecq, & Cleaveland, 2017).

The migration experience demonstrates the participant's strong desire to travel to South

Africa for reprieve from the challenges in Zimbabwe. These participants were willing to risk victimisation, apprehension by law enforcement and uncertainty of outcomes in South Africa. The potential for economic opportunity and safety from political violence were powerful pull factors that facilitated the acceptance of risk associated with migration to a new country specifically through irregular means.

6.5.2. Life as an "illegal" immigrant.

Life as an undocumented immigrant was another significant period in the lives of the immigrants. Their undocumented status made deportation threat a concern. Subsequently framing their decision-making and life functioning while they were living in South Africa as "illegal" immigrants under the Immigration Act (2002).

Theme 5: **Awareness of deportation threat**

All the participants were aware to some extent that their undocumented residence in South Africa carried the risk of being deported. Deportation threat was heighted by the continuous presence of police patrols (Vigneswaran, 2011), sensitisation from social networks (Galvin, 2015) and contact with the police. However, for two participants, deportation threat was of low priority due to lack of knowledge of deportation and a sense of security from obtaining Asylum seeker status.

Theme 6: **Strategies to minimise deportation threat**

The awareness of deportation saw the participants adopt multiple strategies to minimise their risk of apprehension by law enforcement agents. Adopted strategies included:

- bribery of police officials (Amit, 2010; Sutton, 2016);
- consistent awareness of surroundings; which is characterised by constant pursuit and

repeated escapes from the police (Galvin, 2015; Masiloane, 2010; Muanamoha et al., 2010; Sutton, 2016; Vigneswaran, 2011; Vinogradova, 2016);

- limiting of one's movements (Eghosa, 2015; Sutton, 2016; Trad et al., 2008; Vinogradova, 2016); and

- blending into the environment to go unnoticed (Schweitzer, 2017) through fluency in South African languages, mirroring the behaviours of natives in an area (Vidal, 2010), exhibiting stereotypical South African features and acquiring legal documents like a driver's licence.

<u>Theme 7</u>: Influence of deportation threat on everyday life

Living undocumented has a significant influence of the everyday lives of immigrants (Galvin, 2015; Sutton et al., 2011; Zayas et al., 2015). The awareness of deportation threat caused a persistent state of uneasiness and vigilance. This was characterised by the limiting of one's movements and consistent surveillance of one's surroundings. The constant paranoia and suspicion in everyday life created a mental strain of continuous worry which manifested itself in the feeling of one's freedom being compromised (Eghosa, 2015; Trad et al., 2008). This subsequently affected one participant's overall life satisfaction as their life felt confined by their circumstances. To the extent of the participant feeling that they were simply existing without enjoying life.

Life as an undocumented immigrant was mainly described as an uncomfortable experience. The period is clouded in uncertainty as possible apprehension by law enforcement is a consistent possibility. This made life especially difficult for the participants as they had to engage in strategies that in many cases impeded on their freedom and mainly restricted their lives to their places of work and their homes. The challenges of living undocumented were not desirable for the immigrants but were described as a necessity due to inaccessible legalisation routes.

6.5.3. The repatriation experience.

The repatriation experience had multiple influences on the self-descriptions and individual perceptions of the practice.

Theme 20: **The unfairness of deportation**

Deportation was viewed as an unfair process particularly for the participants arrested while renewing their Asylum seeker permits. These participants struggled with understanding why they had to endure the experience at all and felt wronged by the process and the DHA.

Sub-theme 20.1: Lack of individualisation of procedures

The unfairness of deportation was further exacerbated by the expectation of individualised procedures. Participants felt that the procedures failed to humanise the immigrants and account for their individual circumstances. One grievance was the lack of individual assessment of immigrants' circumstances prior to the decision to deport. It was also aggrieved that there was no opportunity for immigrants to consolidate their affairs prior to deportation. An area that the Human Rights Watch views as an injustice to immigrants even though it is not a requirement in the Immigration Act (Kriger, 2006).

Sub-theme 20.2: A common interest for Southern African countries

The research participants also felt deportation was unfair due to their belief in a common Southern African interest. The expectation seemed to inform the immigrants' expectation for support and ease of legalisation within South Africa. The belief fuelled feelings of disappointment as the immigrants expected that the South African government would be privy to the challenges in their home countries (Wotela & Letsiri, 2015). And would therefore aid in the form of legalisation for the immigrants to achieve better life outcomes. This is

exemplified by South Africa's "quiet democracy" which has minimised and denied the political struggles of Zimbabwe by insisting that immigrants are voluntary economic refugees (Derman, 2013; Kaarhus, Derman, & Sjaastad, 2013). However, it has been argued that the political and economic challenges in Zimbabwe are interconnected (Chitando et al., 2016; Derman, 2013). With Betts (2013) arguing that survival migration where people migrate due to deprivation rather than persecution should be also accounted for in defining refugees.

The challenges the immigrants experienced when trying to legalise their stay in South Africa as well as being deported debunked this expectation. They felt ultimately wronged by the South African government as it was perceived that being subjected to deportation was unfitting for fellow Southern Africans that they should be sympathising with.

Theme 21: **Impact of the repatriation experience**

Sub-theme 21.1: Defining of legal transgression

The experience of being deported also affected the self-description of the research participants. The equating of having "illegal" immigrant status according to the Immigration Act (2002) and criminality was unacceptable for the participants. The similarity of detention and being imprisoned in a jail was unacceptable as it linked the immigrants to criminality and dehumanised them. Similar feelings are noted in studies whereby participants resent the correlation of criminality to their undocumented status (Belknap, 2016; Galvin, 2015) along with a lack of understanding of the need for detention when deportation is inevitable (Lietaert et al., 2014; Sutton, 2016).

In their study, Kronick et al. (2016), state that immigrants felt detention was degrading and distressing. Detention impeded on the immigrant's freedom of movement (Kronick et al., 2016; Sutton, 2016). So much so that one participant in this study indicated a preference to

return to their home country with its inherent challenges than remain in detention like some participants in Sutton and Vigneswaran's (2011) study.

Criminals were viewed as less than and more deviant than themselves as they were perceived as causing real harm. Their residing and working in South Africa undocumented were viewed as harmless. Wanting to work was not viewed as a criminal transgression even when one is undocumented (Galvin, 2015; Lietaert et al., 2014). The immigrants found it important to stress that they were not in South Africa by choice but for economic survival. Belknap (2016) postulates that this is a strategy of resolving moral conflict by justifying an unlawful act by focusing on its necessity for survival of oneself and family. Therefore, detention was particularly incomprehensible for the study participants as it represented imprisonment; a punishment designated for criminals which they are not.

Moreover, undocumented immigrants tend to be referred to as "illegals" coming in copious numbers by media and policy makers (Pineteh, 2017; Scalabrini Institute for Human Mobility in Africa, 2017). In addition to the use of demeaning terms like "makwerekwere" by the general populace (Crush et al., 2017; Thela et al., 2017; Umezurike & Isike, 2013). Furthermore, immigrants are aligned with negative connotations such as stealing jobs or resources, spreading disease and fuelling crime (Ejoke & Ani, 2017; Pineteh, 2017; Sebola, 2011). These narratives and terms serve to dehumanise immigrants into a dangerous other. Which subsequently justifies discrimination and violence on immigrants as shown by incidents of xenophobic attacks (Crush et al., 2017; Derman, 2013; Ejoke & Ani, 2017; Pineteh, 2017).

The denial of criminal transgression implied by being termed as "illegals" may be an attempt by the participants to separate themselves from the negative stereotypes associated with being an undocumented immigrant. In addition, the need to separate themselves from criminality and justify their migration as a need for survival may be viewed as an attempt at

humanising themselves. And subsequently, argue for their victim narrative as they perceive their repatriation experience as unwarranted due to their circumstances.

Sub-theme 21.2: Deportation as a major life disruption

The participants were also impacted by the life disruption posed by deportation. It removed them from their income generating activities and some lost assets and money that had been acquired while residing in South Africa (Dako-Gyeke & Kodom, 2017; Sutton, 2016; Sutton & Vigneswaran, 2011).

The disruption left participants in a "what now?" scenario where they had to decide on their next course of action and restructure their lives (Khosravi, 2016; Sutton & Vigneswaran, 2011). The restructure had some positive outcomes with one participant using the deportation experience as motivation to obtain legal documentation for re-entry into South Africa. Conversely, one participants' despondence led to the temporary contemplation of engaging in robbery and theft as means of survival. Some criminal activity has been attributed to undocumented immigrants lacking financial capacity once they have crossed the border (Dithebe & Mukhuba, 2018b).

Another participant highlighted the complete restart of his life upon re-entry in South Africa as all previous headway prior to deportation had been lost. This was cited as a major challenge for immigrants deported in several studies (Dako-Gyeke & Kodom, 2017; Lietaert et al., 2014; Sutton, 2016).

Sub-theme 21.3: Emotional impact of repatriation

The experience of being repatriated from South Africa also impacted the participants in emotionally significant ways. Arrest and detention were highly traumatic and painful experiences for the participants. Furthermore, the process was disheartening and frustrating for

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the participants as a result of the major life disruption it posed.

Regarding the participants arrested while renewing their Asylum seeker permit, the experience was perceived as unjust and confusing. This result is like Sutton's (2016) where detained immigrants blamed their detention on procedural and administrative oversights or errors by law enforcement. The study participants resented their detention, lending to feelings of awkwardness as they felt they did not belong there. There was a need for closure for the seemingly unwarranted removal from the country while following procedure. This coincides with Robjant et al.'s (2009) study which found that mental health outcomes of immigrants are poorer when they experience feelings of hopelessness and injustice during detention.

The stigmatisation of being deported was also reported. It was viewed as a disgrace and was distressing for one of the participants and his family. Studies have found this stigmatisation affects the quality of re-integration of deported immigrants. And at times provides motivation for re-entry (Dako-Gyeke & Kodom, 2017; Khosravi, 2016; Schuster & Majidi, 2013, 2015).

Lastly, the masculinity role seemed to make emotional expression difficult for the participants. It was expressed that men are expected to suppress their feelings and struggles. Moreover, there was instance of the purposeful downplaying of the experience for the benefit of others. Idemudia et al. (2013) made a similar finding with a Zimbabwean sample that openly discussed their migration challenges but generally struggled to acknowledge or minimised emotional distress. Other literature highlights the general expectation in society for men to be unemotional (Choi & Peng, 2016; Parkins, 2012) and not openly discuss or reveal negative emotions such as sadness (Chaplin, 2015; Leone, 2012; Lynch et al., 2010).

Based on the participants perceptions and meanings of the repatriation process, there are strong hostilities toward the practice. The participants felt that the process was unfair and

unfitting for individuals trying to ensure their economic survival. The experience also negatively affected the immigrants by removing them from their livelihoods as well as enduring a traumatic experience. Being repatriated seemed to mainly represent an inconvenience that diverted their lives. All the participants returned to South Africa due to a failure to reintegrate and support themselves in their home countries as well as maintain kinship ties made in the country. Therefore, in this study, deportation was ineffective in deterring re-entry in the long-term.

6.6. Conclusion

The discussion of the research findings found an ecosystem that operates around immigrants. This ecosystem was demonstrated as exerting influence on the migration and legalisation decisions of the immigrants. Actors, processes and agencies in all the levels created or exacerbated conditions that necessitated irregular migration by means of illegally entering the country or residing in the country undocumented. The different levels worked in conjunction to facilitate certain responses and decision-making in the participants. The different levels also worked contrary with each other in certain instances. For instance, the migration policy is undermined by the availability of South African employers willing to employ undocumented immigrants and a mesosystem willing to assist in irregular immigration.

The presence of the ecosystem also demonstrated the ineffectiveness of deportation and restrictive legalisation routes as means of immigration control. The need for reprieve from the push factors and allure of the pull factors to South Africa far outweighed the distress of deportation threat. Nor did the experience of being deported deter re-entry into the country. Therefore, the discussion illuminated a complicated ecosystem when discussing irregular immigration that needs redress. The following chapter will address the research questions; as well as, conclude the study by evaluating the study as well as making recommendations based

on the research findings.

CHAPTER 7 - CONCLUSION

7.1. Overview

The following chapter seeks to conclude the research study. Firstly, the research questions will be addressed based on the insights of the previous chapter. Then the study will be evaluated by highlighting its strengths and weaknesses. Lastly, recommendations for future research as well as migration policy will be made.

7.2. Answering the Research Questions

The study findings highlighted that there is an ecosystem at play for immigrants. All levels of the ecosystem – mesosystem, exosystem, macrosystem and chronosystem – interplayed in conjunction creating conditions and circumstances that influenced the immigrants at the micro-level to make certain decisions regarding their migration and legalisation routes.

The macrosystem mainly provided the push and pull factors that motivated the decision to migrate and eventually re-migrate to South Africa following deportation. The mesosystem provided motivation to migrate as well as support and resources when migrating and after deportation.

The exosystem, enacted most of the influence on the legalisation decisions of the immigrants. The sub-level hindered legalisation by means of poor and inconsistent DHA service delivery; as well as limited and inaccessible permit options. While simultaneously providing the machinery that facilitated or allowed for immigrants to function undocumented by means of: (a) unscrupulous South African employers; (b) problematic Zimbabwean agencies; (c) corruption in the DHA and SAPS; (d) lacking information dissemination on migration policy and permit conditions; and (e) exploitable loopholes in migration policy.

The exosystem inclusive of SAPS and the DHA, also played a role in the experience of deportation threat. Most of the participants were well attuned to the deportation threat they bore by residing undocumented in South Africa. They adopted different strategies, that is, (a) bribery of law enforcement agents; (b) constant surveillance of surroundings; (c) limiting one's movements; and (d) blending into the environment to reduce the odds of being apprehended. However, the deportation threat made life precarious, challenging and unenjoyable. With the participants generally willing to legalise their stay to avoid this threat but are unable to do so because of inaccessible permit options due to inhibitory factors such as cost, exclusionary requirements and lack of passports.

Furthermore, the DHA and SAPS were reported as violating the prescriptions of immigration law. Those actions served to undermine the legitimacy of migration policy and the accessibility of migration routes for the participants; while also adding to the negative appraisals of the repatriation process.

The chronosystem represented the perception and meaning the participants assigned to their experience. In South Africa's migration policy, deportation is a means to protect the nations sovereignty and resources by hindering irregular immigration. However, based on the participant's accounts deportation is viewed as an inconvenience that removes them from their livelihoods while viewing them as criminal entities due to their classification as "illegal" immigrants. The participants did not view deportation as warranted or acceptable especially as Southern Africans coming from challenging home countries. The risk and cost of deportation was far outweighed by the need for economic survival. As a result, the participants endured life as undocumented immigrants, made use of illicit means of legalisation and returned after their deportation. Therefore, in this study, the participant's livelihoods were their main priority. Legalisation would be welcome to allow them to work and achieve their goals without

deportation threat. But the lack of documentation does not deter them, and they have agency to find means to ensure their survival in South Africa.

7.3. Evaluation of the Study

7.3.1. Strengths.

The study provided insight into an immigrant's individual understanding and experience of migration to and deportation from South Africa. The focus on an under-researched voice that is often vilified offers another side of the coin when discussing irregular immigration. Furthermore, the study demonstrated the agency of undocumented immigrants to endure difficult circumstances and find means – legal and illegal – to ensure their livelihood and survival.

The study also offered a systems perspective on the factors operational in immigrants' lives that influenced their decision-making and perceptions regarding the legality of their migration and legalisation routes. This was inclusive of the actions and service delivery of the very agencies – the DHA and SAPS – that are intended to protect and implement the country's migration policy.

Additionally, the study presented supplementary evidence on the inefficiency of deportation as a means of migration control. While succeeding to remove undocumented immigrants from the country, it fails to act as a significant deterrent for re-entry due to the consistency of the push and pull factors that necessitated migration to begin with. Thus, indicating the need for other strategies to combat irregular immigration that move beyond securitisation which seems to be currently incurring large costs to the South African taxpayer (Mthembu-Salter et al., 2014; DHA, 2018a, 2019) with questionable effectiveness.

7.3.2. Limitations.

While the study has yielded valuable insights in the individual experience of deportation there were a few limitations. Firstly, the study sample was inclusive of five male participants which were 80% Zimbabwean and 20% Malawian. As a result, providing a male-centric, and Southern African perspective limited to only two nations and skewed toward a Zimbabwean viewpoint. These factors influence the generalisability of the study. However, the purpose of the study was to provide a rich understanding from the participant's perspective. Therefore, the research findings are true to the study sample (Smith et al., 2009) and are not to be generalised to the general population of undocumented immigrants.

Secondly, the accounts of the participants could not be completely verified for accuracy. The participant's reports were interpreted as their lived experience and are taken at face value unless it was visibly incorrect as with the belief that the immigrant was obtaining a business visa at the border. It is therefore conceivable that the participants may have altered their accounts to save face or justify their actions (Eatough & Smith, 2017) or recalled events incorrectly due to the passage of time.

Thirdly, due to the researcher's language capabilities the interviews were in English. The requirement of English proficiency limited the study three-fold. It limited the sample to participants that were proficient in the language, excluding potential participants that may have provided varied or contrary accounts of the research topic. In addition, the use of English may have limited the participants' ability to adequately express themselves as it is unlikely that their mother tongue was English. Moreover, it was observed that certain questions that required their understanding or feelings toward deportation were problematic for the participants. And as a result, required in-depth explanation and probing from the researcher. This may have influenced the quality of responses received in these instances as it may have been difficult for

the participants to comprehend the questions fully.

Lastly, the use an IPA methodology positioned the researcher as an active agent in the data collection and analysis. The interplay between the researcher and the participants and the researcher's own preconceptions and values influence the interpretation of the data (Brocki & Wearden, 2006; Smith et al., 2009; Smith & Osborn, 2015; Willig, 2013). Thus, making the results of an IPA study highly subjective. The reflexivity of the researcher was addressed in the Methodology chapter.

7.4. Recommendations

7.4.1. Future research.

It is recommended that there is a need for future research to address some of the limitations of this study by acquiring a larger sample with more demographic variation. Areas of variation could include gender and nationality. In addition, interviews may be conducted in the mother tongue of participants to ensure that they can adequately express themselves and understand the questions.

It would also be worthwhile to address deportation from the perspective of immigrants that have been deported in more recent years than the study sample. This would yield results that would demonstrate if the results observed in this study remain applicable; especially with the enactment of the Refugees Amendment Act of 2017. It would be worthwhile to observe if there are improvements in the service delivery of the DHA and SAPS as well as the protection of the human rights and dignity of immigrants during the repatriation process.

7.4.2. South African migration policy.

The study brought up the unintended consequences of the tightening up of South

Africa's migration policy. It is understandable why migration control is important for the country to protect the nations' resources for its citizenry. It is, however, clear that the current means of immigration control focused on deportation and restricting access to legalisation routes is ineffective. It is unrealistic to expect securitisation to completely control irregular immigration at only the micro-level by removing undocumented immigrants; especially with the high likelihood of those immigrants returning as shown by the revolving door of deportation.

Based on the research findings there is a need for an ecosystemic approach to irregular immigration. This approach needs to account for the different levels and actors in the ecosystem. Without this approach, any singular initiative is expected to be undermined by the actions and influences of the other levels.

It is therefore recommended that in conjunction with deportation and restriction other initiatives need to be implemented at other levels of the ecosystem especially the exosystem and the macrosystem. The DHA and SAPS must be addressed to ensure there is (a) adequate information dissemination, (b) consistency in the application of procedures, (c) proficiency in the mandates of the law, and (d) eradication of corruption. The migration acts themselves need to be streamlined to ensure that loopholes such as the Visitor's permit cannot be misused for long-term residence.

To address the macrosystem, there is need to redefine South Africa's stance on involvement in the affairs of other African nations. It is unproductive to ignore the issues of these countries as these have been shown by this study to be the push factors that necessitate migration and influence irregular immigration. Based on the study findings these push factors cause the migration movements that result in the symptom of irregular immigration in South Africa. Without active involvement in supporting and mediating in the challenges of other

nations; South Africa will continue to treat the symptoms of irregular immigration while the cause persists. It is therefore argued that an ecosystemic strategy is pivotal. The strategy will ensure that the problem of irregular immigration is addressed on the different sub-levels. In addition, safeguarding against the influence of one sub-level undermining the migration policy.

7.5. Conclusion of the Study

The study sought to provide an individual voice to the immigrants by highlighting their reality and their perception of deportation as an immigration control mechanism. The research findings indicated the presence of a multi-level ecosystem that operates around them and influences their decision-making. This ecosystem consisted of the following sub-levels:

a) undocumented immigrants (microsystem);

b) social networks (mesosystem);

c) agencies inclusive of the DHA, SAPS, South African employers and Zimbabwean agencies (exosystem);

d) prevailing government policies as well as the economies of South Africa and the immigrants' home countries (macrosystem); and

e) major life events experienced by the immigrants inclusive of migrating to South Africa, living as an "illegal" immigrant, and repatriation (chronosystem).

The study confirmed findings in literature regarding macrosystem motivations for migration which consisted of failing economies in the home country and attractive economic opportunity in South Africa. The need to economically provide for oneself and loved ones necessitated irregular immigration. In instances where entry was legal, motivations to obtain employment and overstay the Visitor's permit fed the irregular immigration problem.

The study also found that the precarious nature of deportation threat did not deter the

participants from working and residing in South Africa. The experience of being deported from South Africa also did not deter re-entry in the long-term. Moreover, the participants did not view deportation as an acceptable practice. They viewed the entire repatriation process as unfair, labelling undocumented immigrants as criminals, and disrupting their livelihoods. In this study, being an undocumented immigrant was framed as a necessity that was not harmful and should therefore not warrant punishment in the form of deportation.

Furthermore, there were reports of inconsistencies in the implementation of immigration policies when seeking legalisation routes and violations of the human rights of the immigrants when being deported from the country. These only served to deter the immigrants from contact with legalisation routes at re-entry as well as a distrust and view of illegitimacy for the DHA and SAPS. Thus, leaving irregular immigration as the only viable option for the immigrants to obtain a livelihood in South Africa.

These results served to indicate the ineffectiveness of deportations and restricting legalisation routes as immigration control methods. The participants demonstrated agency to find means to circumvent the law by making use of evasion strategies, social networks, loopholes in migration policy and corruption in law enforcement agencies. The observation was viewed as an indication of the futility of immigration control targeted as one level of a complex ecosystem with the expectation of long-term effects.

In response to this it was suggested that there is a need for an ecosystemic approach to irregular immigration. The identified levels of interest and their suggested interventions were as follows:

a) deportation of violators of immigration law and restriction of legalisation routes on the micro-level;

b) redress of the DHA and SAPS inclusive of streamlining immigration policy, eradication of corruption, education on policy and consistency in the implementation of immigration policy on the exo-level; and

c) increased involvement in addressing the challenges in other African nations to alleviate migration push factors on the macro-level.

The study did however have several limitations due to the interpretative phenomenology focus limiting the generalisation of the study. Other limitations such as the use of English during interviews also may have influenced the results. Nevertheless, the study yielded valuable insight into the topic of irregular immigration from the perspective of undocumented immigrants that live the impact of immigration policy, face deportation threat and have experienced deportation. Their accounts provided insight into the actors and forces that influenced their migration and legalisation decisions. In addition to providing areas that could be addressed to improve on the control of the irregular immigration issue in South Africa.

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APPENDICES

Appendix A: Participant Consent Information Sheet

Dear Participant

Firstly, I would like to thank you for your interest in participating in this study.

My name is Natasha Mbabvu. I am a student at the University of Pretoria studying for a Masters' in Research Psychology degree. Part of my degree requires me to conduct a research study. The study I am doing is called "South African deportation based on the experiences of previously deported immigrants". I want to find out about your experience of living in South Africa illegally as well as your experience of deportation from the country. The information shared with me will be used purely for research purposes and will not compromise your safety and privacy as a participant.

My research will focus on the following areas:
- Your legal entry into South Africa and your change in status to an illegal immigrant while in the country
- Your life experience as an undocumented immigrant in South Africa
- Your reasons for residing in South Africa illegally
- Your experience of deportation from South Africa
- Your return into the country

Participating in the study will include the following from you as a participant:

1. An interview focused on your deportation experience that is expected to last an hour at a public venue of your choosing.

2. A follow-up interview 2 – 5 months after the first interview to go through the results of the study and make sure I have correctly described your experience. This interview is also expected to last an hour at a public venue of your choosing.

Please note the following aspects of the research:

- Participation in the study is completely voluntary and you have the right to withdraw from the study at any point. There will be no consequences for your withdrawal from the study.

- I am aware that the subject matter of my study is very personal, and I ensure that confidentiality will be maintained throughout the study, that is, your information such as your name and contact details will only be held by myself and no one else.

- False names will also be used when reporting results to ensure that your identity is not

compromised or tracked.

- I will ask for the interview to be voice recorded to make sure that I gather accurate information. I will also take written notes. However, there will be no information that will allow anyone to identify you as the participant from the audio recording or interview notes.

- Your contact details will be deleted after the follow up interview, unless you request to have a copy of the final research results sent to you.

- The research findings collected from the study will be used in my Masters' Dissertation, as well as possible article publications and future research.

- The research findings will be stored by the Psychology Department of the University of Pretoria for 15 years.

Should you have any questions or concerns my contact details are included below:

Name: Natasha N. Mbabvu
Email: _____
Cell number: _____

Thank you again for your interest in the study and I am hopeful of your anticipated participation.

SOUTH AFRICAN DEPORTATION BASED ON THE EXPERIENCES OF PREVIOUSLY DEPORTED IMMIGRANTS

Appendix B: Participant Consent Form

I have read the contents of the information sheet and understand that I have been invited to participate, that my agreeing is fully voluntary.

I am also aware that I may be requested to participate in a follow-up interview within a two to five-month period. I am under no obligation to participate and fully aware that I can withdraw at any time in the course of the interview.

With full knowledge of all foregoing, I agree to participate in this study on this _____ (day) of this _____ (month) and this _____ (year).

Participant Details:

Participant Name:	_____	**Signature:**	_____
Participant Contact No:	_____	**Date:**	_____

Researcher & Supervisor Signature:

_____

Natasha Mbabvu
Student / Researcher
Cell: _____
Email: _____

_____

Prof David Maree
Supervisor
Work: _____
Email: _____

Note for reader:

It was intended for there to be member checking upon completion of the data analysis to confirm the results of the study. However, due to the implementation of a national lockdown from March 2020 in response to the Covid-19 epidemic this was not possible. And as a result, the study was finalised without member checks being done as had been planned for.

SOUTH AFRICAN DEPORTATION BASED ON THE EXPERIENCES OF PREVIOUSLY DEPORTED IMMIGRANTS

Appendix C: Interview Guide

(Transition A: I would like to gather some demographic information to be used for analysing the research results)

1. **Record:** Gender _____ (Male or Female)
2. **Record:** Race _____ (African, White, Coloured or Asian) (Ask if unclear)
3. How old are you?
4. What is your nationality?
5. What do you do for a living?

(Transition B: Let us begin with discussing your experience of your initial entry in South Africa)

1. Describe your first entry into South Africa?

   Probe: Was entry initially legal and illegal?

   - If legal entry was done, how was the documentation obtained?
   - If the participant entered the country illegally, how this was done?

2. What were your intentions when entering the country?
3. How did you become an "illegal" immigrant when you entered the country legally?
4. What were your reasons for remaining in the country beyond your permitted timeframe?

   Probe: Why legal routes of stay were not obtained?

(Transition C: I want to now hear about your experience of being deported from the country)

1. Describe how you were deported from the country, from how you were found to have illegal status to when you were taken back to your home country?
2. What if any restrictions were imposed on you because of the deportation?

(Transition D: I would like to now focus on your re-entry into South Africa)

1. What motivated your desire to return to South Africa?
2. Did you look into legal routes through the South African embassy to re-enter South Africa? If yes, describe the routes explored. Then, move on to Transition D.

   If no, ask why legal routes were not used. Then, move on to the next question

3. How did you enter South Africa illegally?

4. Would you consider looking into ways of obtaining legal status in South Africa?

    Probe: What are the reasons for the yes or no response?

(Transition E: I want to now focus on your understanding of deportation)

1. When you were/ As a person of illegal status are you constantly aware of the possible risk of being apprehended by SAPS or the DHA? **Probe**: What are the reasons for the yes or no response?

2. Do you think the risk of deportation has influenced in your life, if at all?
    Probe: If yes, what strategies have been adopted to minimize the potential of capture?
    If no, why do you say so?

3. What does deportation mean to you? How do you understand it or feel about it?

(Transition F: Closing of the interview)

How are you feeling after this interview? **Probe** for any feelings of discomfort. (If any discomfort is expressed offer support and reassurance to the participant. If the participant is under distress or requires counselling, refer them to Itsoseng Clinic [+27 12 842 351].